

2004

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

THE SENATE

NOTICE PAPER

No. 10

THURSDAY, 9 DECEMBER 2004

The Senate meets at 9.30 am

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Notifications prefixed by an () appear for the first time.*

BUSINESS OF THE SENATE

Notices of Motion

Notice given 6 December 2004

- 1 **Senator Stott Despoja:** To move—That the following matters be referred to the Legal and Constitutional References Committee for inquiry and report by 30 June 2005:
 - (a) the overall effectiveness and appropriateness of the *Privacy Act 1988* as a means by which to protect the privacy of Australians, with particular reference to:
 - (i) international comparisons,
 - (ii) the capacity of the current legislative regime to respond to new and emerging technologies which have implications for privacy, including:
 - (A) ‘Smart Card’ technology and the potential for this to be used to establish a national identification regime,
 - (B) biometric imaging data,
 - (C) genetic testing and the potential disclosure and discriminatory use of such information, and
 - (D) microchips which can be implanted in human beings (for example, as recently authorised by the United States Food and Drug Administration), and
 - (iii) any legislative changes that may help to provide more comprehensive protection or improve the current regime in any way;
 - (b) the effectiveness of the *Privacy Amendment (Private Sector) Act 2000* in extending the privacy scheme to the private sector, and any changes which may enhance its effectiveness; and
 - (c) the resourcing of the Office of the Federal Privacy Commissioner and whether current levels of funding and the powers available to the Federal Privacy Commissioner enable her to properly fulfil her mandate.

Notice given 7 December 2004

- 2 **Senator Sherry:** To move—That new Divisions 9.2A and 9.2B in item [10] of Schedule 1 to the Superannuation Industry (Supervision) Amendment Regulations 2004 (No. 2), as contained in Statutory Rules 2004 No. 84 and made under the *Superannuation Industry (Supervision) Act 1993*, be disallowed.

Fourteen sitting days remain for resolving.**

** *Indicates sitting days remaining, including today, within which the motion must be disposed of or the Regulations will be deemed to have been disallowed.*

Notice given 8 December 2004

- *3 **Senator Marshall:** To move—That the provisions of the Workplace Relations Amendment (Small Business Employment Protection) Bill 2004 be referred to the Employment, Workplace Relations and Education Legislation Committee for inquiry and report by 14 March 2005.

Order of the Day

1 Scafton Evidence—Select Committee

Report to be presented.

GOVERNMENT BUSINESS

Orders of the Day

*1 James Hardie (Investigations and Proceedings) Bill 2004

Adjourned debate on the motion of the Minister for Justice and Customs (Senator Ellison)—That this bill be now read a second time.

And on the amendment moved by Senator Murray—At the end of the motion, add “but the Senate:

- (a) notes and strongly condemns the conduct of the James Hardie Group as identified in the Jackson Inquiry;
- (b) also notes that over the past 50 years tobacco companies have knowingly supplied and promoted a deadly product that kills over 15 000 Australians a year; and
- (c) calls on the Government to consider abrogating legal professional privilege for tobacco companies in respect of civil disputes”—(*Senator Nettle, in continuation, 8 December 2004*).

(*Bill exempted on 6 December 2004 from the provisions of paragraphs (5) to (8) of standing order 111—see Orders of the Senate—Legislation*)

2 Disability Discrimination Amendment (Education Standards) Bill 2004—(*Senate bill*)—(*Minister for the Environment and Heritage, Senator Ian Campbell*)

Second reading—Adjourned debate (*17 November 2004*).

(*Bill exempted on 29 November 2004 from the provisions of paragraphs (5) to (8) of standing order 111—see Orders of the Senate—Legislation*)

3 Classification (Publications, Films and Computer Games) Amendment Bill (No. 2) 2004—(*Minister for Justice and Customs, Senator Ellison*)

Second reading—Adjourned debate (*adjourned, Senator George Campbell, 2 December 2004*).

(*Bill exempted on 17 November 2004 from the provisions of paragraphs (5) to (8) of standing order 111—see Orders of the Senate—Legislation*)

4 Governor-General’s Opening Speech

Adjourned debate on the motion of Senator Knowles—That the following address-in-reply be agreed to:

To His Excellency the Governor-General

MAY IT PLEASE YOUR EXCELLENCY—

We, the Senate of the Commonwealth of Australia in Parliament assembled, desire to express our loyalty to our Most Gracious Sovereign and to thank Your Excellency for the speech which you have been pleased to address to Parliament.

And on the amendment moved by the Leader of the Australian Democrats (Senator Bartlett)—That the following words be added to the address-in-reply:

“, but the Senate is of the opinion that the Government’s failure to ratify the Kyoto Protocol, to take strong action to reduce Australia’s greenhouse emissions and to urge the United States of America to do likewise, is putting at risk international efforts on climate change”—(29 November 2004).

5 Superannuation Legislation Amendment Bill 2004—(Minister for Justice and Customs, Senator Ellison)

Second reading—Adjourned debate (*adjourned, Senator George Campbell, 2 December 2004*).

(Bill exempted on 17 November 2004 from the provisions of paragraphs (5) to (8) of standing order 111—see Orders of the Senate—Legislation)

6 Bankruptcy and Family Law Legislation Amendment Bill 2004—(Senate bill)—(Minister for the Environment and Heritage, Senator Ian Campbell)

Second reading—Adjourned debate (*adjourned, Senator Ludwig, 29 November 2004*).

(Bill exempted on 29 November 2004 from the provisions of paragraphs (5) to (8) of standing order 111—see Orders of the Senate—Legislation)

7 Postal Industry Ombudsman Bill 2004—(Senate bill)—(Minister for the Environment and Heritage, Senator Ian Campbell)

Second reading—Adjourned debate (*17 November 2004*).

ORDERS OF THE DAY RELATING TO COMMITTEE REPORTS AND GOVERNMENT RESPONSES AND AUDITOR-GENERAL’S REPORTS

Orders of the Day relating to Committee Reports and Government Responses

1 Employment, Workplace Relations and Education References Committee—Interim report—Inquiry into student income support

Adjourned debate on the motion of Senator Webber—That the Senate take note of the report (*Senator Webber, in continuation, 2 December 2004*).

2 Legal and Constitutional References Committee—Interim report—Inquiry into Australian expatriates

Adjourned debate on the motion of Senator Wong—That the Senate take note of the report (*adjourned, Senator Webber, 2 December 2004*).

3 Rural and Regional Affairs and Transport Legislation Committee—Interim report—Provisions of the National Animal Welfare Bill 2003

Adjourned debate on the motion of Senator Webber—That the Senate take note of the report (*Senator Webber, in continuation, 2 December 2004*).

4 Legal and Constitutional Legislation Committee—Report—Provisions of the Criminal Code Amendment (Suicide Related Material Offences) Bill 2004

Adjourned debate on the motion of Senator Webber—That the Senate take note of the report (*Senator Webber, in continuation, 2 December 2004*).

5 Legal and Constitutional References Committee—Report—The road to a republic

Adjourned debate on the motion of Senator Stott Despoja—That the Senate take note of the report (*adjourned, Senator Webber, 2 December 2004*).

Order of the Day relating to Auditor-General's reports

1 Auditor-General—Audit report no. 14 of 2004-05—Performance audit—Management and promotion of citizenship services: Department of Immigration and Multicultural and Indigenous Affairs

Adjourned debate on the motion of Senator Webber—That the Senate take note of the document (*adjourned, Senator Ludwig, 2 December 2004*).

GENERAL BUSINESS

Notices of Motion

Notice given 16 November 2004

- 10 **Senator Harradine:** To move—That Budget estimates supplementary hearings by legislation committees for the 2004-05 estimates meet, where senators give notice of matters in accordance with standing order 26(10), as follows:

Group A:

Environment, Communications, Information Technology and the Arts
Finance and Public Administration
Legal and Constitutional
Rural and Regional Affairs and Transport

Tuesday, 30 November, from 8 pm till 11 pm; and

Group B:

Community Affairs
Economics
Employment, Workplace Relations and Education
Foreign Affairs, Defence and Trade

Wednesday, 1 December, from 8 pm till 11 pm.

Notice given 18 November 2004

- 16 **Senator Brown:** To move—That the Senate calls on the Government to evaluate Tasmania's Tarkine wilderness, including its temperate rainforest, coastline and Aboriginal heritage, for World Heritage listing while ensuring no overall loss of jobs in the state's forestry industry.

Notice of motion altered on 8 December 2004 pursuant to standing order 77.

- 17 **Senator Brown:** To move—That the Senate calls on the Government to provide further protection of identified Tasmanian high conservation value old-growth forests, rainforests, and other ecosystems while ensuring no overall loss of jobs in the state's forestry industry through the implementation of a sustainable industry plan based on the use of plantation timber, selective use of native timber, value-adding, and downstream processing.

Notice of motion altered on 7 December and 8 December 2004 pursuant to standing order 77.

Notice given 7 December 2004

- 47 **Senator Nettle:** To move—That the Senate—

(a) notes:

- (i) that the inaugural Dr Andrew McNaughtan memorial lecture was delivered on 7 December 2004, which also marks the 29th anniversary of the Indonesian invasion of East Timor,
- (ii) Dr McNaughtan's major contribution to the struggle of the East Timorese people, including his work to achieve economic justice in relation to the Timorese claim to oil and gas reserves in the Timor Sea,
- (iii) the remarks of Timorese Foreign Minister, Mr Jose Ramos Horta, who said last week that Australia's reduced compensation offer to Timor Leste 'amounted to an unacceptable blackmail', and
- (iv) the patronising and inaccurate comments by the Minister for Foreign Affairs (Mr Downer) in response to East Timorese dissatisfaction with the Australian Government's compensation offer when he said 'East Timor wouldn't be an independent country if it wasn't for Australia'; and

(b) calls on the Government to:

- (i) negotiate a fair and equitable maritime boundary with Timor Leste according to current international law and the provisions of the United Nations Convention on the Law of the Sea,
- (ii) respond to the request by Timor Leste for more regular meetings to settle the maritime boundary dispute between the two countries within a more reasonable timeframe,
- (iii) return Australia to the jurisdiction of the International Court of Justice and the United Nations Convention on the Law of the Sea for the adjudication of maritime boundaries, and
- (iv) commit to hold in trust revenues from disputed areas immediately outside the Joint Petroleum Development Area of the 20 May 2002 Timor Sea Treaty for further apportionment between Australia and Timor Leste after the maritime boundary dispute between the two countries has been settled.

Notice given 8 December 2004

*48 **Chair of the Rural and Regional Affairs and Transport Legislation Committee (Senator Heffernan):** To move—That the Rural and Regional Affairs and Transport Legislation Committee be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate on Wednesday, 9 February 2005, from 4 pm to 6 pm, in relation to its inquiry on the administration of Biosecurity Australia concerning the revised draft import risk analysis for apples from New Zealand.

*49 **Senator Stott Despoja:** To move—That the Senate—

(a) notes that:

- (i) in the recent United Nations (UN) debate on a ban on human cloning, the Australian Government co-sponsored a proposal from Costa Rica that it had previously stated it would oppose,
 - (ii) the change in the Government's position on this issue was made without consultation with the states or the biotechnology industry, and
 - (iii) a review of the *Research Involving Human Embryos Act 2002* and the *Prohibition of Human Cloning Act 2002* is due to commence shortly and the independence of such an important review should not be compromised by government commitments in the international arena;
- (b) calls on the Government to consult with the states and the biotechnology industry before stating its position on human cloning at the UN in February 2005, when debate on this issue is due to recommence; and
- (c) congratulates the Australian Stem Cell Centre, Australia's only Biotechnology Centre of Excellence, for holding its second successful Annual Scientific Conference.

*50 **Senator Stott Despoja:** To move—That the Senate—

(a) notes that:

- (i) the review of the cost adjustment factor indexation mechanism for Commonwealth funding of universities provided for under the *Higher Education Support Act 2003* will not be an independent review,
 - (ii) a review of such importance should not be conducted within the confines of the Department of Education, Science and Training and the Government,
 - (iii) the university sector has no confidence in the review of indexation delivering an appropriate outcome, and
 - (iv) without improved indexation, universities will have few alternatives to meet funding shortfalls other than increases in student fees when they approach the end of the Government's 'Our Universities: Backing Australia's Future' package in 2008;
- (b) condemns the Government for under-funding universities for the past 8 years, partly through inadequate indexation, to such an extent that universities are now turning to students to provide a short-term increase in funding; and

- (c) calls on the Government to:
 - (i) make all paperwork pertaining to the review public, in time for the sector to make informed comment before the review is completed in February 2005, and
 - (ii) rule out any further higher education contribution scheme increases.

***51 Senator Stott Despoja:** To move—That the Senate—

- (a) notes reports of violence within the Puncak Jaya district of West Papua, including reports that:
 - (i) between 5 000 and 20 000 Papuans have fled into the mountains after raids by the Indonesian military, whose officers allegedly fired automatic weapons at villagers from helicopters,
 - (ii) humanitarian access is being denied to these displaced persons and many of them are now starving, and
 - (iii) at least 18 people have died, including a number of children; and
- (b) calls on the Government to express concern to the Indonesian Government regarding these reports and encourage the Indonesian Government to:
 - (i) immediately institute an investigation into the allegations,
 - (ii) ensure the safe return of the displaced Papuans to their homes,
 - (iii) enable humanitarian and human rights organisations, as well as journalists, to gain access to the affected area,
 - (iv) work to bring an end to the violence within West Papua, and
 - (v) bring the perpetrators of these crimes to justice.

***52 Senator Nettle:** To move—That the Senate—

- (a) notes that 10 December is International Human Rights Day and join with the many thousands around the world, who are participating in events on this day, to:
 - (i) condemn the ongoing abuse of human rights worldwide,
 - (ii) recognise the need for concerted international action to address human rights abuses, and
 - (iii) call for urgent efforts to address the growing inequity between rich and poor which impinge on rights to life, liberty and freedom from oppression for so many millions around the globe; and
- (b) condemns the Government's appalling record in the field of human rights, and in particular the Government's:
 - (i) failure to endorse the United Nations (UN) Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,
 - (ii) contravention of the UN Convention on the Rights of the Child in relation to some asylum seeker detainees,
 - (iii) tacit support of United States of America tactics in the ongoing occupation of Iraq including the use of depleted uranium, napalm and cluster bombs,
 - (iv) unwillingness to act in defence of Mr David Hicks and Mr Mamdouh Habib illegally detained in Guantanamo Bay, Cuba,
 - (v) failure to pursue the recommendations of the Royal Commission into Aboriginal Deaths in Custody, and
 - (vi) failure to reach UN agreed targets for international aid for poverty alleviation overseas.

- *53 **Senator Brown:** To move—That the Senate noting that 10 December is International Human Rights Day, congratulates Mr Brian Summerfield who is celebrating the day in Melbourne by completing a bike ride around Australia during which he raised hundreds of dollars for Tibetan refugees and promoted the cause of a free Tibet.
- *54 **Senator Marshall:** To move—
- (1) That so much of standing orders be suspended as would prevent this resolution having effect.
 - (2) That the Flags Amendment (Eureka Flag) Bill 2004 be restored to the *Notice Paper* and that consideration of the bill be resumed at the stage reached in the last session of the Parliament.
- *55 **Senator Brown:** To move—That the following bill be introduced: A Bill for an Act to amend the *Commonwealth Electoral Act 1918* to enable voters at Senate elections to determine the order of their party preferences in above the line voting, and for related purposes. *Senate Voters' Choice (Preference Allocation) Bill 2004.*

Orders of the Day relating to Government Documents

- 1 **Australian Law Reform Commission—Report no. 99—Genes and ingenuity: Gene patenting and human health, June 2004**
Adjourned debate on the motion of Senator Buckland—That the Senate take note of the document (*adjourned, Leader of the Australian Democrats (Senator Bartlett), 2 December 2004*).
- 2 **Australian War Memorial—Report for 2003-04**
Adjourned debate on the motion of Senator Buckland—That the Senate take note of the document (*adjourned, Leader of the Australian Democrats (Senator Bartlett), 2 December 2004*).
- 3 **Australian Electoral Commission—Report for 2003-04**
Adjourned debate on the motion of Senator Buckland—That the Senate take note of the document (*Senator Ludwig, in continuation, 2 December 2004*).
- 4 **Housing Assistance Act 1996—Report for 2002-03 on the operation of the 1999 Commonwealth-State Housing Agreement [Final]**
Adjourned debate on the motion of Senator Buckland—That the Senate take note of the document (*adjourned, Leader of the Australian Democrats (Senator Bartlett), 2 December 2004*).
- 5 **Repatriation Medical Authority—Report for 2003-04—Corrigendum**
Adjourned debate on the motion of Senator Buckland—That the Senate take note of the document (*adjourned, Leader of the Australian Democrats (Senator Bartlett), 2 December 2004*).
- 6 **Australian Centre for International Agricultural Research—Report for 2003-04**
Adjourned debate on the motion of Senator Buckland—That the Senate take note of the document (*adjourned, Senator Webber, 2 December 2004*).

7 Great Barrier Reef Marine Park Authority—Report for 2003-04

Adjourned debate on the motion of Senator Buckland—That the Senate take note of the document (*adjourned, Senator Webber, 2 December 2004*).

8 Office of the Federal Privacy Commissioner—Report for 2003-04 on the operation of the *Privacy Act 1988*

Adjourned debate on the motion of Senator Buckland—That the Senate take note of the document (*adjourned, Senator Webber, 2 December 2004*).

9 Australian Greenhouse Office—Report for 2003-04

Adjourned debate on the motion of Senator Buckland—That the Senate take note of the document (*adjourned, Senator Webber, 2 December 2004*).

10 Department of the Environment and Heritage—Report for 2003-04, including reports on the operation of the *Environment Protection and Biodiversity Conservation Act 1999*, the *Fuel Quality Standards Act 2000*, the *Hazardous Waste (Regulation of Exports and Imports (Act) 1989*, the *Ozone Protection and Synthetic Greenhouse Gas Management Act 1989*, the *Product Stewardship (Oil) Act 2002* and the *Protection of Movable Cultural Heritage Act 1986*

Adjourned debate on the motion of Senator Buckland—That the Senate take note of the document (*adjourned, Senator Webber, 2 December 2004*).

11 Aboriginal and Torres Strait Islander Services—Report for 2003-04

Adjourned debate on the motion of Senator Buckland—That the Senate take note of the document (*adjourned, Senator Webber, 2 December 2004*).

12 North Queensland Land Council Native Title Representative Body Aboriginal Corporation—Report for 2003-04

Adjourned debate on the motion of Senator Buckland—That the Senate take note of the document (*adjourned, Senator Webber, 2 December 2004*).

13 National Oceans Office—Report for 2003-04

Adjourned debate on the motion of Senator Buckland—That the Senate take note of the document (*adjourned, Senator Webber, 2 December 2004*).

14 Australian Institute of Marine Science—Report for 2003-04

Adjourned debate on the motion of Senator Buckland—That the Senate take note of the document (*adjourned, Senator Webber, 2 December 2004*).

15 Sydney Harbour Federation Trust—Report for 2003-04

Adjourned debate on the motion of Senator Buckland—That the Senate take note of the document (*adjourned, Senator Webber, 2 December 2004*).

16 Department of Immigration and Multicultural and Indigenous Affairs—Report for 2003-04, including reports pursuant to the *Immigration (Education) Act 1971* and the *Australian Citizenship Act 1948*

Adjourned debate on the motion of Senator Buckland—That the Senate take note of the document (*Senator Ludwig, in continuation, 2 December 2004*).

Orders of the Day

- 1 **Anti-Genocide Bill 1999 [2004]**—(*Senate bill*)—(Senator Greig)
Second reading (*restored pursuant to resolution of 17 November 2004*).
- 2 **Charter of Political Honesty Bill 2000 [2004]**—(*Senate bill*)—(Senator Murray)
Second reading (*restored pursuant to resolution of 17 November 2004*).
- 3 **Constitution Alteration (Appropriations for the Ordinary Annual Services of the Government) 2001 [2004]**—(*Senate bill*)—(Senators Murray and Stott Despoja)
Second reading (*restored pursuant to resolution of 17 November 2004*).
- 4 **Constitution Alteration (Electors' Initiative, Fixed Term Parliaments and Qualification of Members) 2000 [2004]**—(*Senate bill*)—(Senator Murray)
Second reading (*restored pursuant to resolution of 17 November 2004*).
- 5 **Defence Amendment (Parliamentary approval for Australian involvement in overseas conflicts) Bill 2003 [2004]**—(*Senate bill*)—(Leader of the Australian Democrats, Senator Bartlett, and Senator Stott Despoja)
Second reading (*restored pursuant to resolution of 17 November 2004*).
- 6 **Electoral Amendment (Political Honesty) Bill 2003 [2004]**—(*Senate bill*)—(Senator Murray)
Second reading (*restored pursuant to resolution of 17 November 2004*).
- 7 **Environment Protection and Biodiversity Conservation Amendment (Invasive Species) Bill 2002 [2004]**—(*Senate bill*)—(Leader of the Australian Democrats, Senator Bartlett)
Second reading (*restored pursuant to resolution of 17 November 2004*).
- 8 **Euthanasia Laws (Repeal) Bill 2004**—(*Senate bill*)—(Senator Allison)
Second reading (*restored pursuant to resolution of 17 November 2004*).
- 9 **Financial Management and Accountability (Anti-Restrictive Software Practices) Amendment Bill 2003 [2004]**—(*Senate bill*)—(Senator Greig)
Second reading (*restored pursuant to resolution of 17 November 2004*).
- 10 **Freedom of Information Amendment (Open Government) Bill 2003 [2004]**—(*Senate bill*)—(Senator Murray)
Second reading (*restored pursuant to resolution of 17 November 2004*).
- 11 **Genetic Privacy and Non-discrimination Bill 1998 [2004]**—(*Senate bill*)—(Senator Stott Despoja)
Second reading (*restored pursuant to resolution of 17 November 2004*).
- 12 **Ministers of State (Post-Retirement Employment Restrictions) Bill 2002 [2004]**—(*Senate bill*)—(Senators Stott Despoja and Murray)
Second reading (*restored pursuant to resolution of 17 November 2004*).
- 13 **National Animal Welfare Bill 2003 [2004]**—(*Senate bill*)—(Leader of the Australian Democrats, Senator Bartlett)
Second reading (*restored pursuant to resolution of 17 November 2004*).

- 14 **Patents Amendment Bill 1996 [2004]**—(*Senate bill*)—(*Senator Stott Despoja*)
Second reading (*restored pursuant to resolution of 17 November 2004*).
- 15 **Parliamentary Approval of Treaties Bill 1995 [2004]**—(*Senate bill*)
Second reading (*restored pursuant to resolution of 17 November 2004*).
- 16 **Public Interest Disclosure (Protection of Whistleblowers) Bill 2002 [2004]**—(*Senate bill*)—(*Senator Murray*)
Second reading (*restored pursuant to resolution of 17 November 2004*).
- 17 **Reconciliation Bill 2001 [2004]**—(*Senate bill*)—(*Senator Ridgeway*)
Second reading (*restored pursuant to resolution of 17 November 2004*).
- 18 **Republic (Consultation of the People) Bill 2001 [2004]**—(*Senate bill*)—(*Senator Stott Despoja*)
Second reading (*restored pursuant to resolution of 17 November 2004*).
- 19 **Sexuality Anti-Vilification Bill 2003 [2004]**—(*Senate bill*)—(*Senator Greig*)
Second reading (*restored pursuant to resolution of 17 November 2004*).
- 20 **Sexuality and Gender Identity Discrimination Bill 2003 [2004]**—(*Senate bill*)—(*Senator Greig*)
Second reading (*restored pursuant to resolution of 17 November 2004*).
- 21 **State Elections (One Vote, One Value) Bill 2001 [2004]**—(*Senate bill*)
Second reading (*restored pursuant to resolution of 17 November 2004*).
- 22 **Textbook Subsidy Bill 2003 [2004]**—(*Senate bill*)—(*Senator Stott Despoja*)
Second reading (*restored pursuant to resolution of 17 November 2004*).
- 23 **Uranium Mining in or near Australian World Heritage Properties (Prohibition) Bill 1998 [2004]**—(*Senate bill*)—(*Senator Allison*)
Second reading (*restored pursuant to resolution of 17 November 2004*).
- 24 **Workplace Relations Amendment (Paid Maternity Leave) Bill 2002 [2004]**—(*Senate bill*)—(*Senator Stott Despoja*)
Second reading (*restored pursuant to resolution of 17 November 2004*).
- 25 **Communications—Telstra**
Adjourned debate on the motion of Senator Conroy—That the Senate—
 - (a) notes that:
 - (i) the Government has failed to ensure that telecommunications service standards are up to scratch in rural and regional Australia,
 - (ii) the chief of the Government’s telecommunications inquiry, Mr Dick Estens, has said that telecommunications services in the bush remain a ‘shemozzle’, and
 - (iii) selling Telstra will cost the budget \$255 million over the next 4 years; and
 - (b) calls on the Government to keep Telstra in majority public ownership to ensure reliable telecommunications services for all Australians—(*Senator Heffernan, in continuation, 18 November 2004*).

- 26 **Criminal Code Amendment (Workplace Death and Serious Injury) Bill 2004—(Senate bill)—(Senator Nettle)**

Second reading (*restored pursuant to resolution of 30 November 2004*).

- 27 **Constitution Alteration (Right to Stand for Parliament—Qualification of Members and Candidates) 1998 (No. 2) [2004]—(Senate bill)—(Senator Brown)**

In committee (*committee to consider the bill as reported by the committee of the whole on 15 May 2003*)—(*restored pursuant to resolution of 1 December 2004*).

BUSINESS FOR FUTURE CONSIDERATION

Next day of sitting which is more than nine days after today (8 February 2005)

Government Business—Order of the Day

- 1 **Aboriginal and Torres Strait Islander Commission Amendment Bill 2004—(Senate bill)—(Minister for Justice and Customs, Senator Ellison)**

Second reading—Adjourned debate (*1 December 2004*).

Next day of sitting (8 February 2005)

Business of the Senate—Notice of Motion

Notice given 16 November 2004

- 1 **Senator Ridgeway:** To move—That the Aboriginal and Torres Strait Islander Heritage Protection Amendment Regulations 2004 (No. 1), as contained in Statutory Rules 2004 No. 176 and made under the *Aboriginal and Torres Strait Islander Heritage Protection Act 1984*, be disallowed.

Six sitting days remain for resolving.**

** *Indicates sitting days remaining, including today, within which the motion must be disposed of or the Regulations will be deemed to have been disallowed.*

Business of the Senate—Order of the Day

- 1 **Community Affairs Legislation Committee**

Report to be presented on the provisions of the Private Health Insurance Incentives Amendment Bill 2004. (*Referred pursuant to Selection of Bills Committee report.*)

Government Business—Orders of the Day

- *1 **Australian Sports Commission Amendment Bill 2004—(Senate bill)—(Minister for Justice and Customs, Senator Ellison)**

Second reading—Adjourned debate (*8 December 2004*).

- *2 **Criminal Code Amendment (Trafficking in Persons Offences) Bill 2004—(Senate bill)—(Minister for Justice and Customs, Senator Ellison)**

Second reading—Adjourned debate (*8 December 2004*).

On 10 February 2005

Business of the Senate—Order of the Day

*1 Community Affairs Legislation Committee

Report to be presented on the provisions of the National Health Amendment (Prostheses) Bill 2004. (*Referred pursuant to Selection of Bills Committee report.*)

General Business—Notice of Motion

Notice given 1 December 2004

27 Senator Lees: To move—That the Senate—

- (a) acknowledges the threats facing the endangered Asian elephant throughout its natural range, including live trade, human-elephant conflict and poaching for ivory tusks, hide and meat;
- (b) notes that:
 - (i) the Asian elephant is listed as an Appendix I species under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES),
 - (ii) Appendix I species are those whose trade must be subject to particularly strict regulation, and only authorised in exceptional circumstances,
 - (iii) Australia has been a party to CITES since 1976,
 - (iv) implementation of the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* serves as Australia's way of meeting its international obligations as a CITES party,
 - (v) under the Act, CITES Appendix I species cannot be imported for the purpose of exhibition, and zoos must prove that they are able to meet the biological and behavioural needs of the animals if importation is for reasons such as conservation breeding,
 - (vi) Australian zoos have requested permission from the Australian Government to import nine Asian elephants from Thailand as part of a captive breeding program,
 - (vii) research undertaken by Oxford University in 2002 and supported by peers has identified that zoos are unable to meet the biological and behavioural needs of elephants in captivity, as elephants in captivity suffer from stress and boredom leading to abnormal behaviours and have a greater incidence of infant mortality and early death, and
 - (viii) the proposed captive breeding program offers no conservation benefit to the Asian elephant species as no offspring will ever be returned to the wild and elephants do not breed successfully in captivity; and
- (c) calls on the Government to:
 - (i) reject the proposal that would allow the impending and any future importation of elephants from Thailand to Australian zoos,
 - (ii) work with the zoo association and non-government organisations to undertake an assessment of welfare conditions for elephants currently held in Australian zoos, and

- (iii) earmark funding from the Regional Natural Heritage Programme addressing biodiversity hotspots in the Asia Pacific region, for in situ conservation projects that will help to address the threats facing the Asian elephant in Thailand and other range states.

On 7 March 2005

Business of the Senate—Orders of the Day

***1 Environment, Communications, Information Technology and the Arts Legislation Committee**

Report to be presented on the provisions of the Broadcasting Services Amendment (Anti-Siphoning) Bill 2004. (*Referred pursuant to Selection of Bills Committee report.*)

***2 Employment, Workplace Relations and Education Legislation Committee**

Report to be presented on the provisions of the Workplace Relations Amendment (Right of Entry) Bill 2004. (*Referred pursuant to Selection of Bills Committee report.*)

On 8 March 2005

Business of the Senate—Orders of the Day

1 Administration of Indigenous Affairs—Select Committee

Report to be presented.

2 Legal and Constitutional References Committee

Report to be presented on Australian expatriates.

On 10 March 2005

Business of the Senate—Orders of the Day

1 Legal and Constitutional Legislation Committee

Report to be presented on the Administrative Appeals Tribunal Amendment Bill 2004. (*Referred pursuant to Selection of Bills Committee report.*)

***2 Environment, Communications, Information Technology and the Arts Legislation Committee**

Report to be presented on the provisions of the Australian Communications and Media Authority Bill 2004, the Australian Communications and Media Authority (Consequential and Transitional Provisions) Bill 2004, the Datacasting Charge (Imposition) Amendment Bill 2004, the Radio Licence Fees Amendment Bill 2004, the Radiocommunications (Receiver Licence Tax) Amendment Bill 2004, the Radiocommunications (Spectrum Licence Tax) Amendment Bill 2004, the Radiocommunications (Transmitter Licence Tax) Amendment Bill 2004, the Telecommunications (Carrier Licence Charges) Amendment Bill 2004, the Telecommunications (Numbering Charges) Amendment Bill 2004 and the Television Licence Fees Amendment Bill 2004, and related matters.

***3 Environment, Communications, Information Technology and the Arts References Committee**

Report to be presented on budgetary and environmental implications of the Government's Energy White Paper .

Government Business—Order of the Day

1 Administrative Appeals Tribunal Amendment Bill 2004—(Senate bill)—
(Minister for the Environment and Heritage, Senator Ian Campbell)

Second reading—Adjourned debate (17 November 2004).

Eleven sitting days after today (17 March 2005)

Business of the Senate—Notices of Motion

Notice given 2 December 2004

1 Chairman of the Standing Committee on Regulations and Ordinances (Senator Tchen): To move—That the Air Navigation (Aviation Security Status Checking) Regulations 2004, as contained in Statutory Rules 2004 No. 207 and made under the *Air Navigation Act 1920*, be disallowed.

Twelve sitting days remain for resolving.**

2 Chairman of the Standing Committee on Regulations and Ordinances (Senator Tchen): To move—That the Crimes Amendment Regulations 2004 (No. 1), as contained in Statutory Rules 2004 No. 164 and made under the *Crimes Act 1914*, be disallowed.

Twelve sitting days remain for resolving.**

3 Chairman of the Standing Committee on Regulations and Ordinances (Senator Tchen): To move—That the National Health Amendment Regulations 2004 (No. 2), as contained in Statutory Rules 2004 No. 186 and made under the *National Health Act 1953*, be disallowed.

Twelve sitting days remain for resolving.**

4 Chairman of the Standing Committee on Regulations and Ordinances (Senator Tchen): To move—That the National Health (Private Health Insurance Levies) Regulations 2004, as contained in Statutory Rules 2004 No. 187 and made under the *National Health Act 1953*, be disallowed.

Twelve sitting days remain for resolving.**

** *Indicates sitting days remaining, including today, within which the motion must be disposed of or the Regulations will be deemed to have been disallowed.*

On 17 March 2005

Business of the Senate—Orders of the Day

1 Community Affairs References Committee

Report to be presented on children in institutional care.

2 Foreign Affairs, Defence and Trade References Committee

Report to be presented on the effectiveness of the Australian military justice system.

By the last sitting day in March 2005

Business of the Senate—Orders of the Day

1 Rural and Regional Affairs and Transport Legislation Committee

Report to be presented on the administration of Biosecurity Australia concerning the revised draft import risk analysis for bananas from the Philippines.

2 Rural and Regional Affairs and Transport Legislation Committee

Report to be presented on the administration of Biosecurity Australia concerning the revised draft import risk analysis for apples from New Zealand.

On 12 May 2005

Business of the Senate—Order of the Day

1 Employment, Workplace Relations and Education References Committee

Report to be presented on Indigenous education.

On 14 June 2005

Business of the Senate—Order of the Day

1 Employment, Workplace Relations and Education References Committee

Report to be presented on unfair dismissal laws.

On 16 June 2005

Business of the Senate—Orders of the Day

***1 Rural and Regional Affairs and Transport References Committee**

Report to be presented on compensation for wheat growers.

***2 Employment, Workplace Relations and Education References Committee**

Report to be presented on student income support.

On 22 June 2005

Business of the Senate—Order of the Day

1 Finance and Public Administration References Committee

Report to be presented on government advertising.

On 23 June 2005

Business of the Senate—Order of the Day

1 Community Affairs References Committee

Report to be presented on aged care.

On 30 June 2005**Business of the Senate—Order of the Day****1 Treaties—Joint Standing Committee**

Report to be presented on the proposed agreement relating to US nationals and the International Criminal Court.

On 15 August 2005**Business of the Senate—Order of the Day****1 Finance and Public Administration References Committee**

Report to be presented on Regional Partnerships program.

On 15 September 2005**Business of the Senate—Order of the Day*****1 Foreign Affairs, Defence and Trade References Committee**

Report to be presented on Australia's relationship with China.

BILLS REFERRED TO COMMITTEES
Bills currently referred†**Administrative Appeals Tribunal Amendment Bill 2004‡**

Referred to the Legal and Constitutional Legislation Committee (*referred 1 December 2004; reporting date: 10 March 2005*).

Provisions of bills currently referred†**Australian Communications and Media Authority Bill 2004****Australian Communications and Media Authority (Consequential and Transitional Provisions) Bill 2004****Datacasting Charge (Imposition) Amendment Bill 2004****Radio Licence Fees Amendment Bill 2004****Radiocommunications (Receiver Licence Tax) Amendment Bill 2004****Radiocommunications (Spectrum Licence Tax) Amendment Bill 2004****Radiocommunications (Transmitter Licence Tax) Amendment Bill 2004**

Telecommunications (Carrier Licence Charges) Amendment Bill 2004

Telecommunications (Numbering Charges) Amendment Bill 2004

Television Licence Fees Amendment Bill 2004

Referred to the Environment, Communications, Information Technology and the Arts References Committee (*referred 8 December 2004; reporting date: 10 March 2005*).

Broadcasting Services Amendment (Anti-Siphoning) Bill 2004‡

Referred to the Environment, Communications, Information Technology and the Arts Legislation Committee (*referred 8 December 2004; reporting date: 7 March 2005*).

National Health Amendment (Prostheses) Bill 2004‡

Referred to the Community Affairs Legislation Committee (*referred 8 December 2004; reporting date: 10 February 2005*).

Private Health Insurance Incentives Amendment Bill 2004‡

Referred to the Community Affairs Legislation Committee (*referred 1 December 2004; reporting date: 8 February 2005*).

Workplace Relations Amendment (Right of Entry) Bill 2004‡

Referred to the Employment, Workplace Relations and Education Legislation Committee (*referred 8 December 2004; reporting date: 7 March 2005*).

‡Further information about the progress of these bills may be found in the Department of the Senate's Bills to Committees Update.

‡Pursuant to adoption of report of Selection of Bills Committee.

QUESTIONS ON NOTICE

Questions remaining unanswered

No questions have remained unanswered for more than 30 days.

Notice given 16 November 2004

- 1 **Senator Brown:** To ask the Minister representing the Minister for Transport and Regional Services—With reference to the announcement by the Minister on 23 August 2004 of a \$48 million package to improve security within Australia's regional airports:
 - (1) Is any of the money for this package coming from the air passenger ticket levy that was imposed in order to meet the entitlements of former Ansett employees.
 - (2) (a) How much money was raised by the levy; and (b) of this, how much has been paid to former Ansett employees.
 - (3) How much remains to be paid to former Ansett employees in order to fully meet their entitlements.
- 3 **Senator Brown:** To ask the Minister for Immigration and Multicultural and Indigenous Affairs—With reference to the administration of the *Aboriginal Councils and Associations Act 1976* and, in particular, to section 60:

- (1) Given that an authorised person must produce written authority provided by the Registrar before exercising any powers under this section: (a) which Aboriginal corporations were served with written authority; (b) how was this written authority served and by whom; (c) what were the names of the persons to whom the written authority was given; and (d) which Aboriginal corporations were not served with any written authority.
 - (2) Which Aboriginal corporations were and are subject to legal actions by the Registrar.
 - (3) Since 1996: (a) how much has been spent by the Registrar's office on legal matters in relation to section 60 findings; and (b) what are the names of the Aboriginal corporations involved in these matters.
 - (4) (a) Did the Registrar act upon complaints from former employees of the Aboriginal and Torres Strait Islander Commission (ATSIC) and the Aboriginal and Torres Strait Islander Service (ATSIS) to institute action under section 60; and (b) which Aboriginal corporations were recommended for examination on the instruction of the former ATSIC or ATSIS.
 - (5) Were procedures in place between the Registrar's office and the former ATSIC and ATSIS to allow for Commonwealth employees of either the Registrar's office or the former ATSIC or ATSIS to engage in a deliberate process of instructing solicitors engaged in court proceedings initiated by the Registrar's office.
- 4 **Senator Brown:** To ask the Minister for Immigration and Multicultural and Indigenous Affairs—With reference to the administration of the *Aboriginal Councils and Associations Act 1976*:
- (1) Since 1996, how many Aboriginal corporations were subjected to examination under section 60 of the Act.
 - (2) (a) Which corporations were involved; and (b) in which state or territory did or do these corporations exist.
 - (3) What was the name of the person or persons or company that undertook the examination of corporations' office documents.
 - (4) Did the Registrar's office ensure prior probity checks were conducted on all the nominated persons or companies that undertook the examinations.
 - (5) (a) Who did the Registrar engage to undertake the examinations; and (b) was this selection made through a tender process; if so, can a copy be provided of the notice that appeared in national newspapers calling for expressions of interest.
- 5 **Senator Brown:** To ask the Minister for Defence—With reference to the Salt Ash Air Weapons Range near Port Stephens, which is used by aircraft from the Royal Australian Air Force Base, Williamtown, and to studies by PPK Consultants of an alternative range site using land at Mungo Brush (Tea Gardens):
- (1) Is a second study by PPK Consultants, commissioned by the department in response to deficiencies in the initial study, a classified document.
 - (2) Has the Defence Inspector-General refused to release the study to the Australian National Audit Office.
 - (3) Will the study be made publicly available.
 - (4) Given that in media release 328/03, dated 13 November 2003, the department stated that, 'Under the conditions attached to the introduction of the Hawk fighter, Defence is required to engage with local and state

planning authorities to establish guidelines to ensure proposed developments near both sites are compatible with Defence operational and training requirements', what consultation has since taken place with local and state planning authorities.

- (5) Will the department also consult with these authorities in relation to the impact upon existing communities.
- (6) In examining the environmental impact of the range, have the effects of exposure to aerosol jet fuel spray been investigated.
- (7) Will the department commission on-going studies to determine the actual, as compared to the predicted, impact of the range upon local communities.
- (8) Has there been any study of potential dangers to nearby residents arising from the use of live munitions in proximity to their homes.

6 **Senator Brown:** To ask the Minister representing the Prime Minister—With reference to a letter dated 17 September 2003 sent by Mr D Brown of Ocean Reef, Western Australia, to the Commonwealth Ombudsman, Professor John McMillan, in which he specified six alleged irregularities in the conduct of the ombudsman, and asked for a detailed response to each complaint:

- (1) Has the ombudsman received this letter; if so, has he responded to the complaints made in the letter; if not, when will a response be made.
- (2) Does the Office of the Commonwealth Ombudsman respond to complaints made about the office itself, whether or not these are the basis of a formal complaint about a particular individual within the office.
- (3) Has the Office of the Commonwealth Ombudsman established a benchmark time frame for responding to complaints about the office.

7 **Senator Brown:** To ask the Minister representing the Attorney-General—With reference to the prospective trials of Mr David Hicks and Mr Mamdouh Habib before a United States (US) Military Commission established under a Military Commission Order, under which a statement is admissible in evidence 'if it has probative value to a reasonable person':

- (1) Does this provision give the defendants less protection against making admissions as a result of physical or mental torture than they would have if they were tried by a civil court in either Australia or the US.
- (2) Will the Australian Government petition the US Administration to ensure that statements made by the defendants under duress are not admitted as evidence by the military commission.
- (3) Will the Australian Government petition the US Administration for an inquiry into whether Mr Hicks and/or Mr Habib have been subjected to torture to be conducted by an independent inquiry rather than by an inquiry held within the US Navy.

10 **Senator Brown:** To ask the Minister representing the Minister for Transport and Regional Services—With reference to the sub-contracting of the carriage of road freight by transport operators:

- (1) In circumstances where monies are collected from sub-contractors for insurance purposes: (a) are operators required to lodge these monies with an insurance agency; (b) are operators required to notify their sub-contractors in writing of the extent to which they are covered by insurance that is held by the contracting company; and (c) is there an available estimate of the yearly value of insurance levies collected by contracting companies where the above conditions are not met.

- (2) In circumstances where monies are collected from customers, as a levy to cover the increased cost of fuel: (a) are operators required to pass these levies to sub-contractors where the fuel is purchased by the sub-contractor; and (b) is there an available estimate of the yearly value of fuel levies that are not passed on to sub-contractors who purchase their own fuel.
 - (3) Will the Government ask the National Road Transport Commission to investigate whether sub-contractors should be given further protection with respect to both of the above issues.
- 11 **Senator Brown:** To ask the Minister for the Environment and Heritage—With reference to the abandoned Woodsreef asbestos mine, located east of Barraba in New South Wales:
- (1) Is the Government aware of any study as to whether the tailings dump from the mine currently constitutes either: (a) a health hazard to nearby communities; or (b) a pollutant risk to river systems, whether localised or impacting significant components of the Murray-Darling river system.
 - (2) Given the interest of Pacific Magnesium Corporation in re-opening the site in order to extract magnesium from the tailings, is the Government aware of any assessment of the environmental impact of such a development.
 - (3) (a) Has there been any rehabilitation work preformed on the site since the mine was closed; (b) are there any plans for such work to be commenced; and (c) is such work dependent upon a decision as to whether the site will be reopened for the extraction of magnesium.
- 12 **Senator Brown:** To ask the Minister representing the Attorney-General—With reference to the *Marriage Amendment Act 2004* and in particular to couples where one partner has undergone, or is contemplating, gender reassignment:
- (1) What is the meaning of the terms: (a) ‘man’; and (b) ‘woman’.
 - (2) (a) What is the situation of married couples where one partner undergoes a gender reassignment; (b) is their marriage invalidated by the legislation; and (c) what are the consequences for: (i) the couple, (ii) their children (including adopted children), (iii) property, including inheritance, (iv) entitlement to government benefits, (v) citizenship, and (vi) any other circumstance.
 - (3) If the law in effect annuls such marriages, how and when will the Government inform couples of this fact.
- 13 **Senator Brown:** To ask the Minister representing the Minister for Foreign Affairs—
- (1) Before, or since, the Minister’s comments on the Australian Broadcasting Corporation’s *Lateline* program on 12 May 2004, what action has the Minister taken to establish the complete picture of treatment or mistreatment of the two Australians, and other persons, at Guantanamo Bay.
 - (2) What is the complete picture regarding the treatment of the two Australians at Guantanamo Bay.
 - (3) Since 12 May 2004, what specific request has been made to the United States Government for details of the treatment of Mr Hicks and Mr Habib, known to Major Mori or any other person involved.
 - (4) What details of the treatment of Mr Hicks and Mr Habib have been received.

- 15 **Senator Allison:** To ask the Minister representing the Minister for Health and Ageing—With reference to an article in the *Herald Sun*, dated 18 October 2004, which reported that the Premier of Victoria (Mr Bracks) will ask for funds to compensate for the loss of revenue expected after 2006 when exemptions for motor racing from the *Tobacco Advertising Prohibition Act 1992* will not be provided by the Federal Government:
- (1) Has such an approach been made; if so, can a copy of the correspondence or records be provided.
 - (2) Is the Minister aware that compensation of \$18 million was paid to Mr Ecclestone for the Montreal Formula One Grand Prix when the Canadian Government banned tobacco advertising in 2004.
 - (3) Has the Government considered providing revenue for this purpose; if so, will it do so.
 - (4) Has the Minister advised the Victorian Government that exemptions will not be provided after the Melbourne Formula One Grand Prix in 2006; if not, will it do so.
- 16 **Senator Allison:** To ask the Minister representing the Minister for Health and Ageing—With reference to the report of the National Drug Research Institute released on 29 June 2004:
- (1) Given that 90 per cent of drug-caused disability and death is caused by alcohol and tobacco, will the Minister consider any change to the current proportion of spending on harm reduction and prevention programs that relate to legal and illegal substance use, namely the approximately \$120 million spent per year on alcohol and tobacco; if not, why not.
 - (2) Will the Minister consider the following suggested strategies, where appropriate in collaboration with state and territory governments: (a) further restrictions on smoking in public spaces; (b) increased taxes on high strength alcoholic products; (c) increasing the legal age for purchasing tobacco products; (d) enforcing liquor laws; and (e) improving the advice and intervention given by general practitioners to patients who smoke and/or drink to excess.
- 17 **Senator Allison:** To ask the Minister representing the Minister for Health and Ageing—
- (1) Is the Minister aware that Canada is joining New Zealand, the United Kingdom and France in introducing mandatory warnings on all alcoholic beverages similar to those that are currently used in the United States of America and Japan.
 - (2) Given that the long-term effects of irresponsible alcohol use include chronic health problems, alcoholic dependence, unemployment, family breakdown, and homelessness and the short-term effects include loss of control and intoxication contributing to road trauma, public violence, domestic violence, falls, accidents operating machinery, increased sexual vulnerability and unwanted pregnancies; what plans does the Government have to investigate the efficacy of introducing improved consumer information labelling on alcoholic beverages in Australia.
- 18 **Senator Brown:** To ask the Minister for Defence—With reference to the answer to question on notice no. 2811 (Senate Hansard, 12 May 2004, p. 23190): Is the scenario outlined in the October 2003 Pentagon report, *Abrupt climate change scenario and its implications for United States National Security* by

Peter Schwartz and Doug Randall, including 'Fortress USA' and/or 'Fortress Australia' plausible; if not, why not.

Senator Allison: To ask the Ministers listed below (Question Nos 19-20)—

- (1) Is the Minister aware of the resolution of the Parliament of the European Union (EU) dated 28 October 2004 which calls on its 25 member states to stop the deployment of high intensity active naval sonar until more is known about the harm it inflicts on whales and other marine life.
- (2) Is the Minister aware of the report of the Scientific Committee of the International Whaling Commission (IWC) which found compelling evidence that entire populations of whales and other marine mammals are potentially threatened by increasingly intense man-made underwater noise, both regionally and ocean-wide.
- (3) Is the Minister aware that the IWC expressed particular concern about the effects of high intensity sonar, noting that the association with certain mass strandings 'is very convincing and appears overwhelming'.
- (4) Will the Government consider joining the EU in supporting the establishment of a multinational task force to develop an international agreement on sonar and other sources of intense ocean noise in order to exclude and seek alternatives to the harmful sonars used and to immediately restrict the use of high intensity active naval sonars in waters falling under their jurisdiction; if not, why not.
- (5) Will the Minister provide details of: (a) the sonar systems used in Australian waters; and (b) the proposals to use active sonar during the proposed joint military training exercises between Australia and the United States of America (US) in Shoalwater Bay and surrounding waters.
- (6) Will the environmental management plans for these joint military training exercises be made public and will the precautionary principle be adopted in all circumstances.
- (7) Will the Minister provide details of proposals to adopt the new Surveillance Towed Array Sensor System Low Frequency Active system, currently in use on two US Navy ships, for Australian warships and submarines.
- (8) What efforts have been made by the Government to improve knowledge about the distribution of whales in Australian waters and the effects of active sonar systems on marine life.
- (9) Will the environmental impact of the use of active sonar systems in joint military exercises and more generally be overseen and assessed by marine scientists independent of government; if so, by whom; if not, why not.

19 Minister for Defence

20 Minister for the Environment and Heritage

21 **Senator Allison:** To ask the Minister representing the Minister for Health and Ageing—

- (1) Is the Minister aware of a study conducted by the Victorian Cancer Council which found that 90 per cent of customers with very fair skin were able to use solariums, and that this use is in breach of Australian standards.
- (2) Will the Minister require solarium operators to comply with Australian standards.
- (3) Will the Minister require solarium operators to give warnings those who are at high risk of developing skin damage and skin cancer.

- 22 **Senator Allison:** To ask the Minister representing the Minister for Health and Ageing—
- (1) When will the report resulting from the Investment Review of Health and Medical Research be made public.
 - (2) What are the reasons for the delay in the publication of the report.
 - (3) What plans does the Government have to implement the recommendations of the report.
- 23 **Senator Marshall:** To ask the Minister for Immigration and Multicultural and Indigenous Affairs—
- (1) For each of the years 2002, 2003 and 2004 (to date): (a) how many appeals for ministerial discretion to grant a visa to remain in Australia were made by people whose visas were cancelled under subsection 501(2) of the *Migration Act 1958*; and (b) how many times did the Minister exercise discretion to grant a visa to a person whose visa was cancelled under section 501 of the Act.
 - (2) Does the Minister have the power to re-instate a permanent resident visa previously cancelled under sections 200 or 501 of the Act.
- 24 **Senator Allison:** To ask the Minister representing the Minister for Health and Ageing—
- (1) What discussions or consultations were conducted with industry and consumer groups regarding the pre-election announcement of compulsory 12.5 per cent cuts in the Pharmaceutical Benefits Scheme (PBS) prices for newly listed medicines.
 - (2) (a) How will this savings measure be realised; (b) what legislative changes will be required; and (c) when will these be presented to the Parliament for consideration.
 - (3) What information does the Minister have on the potential consequences of these enforced cuts in PBS prices for the sustainability of the pharmaceutical industry in Australia.
 - (4) What work has been done to study the impact of this decision on the take-up of generic medicine manufacture.
 - (5) What information does the Minister have on the potential consequences of these enforced cuts in PBS prices for community pharmacies.
- 25 **Senator Allison:** To ask the Minister for the Environment and Heritage—With reference to threatened ecological community listings and the report, *Identification and assessment of nationally threatened woodlands*:
- (1) What course of action will the Minister take to ensure the further assessment of national ecological communities identified as lacking data or not assessed.
 - (2) Does the Minister intend to proceed with the listing of the two national ecological communities identified as eligible for listing under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), namely: (a) coolabah woodlands and open woodlands in the Mulga Lands and Darling Riverine Plains (and neighbouring lands); and (b) woodlands of *Eucalyptus formanii* or the arid region of Western Australia.
 - (3) Given the findings of the report, will public nomination for coolabah (*Eucalyptus coolabah*)/blackbox (*Eucalyptus largiflorens*) woodlands of

the northern New South Wales wheatbelt and Queensland Brigalow Belt Bioregion, be progressed under the EPBC Act, particularly as the New South Wales portion of this region has recently been recognised as an endangered ecological community under the New South Wales *Threatened Species Conservation Act 1995*.

26 **Senator Allison:** To ask the Minister for Defence—With reference to the answer to question on notice no. 3097 regarding use of live munitions in military exercises and the effects on the marine environment:

- (1) Will the Minister provide a copy of the environmental management plan and environmental impact assessment for activities in the Shoalwater Bay area.
- (2) With reference to the answer to part (5) of question on notice no. 3097: (a) would foreign armed forces be required to refer for assessment any nuclear actions that may have a significant impact on matters of national environmental significance; and (b) do foreign or Australian armed forces have plans to undertake any activities which may constitute nuclear actions in operational exercises within Australia.

27 **Senator Allison:** To ask the Minister representing the Prime Minister—

- (1) With reference to a claim made by the Prime Minister before the war that only the threat of force by the United States of America (US) allowed the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) weapons inspectors back into Iraq, and given that it was the threat of force by Washington which pulled the weapons inspectors out of Iraq in March 2003 before they could complete their work (as in December 1998), does the Prime Minister now concede that the threat of force failed again to disarm Iraq of its weapons of mass destruction.
- (2) What is the Government's response to the claim of the Executive Chairman of UNMOVIC, Dr Blix, that the US was guilty of 'fabricating' evidence against Iraq to justify the war, and his belief that the discovery of weapons of mass destruction had been replaced by the main objective of the US of toppling Saddam Hussein (*The Guardian*, 12 April 2003).
- (3) With reference to claims made by the Prime Minister before the war that there was no doubt that Iraq had weapons of mass destruction and that that this was the primary reason for Australia's participation in the 'coalition of the willing', what is the Prime Minister's position now that, even after the collapse of the regime in Baghdad, no weapons of mass destruction have been found despite United States Defence Secretary Donald Rumsfeld's claim to know where they are.
- (4) Given the Prime Minister's statements that 'regime change' was only a secondary concern for Australia, does the Government agree that the primary justification for the war may prove to be a lie.
- (5) If, as the Prime Minister repeatedly claimed, Iraq had weapons of mass destruction and Saddam Hussein could not be contained or deterred, what is the Government's analysis of why they were not used in the regime's terminal hours against the invading US, United Kingdom and Australian forces.
- (6) With reference to the Prime Minister's argument that stopping the spread of weapons of mass destruction was a primary motive for Australia's participation in a war against Iraq: (a) is the Government concerned that one of the direct effects of the war may be the proliferation of weapons of

mass destruction to third parties, including other so called 'rogue states' and possibly terrorist groups, and (b) what analysis has the Government done of this likelihood, and (c) can details be provided.

- (7) Does the Prime Minister now regret saying just before the war (at the National Press Club and elsewhere) that Saddam Hussein could stay on in power providing he got rid of his weapons of mass destruction, thus allowing him to continue the repression of Iraqis; if so, what circumstances altered the Prime Minister's view.

28 **Senator Allison:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—

- (1) Has Basslink Pty Ltd prepared a code of conduct for commercial and recreational fishing activities, as is required for approval of the Basslink project; if so; (a) has the code been approved; and (b) can a copy of the code be provided.
- (2) With which fishing groups and individuals did the proponents consult when developing the code.
- (3) If consultations did not include Gippsland fisher's such as those from Yarram, McLaughlin's Beach and Lakes Entrance, why were these groups not consulted.

29 **Senator Allison:** To ask the Leader of the Government in the Senate—When will the Minister respond to Senator Allison's letter of 7 April 2003 concerning orders for the production of documents.

30 **Senator Allison:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—

- (1) For each of the financial years 2000-01, 2001-02 and 2002-03, how much was spent on advertising and marketing in relation to the National Action Plan for Salinity and Water Quality (NAP).
- (2) For the 2003-04 financial year to date, how much has been spent on advertising and marketing in relation to the NAP.
- (3) For each state and territory, how much has been spent on foundation funding, priority actions, regional investment strategies and capacity building under the NAP.
- (4) Can details be provided of the priority actions that have received funding under the NAP in South Australia, Queensland, Western Australia and New South Wales.
- (5) Can copies be provided of the strategic investment plans that have been prepared in relation to the NAP for each state and territory.

31 **Senator Allison:** To ask the Minister representing the Minister for Ageing—

- (1) What monitoring has taken place of the Kanella Aged Care Home since the audit report of February 2004, which found non-compliance with 14 expected outcomes.
- (2) Which of these non-compliant outcomes has been made compliant.
- (3) What monitoring took place between the audit report of 2003 and the subsequent decision to accredit this aged care home, and the 2004 audit.
- (4) Why were the non-compliant outcomes not identified before February 2004.

32 **Senator Allison:** To ask the Minister representing the Treasurer—

- (1) Why has the Treasurer imposed competition payment penalties on the Government of South Australia and ignored the arguments it put forward about the social impact that would result from that state removing its 'proof of need' test for hotel and retail liquor merchant licences, as required by the National Competition Council.
- (2) Does the Treasurer accept advice from the Government of South Australia, and the Drug and Alcohol Services Council, the Salvation Army and the South Australia Police, that removing the 'proof of need' test would result in greater alcohol-related harm; if not, why not.
- (3) Does the Treasurer accept the arguments put forward by the South Australian Premier on 2 June 2004 that the 'proof of need' test protects against business failures in the industry, and against market domination by one or two powerful players, which would lead to a reduction in competition; if not, why not.
- (4) What other competition payment penalties will be or have been imposed on state governments, despite arguments put forward by those governments in relation to social and/or health impacts.

33 **Senator Allison:** To ask the Minister representing the Treasurer—

- (1) Is the company Betfair registered for the goods and services tax (GST) in Australia; if so, when did it register.
- (2) Is it correct that GST was payable by Betfair on revenues received from Australian residents using this wagering platform; if so: (a) was the GST paid; and (b) if the GST was not paid, what action has been taken in respect of that non-payment.

35 **Senator Allison:** To ask the Minister for Justice and Customs—

- (1) Has the Australian Broadcasting Authority or anyone else referred to the Australian Federal Police any complaints that Betfair breached subsection 8A(2) of *Interactive Gambling Act 2001* by taking a bet on the US Golf Open after the event had started; if so: (a) what is the status of that referral; and (b) have charges been laid.
- (2) Has there been any investigation of claims that Betfair continue to offer betting that contravenes subsection 8A(2) of the *Interactive Gambling Act 2001*; if so, have charges been laid; if not, why not.

36 **Senator Allison:** To ask the Minister representing the Minister for Ageing—

- (1) Does the data provided to the Aged and Community Services Association survey of December 2003 in the Australian Capital Territory and New South Wales show that: (a) an estimated 8 800 people have their names on nursing home (high care) waiting lists and 11 800 on hostel (low care) waiting lists; (b) a further 1 700 people are estimated to have their names on waiting lists for Community Aged Care Packages (CACPs); (c) the average waiting time for: (i) nursing homes is 24 weeks (up from 19 weeks in 2001), (ii) hostels is 36 weeks (up from 32 weeks in 2001), and (iii) CACPs is 18 weeks (up from 13 weeks in 2001), and (d) areas with particularly long waiting lists, compared to the number of available places, include the Australian Capital Territory, the Central Coast, the Hunter region, Western Sydney and Far North Queensland.
- (2) Is more recent data on waiting lists in any or all of these areas available; if so, can it be provided.

- (3) Can data on waiting lists for the other states and territories in any or all of these areas be provided.
- (4) Can the latest data be provided on the number of non-operational residential care places in each state and territory.
- (5) For each state and territory, what is the average wait for low and high care residential places following assessment by an Aged Care Assessment Team that a person requires residential care.
- (6) For each state and territory, how many people who have been assessed as requiring low and high residential care are: (a) in acute care public hospitals; (b) in acute care private hospitals; and (c) in transitional placements other than in their homes or those of family carers.

37 **Senator Allison:** To ask the Minister representing the Prime Minister—

- (1) Did the Prime Minister receive a letter dated 18 May 2004 from Federation Fellowship holders recommending that the Government include in its Energy White Paper the following fundamental policy principles: (a) raising subsidies for the installation of photovoltaics or solar hot water systems; and (b) actively stimulating both fundamental research and the commercialisation of renewable energy products.
- (2) Given that the Federation Fellows are recognised as being at the forefront expertise in scientific research, what steps did the Prime Minister take to ensure the Fellows' recommendations were taken into account in the development of the Energy White Paper.

38 **Senator Allison:** To ask the Minister representing the Minister for Health and Ageing—With reference to *Healthy Weight 2008 – Australia's Future*, the National Action Agenda for Children and Young People and their families; what progress has been made on the following 2004 actions listed on the action agenda:

- (a) develop, disseminate and promote physical activity guidelines for children under five;
- (b) disseminate, promote and implement the National Health and Medical Research Council (NHMRC) *Dietary Guidelines for Children and Adolescents*;
- (c) introduce 'good practice' standards on healthy eating and physical activity that meet the above guidelines and build on accreditation and funding frameworks;
- (d) address real and perceived barriers that may limit the achievement of standards and guidelines (for example, legal liability issues, food safety regulations) including education with regard to 'perceived' barriers;
- (e) implement 'good practice' interventions, including training for childcare workers and information and support for parents, grandparents and carers on active play and healthy eating (including breast feeding);
- (f) identify, disseminate and implement 'good practice' and innovative curricula and environmental interventions on a national basis (for example, fruit and vegetable promotion, cooking skills, physical activity) in schools;
- (g) promote widely the implementation of the NHMRC *Dietary Guidelines for Children and Adolescents* and *Australian Guide to Healthy Eating* by introducing standards for school canteens, vending machines, fund raising, sponsorships, special events, and by strengthening nutrition education in the curriculum;

- (h) develop and promote widely the implementation of physical activity guidelines for children and adolescents, and increase the amount and reach of physical education in schools (including traditional Indigenous games);
- (i) support initiatives for safe active travel and/or transport to school, for example, walking and/or cycling to school programs;
- (j) develop integrated programs to reduce excessive television watching and computer games using multiple strategies with young people, teachers and parents;
- (k) forge and extend partnerships between schools and the wider community to raise awareness and provide resources and information to young people and families, for example, sporting and recreational bodies, local government, horticulture industry;
- (l) develop programs to support children and adolescents to be advocates for healthy eating and active living and promote NHMRC guidelines and/or prompt sheets on the prevention, treatment;
- (m) promote NHMRC guidelines and/or prompt sheets on the prevention, treatment and management of overweight and obesity to all primary health care professional groups;
- (n) develop IT software for GP child and adult screening of body mass index and intervention and referral pathways;
- (o) develop and implement 'Lifestyle Scripts' for young people and parents;
- (p) increase the number of community-based support programs for management of overweight in young people and families, which are culturally appropriate;
- (q) extend 'good' practice programs for healthy eating (including breastfeeding) and active living within antenatal and postnatal care (including home visiting), and increase the access of these services by Indigenous people;
- (r) develop and disseminate information resources for parents at different stages of their child's development - starting with new parents - on healthy eating, active living and healthy weight for themselves as well as their child;
- (s) assist hospitals and health services to be accredited as 'Baby Friendly' hospitals and community services;
- (t) develop and implement breastfeeding support policies and programs for all government organisations at local, state, territory and federal levels – with health departments leading by example;
- (u) introduce healthy eating and active living initiatives in existing and future urban design projects, neighbourhood renewal and community strengthening programs;
- (v) strengthen state/territory government, local government and community planning of physical and service infrastructure to support healthy eating and active living (for example, density of food outlets, integrated planning for 'mixed-use localities', availability of swimming pools in rural areas);
- (w) develop and promote tools for local government and community organisations (including sporting bodies) on 'good practice' options, including partnerships with the private sector such as retailers, the development industry and community service providers;

- (x) promote the National Indigenous Housing Guide to ensure improvement in household environment design and essential amenities (for example, food storage, cooking facilities, power, safe water, and sanitation);
- (y) investigate ways to address legal liability issues where they pose barriers to active living;
- (z) encourage other public sector agencies as well as the private and non-government sectors to provide supportive healthy eating and active living workplace environments, and improve workplace policies to assist parents with healthy eating and active living in their families (for example, disseminate parent support information);
- (aa) support programs promoting active travel and/or transport, for example, walking and/or cycling to work and Transport Access Guides, with government agencies taking the lead;
- (ab) initiate programs in healthy eating and active living to support parents of young children seeking work;
- (ac) support and extend good practice programs (including codes of practice) to promote healthy eating (especially vegetables and fruit) through all types of food service and retail outlets, including a focus on remote and rural communities;
- (ad) enhance consumer education, including point of sale advice, to improve understanding of food labels, dietary guidelines, and the links between weight, energy intake and physical activity levels;
- (ae) monitor the cost and availability of healthy food choices including further development of the Healthy Food Access Basket Surveys;
- (af) develop a national accreditation system for food service outlets and Aboriginal community controlled stores based on sales of healthy food and encourage funding bodies to recognise accreditation when funding;
- (ag) encourage the food service industry to limit size of servings and reduce energy content of less healthy meals and snacks, and support the food manufacturing industry to develop less energy dense products;
- (ah) develop cold chain management initiatives to improve the quality and safety of fresh produce in rural and remote areas;
- (ai) address food access and food security issues for young people in social disadvantaged, remote and Indigenous communities, to increase the availability of healthy foods and establish patterns of healthy eating;
- (aj) coordinate a national program of marketing and communication activities, which supports healthy weight through promoting healthy eating and active living;
- (ak) undertake research to understand and assess the impact of current food and drinks advertising practices on community levels of overweight and obesity;
- (al) monitor and assess the effectiveness of the Children's Television Standards and the revised regulatory framework for food and drinks advertising to children in meeting health objectives, and recommend modifications if necessary, for example, the inclusion of health objectives in the regulatory code of practice;
- (am) develop and implement a coordinated a whole-of-community education and social marketing strategy - acknowledging the needs of different

communities particularly indigenous communities – which links with other relevant communication strategies;

- (an) support the Australian Fruit and Vegetable Coalition in its work to promote and increase the consumption of vegetables and fruit;
- (ao) develop parent-focused multi-media campaigns with associated support services, for example websites;
- (ap) create and implement an ongoing public relations program and specific marketing initiatives, which support the Healthy Weight 2008 Settings Strategies;
- (aq) develop a national awards program for innovation in promoting healthy eating and active living across the full range of Settings Strategies;
- (ar) establish and promote a common identity and image for all initiatives.
- (as) support parents, carers and families directly in healthy eating and active living by actions initiated through the National Agenda for Early Childhood (for example, home visiting, income support);
- (at) select, designate and resource at least one whole-of-community demonstration area in each state and territory (including at least two Indigenous communities) which comprises comprehensive, community-wide interventions that are evaluated;
- (au) establish a network of demonstration areas, and through a planned and systematic mechanism actively exchange experiences, opportunities and results;
- (av) establish a professional support unit and clearinghouse, to provide technical assistance, training, analysis and evaluation of the demonstration areas;
- (aw) initiate a proactive dissemination and professional development strategy to inform policy and interventions, and strengthen capacity throughout the whole of Australia;
- (ax) establish mechanisms to disseminate findings to other sectors particularly education and local government;
- (ay) establish a pool of 'local champions and/or leaders of good practice' within demonstration areas to provide local support (for example, skills and experiences) to a range of sectors;
- (az) scope and develop specifications for national nutrition and physical activity monitoring and surveillance systems, including culturally appropriate Indigenous components;
- (ba) design a comprehensive, regular, coordinated monitoring system for height and weight status (particularly of young people) and a series of validated indicators of key behaviours and environments related to healthy eating and active living;
- (bb) establish benchmarks and strategic tracking indicators for best practice and monitor performance across the strategies;
- (bc) begin to implement continuous progress reporting across all the Healthy Weight 2008 strategies through a performance management cycle;
- (bd) conduct strategic and policy research to inform decision-making, and fast track the sharing and application of new research evidence Australia-wide;
- (be) consider the value and validity of setting measurable targets when baseline measures are available;

- (bf) undertake health impact assessments of new policies likely to impact on healthy weight;
 - (bg) develop and disseminate healthy weight resources to community members who are in a position to influence healthy eating and active living behaviours, such as parents, teachers, child care workers, health professionals, Indigenous leaders, sports managers, caterers, manufacturers and employers;
 - (bh) establish a new national leadership development programme for obesity prevention including strong Indigenous participation;
 - (bi) support relevant professional networks that can assist in the dissemination of 'good practice', including specific assistance for Indigenous health, education and other sector workers;
 - (bj) seek the support, commitment and cooperation of all levels of government, the private sector, non-government organisations and the public for national cross-sectoral action to tackle obesity;
 - (bk) encourage and support key workers and organisations to lead by example as champions for healthy weight.
- 39 **Senator Allison:** To ask the Minister representing the Minister for Education, Science and Training—
- (1) How much would providing free preschool places to all 3 and 4 year olds cost.
 - (2) Can a breakdown of the projected cost be provided for each age group and for each state.
- 40 **Senator Allison:** To ask the Minister representing the Minister for Health and Ageing—
- (1) What action is the Government taking in response to data that shows that 25 per cent of new breast cancer cases are now in women aged between 20 and 49.
 - (2) (a) What information is available regarding the level of awareness of women between the ages of 40 and 49 that they can access free mammograms through the BreastScreen Australia program; and (b) what data is available on the proportion of women in this age group who are using the program.
 - (3) What action is the Government taking to educate women under the age of 40 about the importance of breast self-examination.
 - (4) What data is available on the relationship between the cost of mammograms and the late detection of breast cancer in young women.
 - (5) (a) What has the Government done to distribute the National Health and Medical Research Council *Clinical practice guidelines for the management and support of younger women with breast cancer*; (b) what has the Government done to monitor the use of these guidelines; and (c) can the results of such monitoring be made available.
 - (6) Given that young women who are not able to take Tamoxifen face costs of thousands of dollars per year for alternative medications such as Zoladex or Arimidex, will these drugs be considered for listing on the pharmaceutical benefits scheme for those young women; if so, when.
 - (7) What measures will the Government implement to help these young women pay for the costs of life-saving treatment.

41 **Senator Allison:** To ask the Minister representing the Minister for Health and Ageing—With reference to the recall on 28 April 2003 of products manufactured by Pan Pharmaceuticals:

- (1) Have criminal charges been laid in relation to any of the following matters of which Pan Pharmaceuticals was accused: (a) serious, widespread deficiencies in the company's manufacturing and quality control procedures; (b) substitution and/or omission of active ingredients; (c) falsification of documents; (d) systematic and deliberate manipulation of test results; (e) inadequate cleaning of equipment between manufacture of different products; and (f) failure of end product testing prior to release of the product for supply to consumers.
- (2) Can copies of documents that were deliberately falsified by Pan Pharmaceuticals be provided.
- (3) When were documents falsified.
- (4) Have federal or state prosecutors been briefed by the Therapeutic Goods Administration in relation to potential criminal charges; if so, can details be provided; if not, why not.
- (5) Given that the risks said to be associated with the recalled products included severe organ damage, severe allergic reactions and infections, how many cases were reported in each of these areas that are attributed to products manufactured by Pan Pharmaceuticals and consumed in the 6 and 12 month period prior to the recall.
- (6) With reference to the answer to question on notice no. 2527 (Senate *Hansard*, 22 March 2004, p. 21617), can data now be provided in relation to: (a) the total quantity of recalled product returned; (b) the total quantity of recalled product destroyed; and (c) where the recalled products were destroyed.
- (7) What is the status of the product currently held by sponsors pending the resolution of legal and financial matters associated with the recall.

42 **Senator Allison:** To ask the Minister representing the Minister for Health and Ageing—

- (1) Can details be provided of each of the audits conducted by the Therapeutic Goods Administration (TGA) in Australia since April 2003 including the name of manufacturer audited, the date of audit, the cost charged by the TGA and any subsequent action including products recalled.
- (2) Which manufacturers voluntarily withdrew licenses within 3 months of a TGA audit.
- (3) (a) Which manufacturers were advised by the TGA to voluntarily withdraw licenses; and (b) what was the form of that advice.
- (4) Can the reports of those audits be provided; if not, why not.
- (5) How many auditors are currently employed by the TGA.
- (6) How many contract auditors are currently being used by the TGA.
- (7) How many audits have been conducted by contract auditors.
- (8) Is it the correct that contract auditors are required to sign confidentiality agreements with the TGA; if so, why.
- (9) Have any audits since April 2003 found that formulae had been changed by the manufacturer without approval.

- (10) What is the process by which a manufacturer can resume a license previously voluntarily withdrawn.
 - (11) To the knowledge of the TGA, how many and which Australian manufacturers have or intend to transfer their production overseas.
 - (12) Is it the correct that the TGA does not undertake unannounced audits of overseas manufacturing sites.
 - (13) Can copies be provided of the audits conducted on the Sigma Company since 1997.
 - (14) Has there been any change in the auditing standard since 1998; if so, what are the changes.
 - (15) Were any of the following found in any of these audits; if so, what was found: (a) serious, widespread deficiencies in the company's manufacturing and quality control procedures; (b) substitution and/or omission of active ingredients; and (c) falsification of documents; (d) systematic and deliberate manipulation of test results; (e) inadequate cleaning of equipment between manufacture of different products; and (f) failure of end product testing prior to release of the product for supply to consumers.
- 43 **Senator Allison:** To ask the Minister representing the Minister for Health and Ageing—
- (1) Can a copy be provided of the performance information framework for the draft 2004-2009 Public Health Outcomes Funding Agreements (PHOFAs) between the Government and the states and territories; if not, why not.
 - (2) Can a copy be provided of the performance indicators applicable to family and reproductive health within the draft 2004-2009 PHOFAs; if not, why not.
 - (3) What action is the Government taking to ensure that current programs and services funded under the existing PHOFAs applicable to family and reproductive health will continue to be recognised under the new PHOFAs.
 - (4) Will the performance indicators for the 2004-2009 PHOFAs recognise family and reproductive health.
- 44 **Senator Allison:** To ask the Minister representing the Minister for Health and Ageing—By month, what applications were made to list items on the Pharmaceutical Benefits Scheme from 1 January 2003 to 30 July 2004, indicating applicant, pharmaceutical product proposed for listing and status of application.
- 45 **Senator Allison:** To ask the Minister for Communications, Information Technology and the Arts—
- (1) Is the Minister aware that television programs for older people such as *Move it or lose it*, aired by Renaissance Television, which broadcasts on Channel 31, were axed on 1 August 2004.
 - (2) Is the Minister aware that over the past 4 years, *Move it or lose it* provided exercises designed for older people to help with arthritis and diabetes.
 - (3) Does the Minister agree that these programs are effective in preventing ill health in older people.
 - (4) What action will the Government take to encourage the resumption of broadcasting of such programs for older people.
- 46 **Senator Allison:** To ask the Minister representing the Minister for Health and Ageing—With reference to the answer to question on notice no. 3027 (Senate *Hansard*, 5 August 2004, p. 25668): Will the Minister now seek permission from

all of the states and territories to release a copy of the report into the 2003 review of the Public Health Outcomes Funding Agreements; if not, why not.

47 **Senator Allison:** To ask the Minister representing the Minister for Education, Science and Training—With reference to the answer to question on notice no. 3073: What is the projected expenditure for the National Safe Schools Framework for the period 2006 to 2008.

48 **Senator Allison:** To ask the Minister representing the Minister for Health and Ageing—

- (1) Does the Government anticipate that sections of the draft Therapeutic Products Advertising Code (Draft 8A, June 2004) concerning internet advertising will be changed prior to endorsement by federal Australian and New Zealand governments and Australian state and territory governments; if so: (a) in what way will they be changed; (b) has the process of consultation commenced with other governments; and (c) can details be provided of any related meetings and correspondence.
- (2) Does the Government anticipate that the section of the draft Therapeutic Products Advertising Code (Draft 8A, June 2004) concerning unbranded advertisements will be changed prior to endorsement by federal Australian and New Zealand governments and Australian state and territory governments; if so: (a) why; (b) has the process of consultation commenced with other governments; and (c) can details be provided of any related meetings and correspondence.
- (3) In what way, if any, will the Therapeutic Products Advertising Code be affected by Annex 2-C of the Australia-United States Free Trade Agreement.
- (4) When is the new Therapeutic Products Advertising Code expected to be endorsed.

49 **Senator Murray:** To ask the Minister for the Environment and Heritage—

- (1) Is the Minister, in his capacity as Manager of Government Business in the Senate, aware of the following statement made by the Minister for Small Business and Tourism (Mr Hockey) in a *Meet the Press* interview aired on 14 September 2003: 'What I do know is the Labor Party and the Democrats are holding up a vast amount of legislation that the Government has put in place in the Senate'.
- (2) Does the Minister accept the *Australian Concise Oxford Dictionary's* definition of 'vast' as 'immense, huge, very great'.
- (3) Can the Minister: (a) provide a list for the Senate of any bill that could conceivably be regarded as being held up, as described by Mr Hockey; and (b) give his reasons for making that judgment.

50 **Senator Murray:** To ask the Minister representing the Minister for Employment and Workplace Relations—

- (1) Can a table be provided of all unfair dismissal applications under federal and state law for the 1996 calendar year for each state and territory, showing the number of applications under federal law, state law, and the total.
- (2) Can a table be provided of all unfair dismissal applications under federal and state law for the 2003 calendar year for each of the states and territories, showing the number of applications under federal law, state law, and the total.

- (3) Can a table be provided showing the number and percentage change of applications for the 2003 calendar year against the 1996 calendar year for each of state and territory, broken down by whether the applications were lodged under federal or state law.
 - (4) Can a breakdown be provided showing the same information shown in (1) to (3) above in relation to small business (classified as 20 or fewer employees).
 - (5) Can an estimate be provided of the numbers of small businesses that fall under state and federal workplace relations law separately, for each state and territory.
 - (6) Can an estimate be provided of the numbers of small business employees that fall under state and federal workplace relations law separately, for each state and territory.
- 51 **Senator Harris:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—With reference to the National Livestock Identification System:
- (1) Which specific country or countries have asked Australia to implement the electronic tagging system.
 - (2) Why has Meat and Livestock Australia refused to carry out a cost-benefit analysis of this system.
 - (3) Why is this system, which imposes a cost burden on the beef industry, not being implemented for other industries such as pork, seafood and chicken, which have a far worse food contamination track record.
 - (4) Has the Minister applied any pressure on or requested any state to implement the system.
 - (5) Will the Government meet or subsidise the cost of implementing the system in Queensland.
- 52 **Senator Greig:** To ask the Minister representing the Minister for Revenue and Assistant Treasurer—With reference to a recent application by Open Doors Youth Service Inc. to the Australian Taxation Office for public benevolent institution and deductible gift recipient status, which was rejected on the grounds that the organisation, a support service for lesbian, gay, bisexual and transgender young people, did not satisfy the requirements of a benevolent institution:
- (1) Does the Minister consider that the conditions or misfortunes Open Doors is seeking to relieve, that is, suffering, distress, destitution, homelessness, suicide risk, disadvantage, discrimination, and isolation, which it claims occur as a direct result of homophobia, are such as to arouse pity or compassion in the community.
 - (2) What criteria does the Australian Taxation Office use to determine that a condition or misfortune arouses pity or compassion in the community.
 - (3) Does the Minister consider the experience of discrimination and homophobia experienced by many young lesbian, gay, bisexual and transgender people to be part of the emotional stress and pain encountered in ordinary human experience.
 - (4) What balance between direct benevolent relief and other purposes and activities must an organisation achieve to satisfy the test that it is predominantly for benevolent relief.
 - (5) Given that the Australian Taxation Office has advised that ‘one may readily accept that an institution with an independent object of fostering the

cultural values of a particular group would not be a public benevolent institution': (a) what constitutes an 'independent object'; and (b) in instances where an organisation's main objectives relate to benevolent relief, but contain additional objectives that refer to fostering of cultural values, how does the Australian Taxation Office determine those other objectives to be of such significant weight as to indicate that the dominant purpose of the organisation is not to provide benevolent relief.

- (6) Does the Minister acknowledge that in certain circumstances, an individual's experience of poverty, sickness, suffering, distress, misfortune, disability or helplessness may be directly relieved through the provision of community education or services that foster values and, if so, that such activity would then constitute benevolent relief.

53 **Senator Greig:** To ask the Minister for Family and Community Services—With reference to the answer to question on notice no. 2863 (Senate *Hansard*, 15 June 2004, p. 23810) in which the Minister advised in paragraph 10(b) that the 2001 Agreement covers all Dutch pension payments being made into Australia allowing closer cooperation between Centrelink and the Sociale Verzekeringsbank (SVB), and in paragraph 10(a) that prior to commencement of the current agreement in 2003, SVB privacy rules did not allow for the exchange of information on customers paid without the aid of the agreement:

- (1) Can the Minister confirm whether these statements mean that not all Dutch pension recipients fell within the scope of the 1991 Agreement on Social Security between Australia and the Netherlands; if so, on what basis did a Dutch pension recipient fall or not fall within the scope of the 1991 Agreement.
- (2) Can the Minister confirm whether Centrelink or the department received information about individual customers who were paid because of the 1991 Agreement; if so, what was the nature of that information.
- (3) Of the 11 952 Dutch pension recipients who were subject to the Centrelink payment review that commenced in October 2002, did any of these fall within the scope of the 1991 Agreement; if so, how many.
- (4) Can the Minister confirm that the information of a general nature provided by the SVB to Centrelink under Article 16 of the 1991 Agreement, referred to in paragraph 10(a) of the answer, included information about periodic adjustments to rates of payment; if so, would that information have been sufficient to alert Centrelink or the department to the likely necessity for Dutch pension recipients to notify it of changes in their circumstances.
- (5) Did Centrelink or the department actively and specifically seek this information from individual Dutch pension recipients prior to the October 2002 review.

Notice given 17 November 2004

54 **Senator Allison:** To ask the Minister representing the Minister for Education, Science and Training—

- (1) Will the Minister provide a statement on Mr Alan Parkinson's exact involvement in the Maralinga cleanup project which Dr Perkins of the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) undertook to provide during hearings of the Employment, Workplace Relations and Education Legislation Committee when considering estimates on 4 June 2003.

- (2) Will the Minister provide a copy of the department's Health Physics Management document that was to have been attached to the Maralinga Rehabilitation Technical Advisory Committee (MARTAC) report which Dr Loy of ARPANSA undertook to provide during the hearings of the Community Affairs Legislation Committee when considering estimates on 3 June 2003.
 - (3) With reference to the Employment, Workplace Relations and Education Legislation Committee consideration of estimates on 4 June 2003 in which Dr Perkins advised that she could recall no formal request being made by members of MARTAC for Mr Alan Parkinson to be involved in writing the report: Were there requests in writing from members of MARTAC for Mr Parkinson's involvement in writing the report; if so: (a) from whom and to whom; and (b) what were the reasons for refusing the request.
 - (4) With reference to the answer to question no. 25 taken on notice by the Department of Industry, Science and Resources during the supplementary hearings of the Economics Legislation Committee additional estimates on 3 May 2000: (a) is it not the case that, according to the minutes of the MARTAC meeting of June 1998, as reported in the MARTAC report of 29 April 1999, Mr Chamberlain of GHD Pty Ltd suggested, that once the in situ vitrification (ISV) work on the first 14 pits had been completed, the remainder be exhumed and buried rather than ISV treated; and (b) why is the answer provided to question no. 25 incorrect.
 - (5) Is it the case that the MARTAC report notes the reason given by GHD Pty Ltd suggesting burial rather than ISV as the increase in cost from 'the original estimate of \$9.2 million to, as a worst case estimate, \$26.7 million'.
 - (6) Why has the Government consistently denied that cost was a factor in the decision not to proceed with ISV for all the plutonium-contaminated material in the Taranaki pits.
- 55 **Senator Marshall:** To ask the Minister representing the Minister for Industry, Tourism and Resources—
- (1) Can the Treasurer provide all budgetary details, including amounts of appropriation and relevant budget lines, for all expenditure on the National Electricity Code Administrator (NECA) in the: (a) 2003-04 Budget; and (b) 2004-05 Budget.
 - (2) Can the Treasurer provide an explanation of any difference in expenditure in the 2003-04 Budget and the 2004-05 Budget ; if not, why not.
- 56 **Senator Evans:** To ask the Minister for Defence—With reference to all forms of end product report by the Defence Signals Directorate (DSD reports) which summarise raw intelligence product:
- (1) Which ministers received any of the DSD reports that were found by the Inspector-General to be in breach of the Rules on Sigint and Australian Persons.
 - (2) On what precise dates did this occur.
 - (3) Which minister's offices, that is personal staff members or departmental liaison officers, received the DSD reports that were in breach of the Rules on Sigint and Australian Persons.
 - (4) On what precise dates did this occur.

- (5) Did any departments receive any of the DSD reports that were in breach of the Rules on Sigint and Australian Persons; if so, which ones and on what dates.
- (6) For both (1) and (3), were all four DSD reports that the Inspector-General found breached the rules received by any minister or minister's office; if not, how many of the four reports were received by each of the ministers and/or minister's office.
- (7) Of those reports that were made in breach of the rules and were received by a minister and/or minister's office, did they include either of the two reports containing intelligence information on communications by an Australian lawyer with a foreign client.

(In this question, the phrase 'DSD reports' refers to all forms of end product by the DSD which summarise raw intelligence product. Such reports are variously referred to in the summary of the Inspector-General for Security and Intelligence's *MV Tampa* investigation as 'reports summarising the results of collection activity', 'end product reports' and 'situation updates'.)

57 Senator Evans: To ask the Minister for Defence—With reference to the Defence and Industry Advisory Council

- (1) When was the council established.
- (2) Who established the council.
- (3) For what purpose was the council established.
- (4) Can a copy of the council's terms of reference be provided.
- (5) What is the membership of the council.
- (6) What are the reporting arrangements for the council, for example: (a) to whom does it report; (b) how regularly are such reports made; and (c) what do the reports contain.
- (7) Can a list be provided of meeting dates for the council since its establishment.

58 Senator Evans: To ask the Minister for the Environment and Heritage—With reference to the ex-Defence lands managed by the Sydney Harbour Federation Trust:

- (1) Were there any valuations done on any of the sites prior to the transfer from the Department of Defence to the Sydney Harbour Federation Trust.
- (2) What was the valuation for each of the sites managed by the Trust.
- (3) (a) Who undertook these valuations; and (b) when were they undertaken.
- (4) What is the estimated current valuation for each of the sites being managed by the Trust.
- (5) (a) Was there any valuation of the cost of the remediation works that were required at each of the ex-Defence sites being managed by the Trust; and (b) what was the amount of these valuations.
- (6) For each financial year to date: How much has been spent on remediation and environmental works at each of the ex-Defence sites now managed by the Trust.
- (7) When is it expected that all remediation work at the ex-Defence sites will be completed.

- (8) What is the process by which the ex-Defence sites will be transferred to the State of New South Wales following completion of remediation works at these sites.
- (9) (a) Will the sites then become part of the Sydney Harbour National Park, under the management of the New South Wales Government; and (b) when is it expected that this will occur.

59 **Senator Evans:** To ask the Minister for the Environment and Heritage—

- (1) How much funding has the Sydney Harbour Federation Trust received from the Commonwealth Government in each financial year since its establishment.
- (2) Does this include the initial funding of \$96 million that the Trust received as part of the Federation Fund.
- (3) Can a breakdown be provided of how this funding has been spent for each financial year since the Trust was established.
- (4) Can a breakdown be provided of how the \$96 million allocated to the Trust as part of the Federation Fund was spent.
- (5) Can a breakdown be provided of every payment greater than \$1 million made by the Trust since its establishment.
- (6) (a) When is it expected that the work of the Trust will be completed; and (b) will the Trust be closed down once its work is completed.
- (7) What are the forecasts for Commonwealth funding to the Trust for the next 4 financial years.
- (8) Has the New South Wales Government made any financial contributions to the Trust at any time since its establishment; if so, can a list be provided of these contributions (i.e. date, amount, purpose etc.).
- (9) Is it expected that the New South Wales Government will make any financial contributions to the Trust at any time over the next 4 years.
- (10) When the remediation work being undertaken at the ex-Defence sites managed by the Trust is fully completed, and the lands are transferred to the State of New South Wales, will the New South Wales Government have to pay any money to the Commonwealth in respect of the transfer; if not, why not.

60 **Senator Evans:** To ask the Minister for Defence—

- (1) Can the following information about each committee within Defence chaired by a one star rank equivalent or higher be provided: (a) name of the committee; (b) its function and role; and (c) when it met during 2002 and 2003.
- (2) (a) For the years 2001, 2002 and 2003, when did the Defence Industry Advisory Council meet; (b) what is its function and role; and (c) what is its current membership.

61 **Senator Evans:** To ask the Minister for Defence—With reference to the AGM-142 weapon:

- (1) What is the latest estimate on the total cost of modifying the F-111 fleet to enable these aircraft to deploy the AGM-142.
- (2) To date, how much has been spent on the project to equip the F-111 fleet with AGM-142s.
- (3) What is the latest estimate of when those modifications will be completed.

- (4) When is it expected that the AGM-142 will enter service.
- (5) What is the latest estimate of the total cost of the project to equip the F-111 fleet with AGM-142.
- (6) (a) Have any AGM-142s been delivered to Australia; if so, how many; and (b) do any AGM-142s remain overseas; if so, how many.

62 **Senator Evans:** To ask the Minister for Defence—With reference to a luncheon function involving senior business people on Sunday, 28 March 2004, which was held at Fort Denison to promote Defence Reserves to employers:

- (1) Did the Minister for Employment Services and General Cosgrove attend the lunch.
- (2) How many other Australian Defence Force (ADF) and departmental personnel attended the lunch.
- (3) Did any other federal government parliamentarians attend; if so, who.
- (4) Were any non-government federal parliamentarians invited to attend; if so, who.
- (5) Which business people attended the lunch.
- (6) Were the travel costs of any of the business people who travelled from around Australia to attend the lunch borne by the taxpayer; and (b) can details be provided of all travel costs that were met, specifying which Defence program was used to fund this travel.
- (7) Can copies be provided of the menu and the drinks menu.
- (8) Were the following dishes served: Peking duck with cucumber, shallots and plum; seared scallops with prawn gow gee; soy and ginger glaze salt rubbed salmon with Asian mushrooms and fried sage; slow roasted, pepper crusted, rib eye fillet; and crisp roasted barramundi.
- (9) What was the cost of the food served at the lunch.
- (10) How many bottles of wine, champagne and beer were served.
- (11) What was the cost of alcohol served at the lunch.
- (12) What was the cost per bottle of the most expensive wine and champagne served.
- (13) Did the department pay for this lunch; if so, which program was the money drawn from; if not, who paid.
- (14) Can a list be provided showing all of the associated costs of this lunch, including table hire, glass hire, waiting staff etc.

63 **Senator Evans:** To ask the Minister for Defence—

- (1) When did the department first become aware of the Mitchell Shire Council's plans to build a refuse tip in the vicinity of the army base at Puckapunyal.
- (2) (a) What is the exact distance of the proposed site from the entrance to the Puckapunyal base; and (b) how big is the site.
- (3) (a) When did the department first raise concerns with the Mitchell Shire Council about the proposal to use the land for a refuse tip; and (b) how were these concerns raised, for example, by letter, face-to-face meetings etc.
- (4) Who raised the concerns with the council.
- (5) When was it decided that the department would seek to compulsorily acquire the proposed landfill site.

- (6) Who made this decision.
 - (7) On what basis was this decision taken.
 - (8) How much will it cost the department to acquire the land.
 - (9) (a) Is the Minister aware that the Victorian Civil and Administration Tribunal (VCAT) found that the department's concerns about the proposed landfill site were not substantiated; and (b) why was this decision not accepted by the Commonwealth.
 - (10) Was it always the Commonwealth's intention to compulsorily acquire the proposed landfill site, regardless of the outcome of the VCAT's deliberations; if so, why.
 - (11) Given that the VCAT found that the department's concerns were not justified, why has the Commonwealth now compulsorily acquired land at this site to prevent the building of the tip.
 - (12) Has the Commonwealth valued the site; if so: (a) when; (b) what was the value of the site; and (c) can a copy of the valuation be provided.
 - (13) When was the law firm Clayton Utz first engaged to advise the Commonwealth on this matter.
 - (14) Can a list be provided of all Clayton Utz lawyers who have represented and/or advised the Commonwealth in respect of this matter.
 - (15) How much has been paid to Clayton Utz in respect of this matter.
 - (16) (a) What other law firms were engaged to provide advice and/or representation on this matter; (b) was the Australian Government Solicitor engaged; and (c) how much were they paid.
 - (17) (a) How much has the Commonwealth spent on legal advice and/or representation in respect of this matter; and (b) can a breakdown be provided of all legal expenses in respect of this matter.
- 64 **Senator Evans:** To ask the Minister for Defence—With reference to page 96 of the 2004-05 Defence Portfolio Budget Statements, which indicates that the Government has agreed on a schedule of surplus Defence properties to be offered for sale in the 2004-05 financial year, and that on current valuations these sales will reap an estimated \$164.5 million in revenue: Can a list be provided of all properties that the Government has agreed will be offered for sale during the 2004-05 financial year including: (a) the property name and/or address; (b) the type of property (vacant/buildings); (c) the size of the property; and (d) the type of sale (auction, request for proposal, advertised price).
- 66 **Senator Evans:** To ask the Minister for Defence—
- (1) What was the value of computing and information technology equipment purchased by Defence in each month of the 2003-04 financial year.
 - (2) Is all of this equipment now in use within Defence.
 - (3) Is any of the equipment not in use and instead in storage; if so, how much of the equipment is in storage (that is, how many monitors, personal computers, printers etc).
- 68 **Senator Brown:** To ask the Minister representing the Prime Minister—(a) What is the Halliburton stake in the consortium which built and operates the Alice Springs to Darwin railway line; (b) was Halliburton the project leader; and (c) what discussions has the Prime Minister or the department had with Halliburton about the projects, including where and when these were held.

69 **Senator Brown:** To ask the Minister for Communications, Information Technology and the Arts—With reference to a letter written by the Minister's Senior Policy Adviser, David Kelly, to Ms Margaret Hale of Bateau Bay, New South Wales, regarding the slow Internet speeds of 12 kbps experienced by Ms Hale because of obsolete telecommunication connections:

- (1) Did Mr Kelly indicate that 19.2 kbps is the 'absolute minimum' standard.
- (2) Did Mr Kelly indicate that a 64kbps service is part of the universal service obligations that Telstra must meet.
- (3) Did Mr Kelly refer the matter to Telstra.
- (4) What percentage of customers must still rely upon the technology that Mr Kelly indicated was unsatisfactory.
- (5) For what percentage of customers is Telstra still unable to meet its universal service obligations.
- (6) What steps is Telstra taking to meet its obligations to all customers.
- (7) Can the Government be satisfied that Telstra services to rural areas meet the minimum requirements for the sale of the Government share of the organisation if the universal service obligations are not being fully met.

70 **Senator Brown:** To ask the Minister for Communications, Information Technology and the Arts—With reference to Telstra's proposal to build a telecommunications tower at Bindaree Road, Legana, Tasmania:

- (1) Does the Government support Telstra's decision to appeal against the decision of a democratically-elected local government which refused to allow the construction of a telecommunications tower at Bindaree Road; if so, does the Government believe that Telstra's agenda should override the wishes of a local community.
- (2) Does the Government consider that Telstra's decision to refuse to discuss alternative sites at a mediation meeting that it facilitated is reasonable.
- (3) What regulations are in place concerning the placing of telecommunications towers in close proximity to residences.
- (4) What regulations are in place to prevent Telstra constructing telecommunications towers in existing electrical transmission corridors.
- (5) Taking into account the precautionary principle, can the Government guarantee that no adverse human health effects result from living in close proximity to telecommunications towers; if so, why has the Government allocated further funding for on-going research into potential health risks from electro-magnetic emissions devices and phone towers.

71 **Senator Brown:** To ask the Minister representing the Minister for Industry, Tourism and Resources—With reference to the Rio Tinto Foundation for a Sustainable Minerals Industry:

- (1) Can a copy of the foundation's 2002-03 annual report be provided.
- (2) Can a list be provided of the 32 programs to which funding was allocated in the first year, including the title of the program, the amount of funding, start and finish dates, key researchers, and expected outcomes.
- (3) Can a list be provided of patents applied for arising from research funded wholly or partially by the foundation.
- (4) Can a detailed account be provided of the expenditure to date of the \$35 million of public money and the matching funds from Rio Tinto.

- 72 **Senator Brown:** To ask the Minister for Communications, Information Technology and the Arts—With reference to the letter sent to the then Minister, the Hon Daryl Williams, on 30 May 2004 by the Australian Indigenous Communications Association, which included 19 requests for an undertaking by the Minister in relation to the department taking over responsibility for Indigenous broadcasting and other Indigenous media from the Aboriginal and Torres Strait Islander Commission:
- (1) Has the Minister responded to each of the points raised; if not, which responses are still outstanding.
 - (2) Which of the requested undertakings has the Government: (a) agreed to; and (b) declined.
 - (3) Subsequent to receipt of the letter, has there been any meeting between representatives of the association and: (a) the previous or current Minister; (b) ministerial advisers; and (c) officers of the department.
- 73 **Senator Brown:** To ask the Minister for Communications, Information Technology and the Arts—With reference to the statement to the Senate by the Environment, Communications, Information Technology and the Arts Legislation Committee on the Casualties of Telstra (COT) issues, which was tabled on 11 March 1999:
- (1) How much has been spent by Telstra in relation to the COT issues.
 - (2) How much of this money has been spent on settlements with the original claimants.
 - (3) (a) How many of the original claimants have reached a settlement with Telstra; and (b) how many have still to reach a settlement.
 - (4) Has any settlement been reached between Telstra and each of the original complainants in relation to the communication problems which were the basis of the inquiry.
- 74 **Senator Brown:** To ask the Minister representing the Treasurer—With reference to the Australian Taxation Office (ATO) and the non-payment of superannuation contributions by small businesses: Why does the ATO not regularly and routinely monitor superannuation compliance in the same way that it monitors goods and services tax and provisional tax compliance.
- 75 **Senator Brown:** To ask the Minister representing the Treasurer—With reference to the Australian Taxation Office and the non-payment of superannuation contributions by small businesses: Why is the system structured in such a way that small businesses are able to avoid paying superannuation contributions by using such strategies as changing their corporate identities every few years.
- 80 **Senator Brown:** To ask the Minister representing the Treasurer—With reference to the Australian Taxation Office and the non-payment of superannuation contributions by small businesses:
- (1) Why do employees have to wait until the October after the end of each financial year to find out whether or not their employer has made superannuation contributions.
 - (2) Why can employees not opt to have their employer pay superannuation contributions monthly or quarterly, as this would give them the opportunity to take action in the case of non-payment before the bill becomes too large.
- 84 **Senator Brown:** To ask the Minister for Communications, Information Technology and the Arts—Given that: (a) according to the Yellow Pages section

of the Sensis website, there are '14 million directories delivered free every year to virtually every home and business in Australia'; (b) in some cases, several directories are delivered to the one home or business; (c) on-line directories are available as an alternative to printed versions; (d) many directories are never used; and (e) each directory uses resources and energy for its production and delivery: Will the Government, as the majority shareholder in Telstra or through regulation, require Telstra, through its directories arm Sensis, to attempt to reduce the numbers of Yellow Pages directories circulated to those that are actually needed by the community.

85 **Senator Brown:** To ask the Minister for Family and Community Services—With reference to the baby bonus and maternity payments delivered by the 2004-05 Budget:

- (1) Why did the payments only apply to children who are born into their families or join them within 26 weeks of birth and not to those children who have joined families through inter-country adoption.
- (2) Does the Minister agree that families choosing inter-country adoption incur large costs in addition to the normal expenses involved with the addition of a new family member.
- (3) Will the Minister review the baby bonus and maternity payments to include children who have joined families through inter-country adoptions.

87 **Senator Brown:** To ask the Minister for Justice and Customs—With reference to Mr Kirk Pinner, an Australian citizen incarcerated in the United States of America (USA):

- (1) Is Australia a signatory to the International Transfer of Prisoners Scheme; if so, what assistance can an Australian citizen imprisoned in the USA expect from the Australian Government once an application for transfer has been lodged in the USA.
- (2) What action has the Australian Government taken to facilitate such a transfer since Mr Pinner lodged an application for transfer back to Australia from Idaho in May 2004.
- (3) Does Mr Pinner meet the criteria for prisoner transfer, given that he is an Australian citizen whose principal place of residence is Australia and has at least six months of his sentence remaining to be served.
- (4) Will the Minister now pursue the transfer of Mr Pinner to Australia with the USA authorities.

88 **Senator Brown:** To ask the Minister representing the Minister for Health and Ageing—With reference to funding for the National Women's Health Program: Will the National Women's Health Program be excluded from the Public Health Outcomes Funding Agreement; if so, what alternative funding provision is being made for funding women's health services nationally and regionally, including the Women's Health Program in Tasmania.

89 **Senator Brown:** To ask the Minister for the Environment and Heritage—With reference to the rehabilitation of mine sites in Tasmania: What strategy does the Government have for remediation of the impact of mining on the environment of the west coast of Tasmania, including Macquarie Harbour and the Tasmanian Wilderness World Heritage Area.

90 **Senator Brown:** To ask the Minister representing the Prime Minister—

- (1) Has the Government provided any funding for the reconstruction of Iraq; if so: (a) how much; (b) when was it allocated; and (c) to which fund in Iraq was it allocated.
- (2) If funding has been provided: (a) who oversaw the distribution of the funds; (b) how much has been expended to date; (c) what oversight and bidding requirements were placed on the distribution of that funding by the Australian Government; (d) what activities and projects have been funded; (e) which companies have been successful tenderers for that funding in Iraq; and (f) has Halliburton been the recipient of any of that funding; if so: (i) how much, and (ii) for what purpose.
- (3) Has there been an audit of the fund into which any Australian funds were deposited under the Coalition Provisional Authority; if so, will the Prime Minister release the audit; if not, will the Prime Minister request such an audit.

91 **Senator Stott Despoja:** To ask the Minister for Family and Community Services—With reference to the 1988 Australian study, ‘Domestic violence: Costing of service provision for female victims—20 case histories’ in the report of the Queensland Domestic Violence Task Force, *Beyond These Walls*, which showed that health service costs constituted the greatest community service cost for victims of domestic violence; and with further reference to another study conducted by the Department of Psychiatry, University of Queensland, at the Royal Brisbane Hospital Emergency Department from 1990 to 1993 which showed that one in five women who presented at emergency departments had a history of domestic violence:

- (1) Given the difficulty in obtaining information and taking medical privacy into consideration: (a) how many women arriving in emergency wards need treatment for injuries resulting from domestic disputes; and (b) what associated health service costs are due to domestic violence.
- (2) Given that there has never been a national survey conducted in Australia on women presenting in emergency departments with a history of domestic violence, does the Government intend to conduct a national survey to facilitate the process of information gathering.

92 **Senator Stott Despoja:** To ask the Minister representing the Minister for Education, Science and Training—With reference to the review of indexation, required in accordance with section 198-25 of the *Higher Education Support Act 2003*:

- (1) When will the review be initiated.
- (2) (a) When will the review be undertaken; and (b) who will undertake the review.
- (3) What action has been taken to initiate and undertake the review.
- (4) When did the charges for an application for a student (temporary) visa, as detailed on the Department of Immigration and Multicultural and Indigenous Affairs Form 990i, increase to \$410.
- (5) (a) Why was this visa application charge increased; and (b) when and why was the International Education Contribution increased to \$114.
- (6) (a) Who was consulted in relation to these two increases; and (b) what was the process by which these increases to the application for a student (temporary) visa charge and the International Education Contribution were made.

Notice given 18 November 2004

- 93 **Senator Hutchins:** To ask the Minister representing the Minister for Agriculture, Fisheries and Forestry—With reference to the Goat Industry Council of Australia:
- (1) What is the council's role and function.
 - (2) (a) How many members are on the council; (b) who are they; and (c) how are they appointed.
 - (3) Do council members receive remuneration from the Commonwealth; if so, how much.
 - (4) Over the past three financial years, what grants, income or other funds has the council received and administered, either directly or indirectly from the Commonwealth.
- 94 **Senator Bartlett:** To ask the Minister for Defence—
- (1) Is the Minister aware that a number of New Zealand service personnel have returned from duty in Iraq and been diagnosed as having contracted the HIV/AIDS virus while in Iraq.
 - (2) Is the Minister aware of the health dangers posed to family and partners posed by service personnel who have contracted the AIDS virus but have not been tested or diagnosed.
 - (3) Does the Australian Defence Force medically test all Australian service personnel who have returned from duty in Iraq for the HIV/AIDS virus.
- 95 **Senator Denman:** To ask the Minister for the Arts and Sport—
- (1) In each of the financial years 2003-04 and 2004-05 (to date): (a) how many Commonwealth grants were made to sporting associations or sporting clubs for the maintenance of facilities or equipment in: (i) New South Wales, (ii) Victoria, (iii) Queensland, (iv) South Australia, (v) Western Australia, (vi) Tasmania, (vii) the Northern Territory, and (viii) the Australian Capital Territory; (b) under what program was each grant made; and (c) what was the nature and amount of each grant.
 - (2) In the 2004-05 financial year: (a) how many Commonwealth grants have been committed but not yet made to sporting associations or sporting clubs for the maintenance of facilities or equipment in: (i) New South Wales, (ii) Victoria, (iii) Queensland, (iv) South Australia, (v) Western Australia, (vi) Tasmania, (vii) the Northern Territory, and (viii) the Australian Capital Territory; (b) under what program has each commitment been made; and (c) what is the nature and amount of each commitment.
- 96 **Senator Denman:** To ask the Minister for the Arts and Sport—
- (1) In each of the financial years 2003-04 and 2004-05 (to date): (a) how many Commonwealth grants were made to local government bodies or community organisations (other than sporting associations or sporting clubs) for sports or recreation purposes in: (i) New South Wales, (ii) Victoria, (iii) Queensland, (iv) South Australia, (v) Western Australia, (vi) Tasmania, (vii) the Northern Territory, and (viii) the Australian Capital Territory; (b) under what program was each grant made; and (c) what was the nature and amount of each grant.
 - (2) In the 2004-05 financial year: (a) how many Commonwealth grants have been committed but not yet made to local government bodies or community organisations (other than sporting associations or sporting clubs) for sports or recreation purposes in: (i) New South Wales, (ii) Victoria,

(iii) Queensland, (iv) South Australia, (v) Western Australia, (vi) Tasmania, (vii) the Northern Territory, and (viii) the Australian Capital Territory; (b) under what program has each commitment been made; and (c) what is the nature and amount of each commitment.

97 **Senator Brown:** To ask the Minister for the Environment and Heritage—

- (1) What is the Commonwealth's role in protecting Australia's freshwater ecosystems.
- (2) Are these ecosystems adequately protected.
- (3) Is there a national program to protect these freshwater ecosystems; if not, why not.

98 **Senator Brown:** To ask the Minister for the Environment and Heritage—With reference to Tasmanian devils and the devil facial tumour disease:

- (1) What percentage of Tasmanian devils have been killed by the disease.
- (2) Will the Minister declare the Tasmanian devil a threatened species; if so, when; if not, why not.
- (3) What hypotheses have been advanced or eliminated for the cause and transmission of the disease.
- (4) Is there a coordinated research program for the devil facial tumour condition; if not, why not.
- (5) What role has the Australian Wildlife Health Network played in coordinating the research relating to this disease.
- (6) Why is the public being denied any information regarding the research outcomes on causal factors and transmission processes.
- (7) Is the Minister satisfied that the Tasmanian Government has the expertise and capacity to adequately respond to this significant wildlife disease.

99 **Senator Brown:** To ask the Minister for the Environment and Heritage—With reference to Tasmania devils and the Government's election commitment to allocate \$2 million for the devil facial tumour disease:

- (1) Has the Government determined the research priorities for the \$2 million lump sum to be allocated for the disease.
- (2) Will the Commonwealth maintain control over the scientific evaluation, direction and publication of the research effort funded by the Commonwealth.
- (3) What accountability procedures have been put in place for all Commonwealth funds allocated to Tasmania to date for research on Tasmanian devils.
- (4) To date, what outputs have resulted from the World Heritage project funding for the disease.

100 **Senator Webber:** To ask the Minister representing the Treasurer—

- (1) When will legislation be introduced that will allow for workers to be paid their entitlements ahead of banks and other creditors.
- (2) Will that legislation apply to any current liquidations.
- (3) In the case of Computerised Holdings Pty Ltd, did the liquidator identify the cause of liquidation as being insolvent trading; if so, why did the Australian Securities and Investment Commission not prosecute.

- (4) What are the criteria being used for making claims against the liquidator in the case of Computerised Holdings.
- (5) Is it intended that legal advice be sought on any distribution of assets ahead of the payment of workers' entitlements.

101 **Senator Webber:** To ask the Minister representing the Treasurer—

- (1) Is it correct that: (a) on 18 January 1996, a Deputy Commissioner of the Australian Taxation Office (ATO), Mr J M Wheeler, determined in favour of a Queensland taxpayer who had been issued with an amended assessment for the tax year ending 30 June 1995 in relation to a tea tree project investment; (b) in this determination, Mr Wheeler awarded the taxpayer a refund or credit of tax paid, interest and penalty; and (c) on 6 December 1999, the same Queensland taxpayer was again issued with an amended assessment for the tax year ending 30 June 1995 in relation to the same tea tree project investment.
- (2) Why did the ATO renege on the determination of Mr Wheeler in relation to that investment.
- (3) Is it correct that the ATO is citing the decision in *Commissioner of Taxation v Sleight [2004] FCAFC 94* as justification for action it has taken on agricultural projects structured in a similar way to those of Mr Sleight.
- (4) Given Mr Wheeler's determination, why did the ATO decide on 21 December 2000 not to allow Mr Sleight's objection to the amended assessment he received on 12 October 1999.

Notice given 19 November 2004

102 **Senator Faulkner:** To ask the Minister for Justice and Customs—With reference to the answer to question no. 131 taken on notice by the department during the May 2003 Budget estimates hearings of the Legal and Constitutional Legislation Committee:

- (1) Who briefed the Minister on 19 August 2002 and 26 September 2002 about Marian Wilkinson's questions.
- (2) Who initiated the briefing.
- (3) Was the briefing oral or in writing.
- (4) If it was an oral briefing: (a) who briefed the Minister; (b) who else was present; (c) were minutes and/or notes taken; if so, can a copy of minutes and/or notes be provided; and (d) what action, if any, did the Minister take after he was provided with the two briefings in August and September 2002.
- (5) If it was a written briefing: (a) who prepared the brief; (b) who cleared the brief; (c) apart from the Minister, who else saw the brief; and (d) what action, if any, did the Minister take after he was provided with the two briefings in August and September 2002.

103 **Senator Faulkner:** To ask the Minister representing the Prime Minister—

- (1) Since March 1996, on how many occasions has the Prime Minister stayed at Claridges Hotel in Mayfair, London.
- (2) On what dates did the Prime Minister stay at this self-described "five star, de luxe, luxury" hotel.
- (3) On his most recent trip to London, did the Prime Minister stay in the Brook Apartment penthouse suite, described by the hotel as '220 square

metres/2,368 square feet (approximately), 2 King Beds. This stunning apartment has been restored in the Art Deco style with an elegant, gentle mauve décor, light oak floors and original fittings from the 1930s. The bedrooms are large and luxurious, each with their own dressing-rooms. The marble bathrooms are equally splendid with extra deep baths and separate showers. A beautiful sitting-room with full height windows looks out onto a stunning private roof terrace. In addition, there is an elegant dining-room with a cocktail bar and cloakroom. A personal butler service is provided with the penthouse’.

- (4) What was the cost of the Prime Minister’s: (a) accommodation; (b) food; (c) beverages; and (c) other items (please specify) at Claridges for this recent trip.
- (5) How many other rooms and suites were used by the Prime Minister’s party for this trip, and for what purposes.
- (6) For the Prime Minister’s most recent trip, what were the costs for the Prime Minister’s party, excluding the Prime Minister, of: (a) accommodation; (b) food; (c) beverages; and (d) other items (please specify).
- (7) Apart from the services provided and paid for outlined under (3) and (4) above, did the hotel provide any other services to the Prime Minister and his party.
- (8) Has the bill for the hotel been presented and paid; if not, why not; if so, who paid the bill.
- (9) On each of the occasions the Prime Minister has used this hotel since 1996, has he always stayed at the Brook Apartment penthouse suite; if not, on which occasion has he used other suites in the hotel, and which suites were used.
- (10) On each occasion that the Prime Minister stayed at the hotel, what was the cost of the Prime Minister’s: (a) accommodation; (b) food; (c) beverages; and (c) other items (please specify).
- (11) On each occasion that the Prime Minister stayed at the hotel since March 1996, how much was paid by the department to the hotel for associated costs excluding the amounts at (7) above.

104 **Senator Faulkner:** To ask the Minister representing the Minister for Revenue and Assistant Treasurer—

- (1) What was the additional cost of re-shooting the superannuation co-contribution advertising campaign when it was decided by the Ministerial Committee on Government Communications that the size of the pig had to be reduced.
- (2) Who made the decision that a re-shoot was required.
- (3) Did the print material have to be adjusted; if so, what was the additional cost.

105 **Senator Faulkner:** To ask the Minister representing the Minister for Revenue and Assistant Treasurer—With reference to the Superannuation Co-contribution advertising campaign:

- (1) For each of the financial years, 2003-04 and 2004-05: (a) what is the cost of this advertising campaign; and (b) what is the breakdown of these advertising costs for: (a) television (TV) placements; (b) radio placements; (c) newspaper placements; (d) mail outs with brochures and letters signed by Mr Carmody; and (e) advertising research.

- (2) When did TV advertising screening begin, and when is it planned to end.
- (3) How many letters were sent by Mr Carmody.
- (4) On what basis was the mail out selected.
- (5) What database was used to select addresses – the Australian Taxation Office database, the electoral database or other.
- (6) Given that the advertisements now do not reflect Government policy on the co-contribution, is there any plan to update the campaign; if so, what campaign components will be updated and how much will this cost.
- (7) (a) What appropriations will the department use to authorise any of the payments either committed to be made or proposed to be made as part of this advertising campaign; (b) will those appropriations be made in the 2003-04 or 2004-05 financial year; (c) will the appropriations relate to a departmental or administered item or the Advance to the Minister for Finance and Administration; and (d) if an appropriation relates to a departmental or administered item, what is the relevant line item in the relevant Portfolio Budget Statement for that item.
- (8) Has a request been made of the Minister for Finance and Administration to issue a drawing right to pay out moneys for any part of the advertising campaign; if so: (a) what are the details of that request; and (b) against which particular appropriation is it requested that the money be paid.
- (9) Has the Minister for Finance and Administration issued a drawing right as referred to in paragraph (8) above; if so, what are the details of that drawing right.
- (10) Has an official or minister made a payment of public money or debited an amount against an appropriation in accordance with a drawing right issued by the Minister for Finance and Administration for any part of the advertising campaign.

106 **Senator Faulkner:** To ask the Minister for Family and Community Services—
With reference to the More Help For Families advertising campaign:

- (1) For each of the financial years, 2003-04 and 2004-05: (a) what is the cost of this advertising campaign; and (b) what is the breakdown of these advertising costs for: (a) television (TV) placements; (b) radio placements; (c) newspaper placements; (d) printing and mail outs; and (e) research.
- (2) What: (a) creative agency or agencies; and (b) research agency or agencies; have been engaged for the campaign.
- (3) When did TV advertising screening begin, and when is it planned to end.
- (4) If there is a mail out planned, what database will be used to select addresses – the Australian Taxation Office database, the electoral database or other.
- (5) (a) What appropriations will the department use to authorise any of the payments either committed to be made or proposed to be made as part of this advertising campaign; (b) will those appropriations be made in the 2003-04 or 2004-05 financial year; (c) will the appropriations relate to a departmental or administered item or the Advance to the Minister for Finance and Administration; and (d) if an appropriation relates to a departmental or administered item, what is the relevant line item in the relevant Portfolio Budget Statement for that item.
- (6) Has a request been made of the Minister for Finance and Administration to issue a drawing right to pay out moneys for any part of the advertising

campaign; if so: (a) what are the details of that request; and (b) against which particular appropriation is it requested that the money be paid.

- (7) Has the Minister for Finance and Administration issued a drawing right as referred to in paragraph (6) above; if so, what are the details of that drawing right.
- (8) Has an official or minister made a payment of public money or debited an amount against an appropriation in accordance with a drawing right issued by the Minister for Finance and Administration for any part of the advertising campaign.

107 **Senator Faulkner:** To ask the Minister for Communications, Information Technology and the Arts—With reference to the Working to Keep the Country Connected advertising campaign:

- (1) For each of the financial years, 2003-04 and 2004-05: (a) what is the cost of this advertising campaign; and (b) what is the breakdown of these advertising costs for: (a) television (TV) placements; (b) radio placements; (c) newspaper placements; (d) printing and mail outs; and (e) research.
- (2) On which TV stations is the advertising campaign screening.
- (3) What: (a) creative agency or agencies; and (b) research agency or agencies; have been engaged for the campaign.
- (4) When will the campaign begin, and when is it planned to end.
- (5) If there is a mail out planned, to whom will it be targeted and what database will be used to select addresses – the Australian Taxation Office database, the electoral database or other.
- (6) (a) As of 1 June 2004, how many phone calls has the Telfinfo hotline received; and (b) how many hits has the Telfinfo website had.
- (7) (a) What appropriations will the department use to authorise any of the payments either committed to be made or proposed to be made as part of this advertising campaign; (b) will those appropriations be made in the 2003-04 or 2004-05 financial year; (c) will the appropriations relate to a departmental or administered item or the Advance to the Minister for Finance and Administration; and (d) if an appropriation relates to a departmental or administered item, what is the relevant line item in the relevant Portfolio Budget Statement for that item.
- (8) Has a request been made of the Minister for Finance and Administration to issue a drawing right to pay out moneys for any part of the advertising campaign; if so: (a) what are the details of that request; and (b) against which particular appropriation is it requested that the money be paid.
- (9) Has the Minister for Finance and Administration issued a drawing right as referred to in paragraph (8) above; if so, what are the details of that drawing right.
- (10) Has an official or minister made a payment of public money or debited an amount against an appropriation in accordance with a drawing right issued by the Minister for Finance and Administration for any part of the advertising campaign.

108 **Senator Faulkner:** To ask the Minister for the Environment and Heritage—With reference to the Environment/Resource Management advertising campaign:

- (1) For each of the financial years, 2003-04 and 2004-05: (a) what is the cost of this advertising campaign; and (b) what is the breakdown of these

advertising costs for: (a) television (TV) placements; (b) radio placements; (c) newspaper placements; (d) printing and mail outs; and (e) research.

- (2) What: (a) creative agency or agencies; and (b) research agency or agencies; have been engaged for the campaign.
- (3) When will the campaign begin, and when is it planned to end.
- (4) If there is a mail out planned, to whom will it be targeted and what database will be used to select addresses – the Australian Taxation Office database, the electoral database or other.
- (5) (a) What appropriations will the department use to authorise any of the payments either committed to be made or proposed to be made as part of this advertising campaign; (b) will those appropriations be made in the 2003-04 or 2004-05 financial year; (c) will the appropriations relate to a departmental or administered item or the Advance to the Minister for Finance and Administration; and (d) if an appropriation relates to a departmental or administered item, what is the relevant line item in the relevant Portfolio Budget Statement for that item.
- (6) Has a request been made of the Minister for Finance and Administration to issue a drawing right to pay out moneys for any part of the advertising campaign; if so: (a) what are the details of that request; and (b) against which particular appropriation is it requested that the money be paid.
- (7) Has the Minister for Finance and Administration issued a drawing right as referred to in paragraph (6) above; if so, what are the details of that drawing right.
- (8) Has an official or minister made a payment of public money or debited an amount against an appropriation in accordance with a drawing right issued by the Minister for Finance and Administration for any part of the advertising campaign.

109 **Senator Faulkner:** To ask the Minister for the Environment and Heritage—With reference to the Waste Oil advertising campaign:

- (1) For each of the financial years, 2003-04 and 2004-05: (a) what is the cost of this advertising campaign; and (b) what is the breakdown of these advertising costs for: (a) television (TV) placements; (b) radio placements; (c) newspaper placements; (d) printing and mail outs; and (e) research.
- (2) What: (a) creative agency or agencies; and (b) research agency or agencies; have been engaged for the campaign.
- (3) When will the campaign begin, and when is it planned to end.
- (4) If there is a mail out planned, to whom will it be targeted and what database will be used to select addresses – the Australian Taxation Office database, the electoral database or other.
- (5) (a) What appropriations will the department use to authorise any of the payments either committed to be made or proposed to be made as part of this advertising campaign; (b) will those appropriations be made in the 2003-04 or 2004-05 financial year; (c) will the appropriations relate to a departmental or administered item or the Advance to the Minister for Finance and Administration; and (d) if an appropriation relates to a departmental or administered item, what is the relevant line item in the relevant Portfolio Budget Statement for that item.
- (6) Has a request been made of the Minister for Finance and Administration to issue a drawing right to pay out moneys for any part of the advertising

campaign; if so: (a) what are the details of that request; and (b) against which particular appropriation is it requested that the money be paid.

- (7) Has the Minister for Finance and Administration issued a drawing right as referred to in paragraph (6) above; if so, what are the details of that drawing right.
- (8) Has an official or minister made a payment of public money or debited an amount against an appropriation in accordance with a drawing right issued by the Minister for Finance and Administration for any part of the advertising campaign.

110 **Senator Faulkner:** To ask the Minister for Family and Community Services—
With reference to the Keeping the System Fairer advertising campaign:

- (1) For each of the financial years, 2003-04 and 2004-05: (a) what is the cost of this advertising campaign; and (b) what is the breakdown of these advertising costs for: (a) television (TV) placements; (b) radio placements; (c) newspaper placements; (d) printing and mail outs; and (e) research.
- (2) What: (a) creative agency or agencies; and (b) research agency or agencies; have been engaged for the campaign.
- (3) When will the campaign begin, and when is it planned to end.
- (4) If there is a mail out planned, to whom will it be targeted and what database will be used to select addresses – the Australian Taxation Office database, the electoral database or other.
- (5) (a) What appropriations will the department use to authorise any of the payments either committed to be made or proposed to be made as part of this advertising campaign; (b) will those appropriations be made in the 2003-04 or 2004-05 financial year; (c) will the appropriations relate to a departmental or administered item or the Advance to the Minister for Finance and Administration; and (d) if an appropriation relates to a departmental or administered item, what is the relevant line item in the relevant Portfolio Budget Statement for that item.
- (6) Has a request been made of the Minister for Finance and Administration to issue a drawing right to pay out moneys for any part of the advertising campaign; if so: (a) what are the details of that request; and (b) against which particular appropriation is it requested that the money be paid.
- (7) Has the Minister for Finance and Administration issued a drawing right as referred to in paragraph (6) above; if so, what are the details of that drawing right.
- (8) Has an official or minister made a payment of public money or debited an amount against an appropriation in accordance with a drawing right issued by the Minister for Finance and Administration for any part of the advertising campaign.

111 **Senator Faulkner:** To ask the Minister for Family and Community Services—
With reference to the Philanthropy advertising campaign:

- (1) For each of the financial years, 2003-04 and 2004-05: (a) what is the cost of this advertising campaign; and (b) what is the breakdown of these advertising costs for: (a) television (TV) placements; (b) radio placements; (c) newspaper placements; (d) printing and mail outs; and (e) research.
- (2) What: (a) creative agency or agencies; and (b) research agency or agencies; have been engaged for the campaign.
- (3) When will the campaign begin, and when is it planned to end.

- (4) If there is a mail out planned, to whom will it be targeted and what database will be used to select addresses – the Australian Taxation Office database, the electoral database or other.
- (5) (a) What appropriations will the department use to authorise any of the payments either committed to be made or proposed to be made as part of this advertising campaign; (b) will those appropriations be made in the 2003-04 or 2004-05 financial year; (c) will the appropriations relate to a departmental or administered item or the Advance to the Minister for Finance and Administration; and (d) if an appropriation relates to a departmental or administered item, what is the relevant line item in the relevant Portfolio Budget Statement for that item.
- (6) Has a request been made of the Minister for Finance and Administration to issue a drawing right to pay out moneys for any part of the advertising campaign; if so: (a) what are the details of that request; and (b) against which particular appropriation is it requested that the money be paid.
- (7) Has the Minister for Finance and Administration issued a drawing right as referred to in paragraph (6) above; if so, what are the details of that drawing right.
- (8) Has an official or minister made a payment of public money or debited an amount against an appropriation in accordance with a drawing right issued by the Minister for Finance and Administration for any part of the advertising campaign.

112 **Senator Faulkner:** To ask the Minister representing the Minister for Revenue and Assistant Treasurer—With reference to the Grants to States advertising campaign:

- (1) For each of the financial years, 2003-04 and 2004-05: (a) what is the cost of this advertising campaign; and (b) what is the breakdown of these advertising costs for: (a) television (TV) placements; (b) radio placements; (c) newspaper placements; (d) printing and mail outs; and (e) research.
- (2) What: (a) creative agency or agencies; and (b) research agency or agencies; have been engaged for the campaign.
- (3) When will the campaign begin, and when is it planned to end.
- (4) If there is a mail out planned, to whom will it be targeted and what database will be used to select addresses – the Australian Taxation Office database, the electoral database or other.
- (5) (a) What appropriations will the department use to authorise any of the payments either committed to be made or proposed to be made as part of this advertising campaign; (b) will those appropriations be made in the 2003-04 or 2004-05 financial year; (c) will the appropriations relate to a departmental or administered item or the Advance to the Minister for Finance and Administration; and (d) if an appropriation relates to a departmental or administered item, what is the relevant line item in the relevant Portfolio Budget Statement for that item.
- (6) Has a request been made of the Minister for Finance and Administration to issue a drawing right to pay out moneys for any part of the advertising campaign; if so: (a) what are the details of that request; and (b) against which particular appropriation is it requested that the money be paid.
- (7) Has the Minister for Finance and Administration issued a drawing right as referred to in paragraph (6) above; if so, what are the details of that drawing right.

- (8) Has an official or minister made a payment of public money or debited an amount against an appropriation in accordance with a drawing right issued by the Minister for Finance and Administration for any part of the advertising campaign.

113 **Senator Faulkner:** To ask the Minister for Justice and Customs—With reference to the proposed National Security advertising campaign:

- (1) For each of the financial years, 2003-04 and 2004-05: (a) what is the cost of this advertising campaign; and (b) what is the breakdown of these advertising costs for: (a) television (TV) placements; (b) radio placements; (c) newspaper placements; (d) printing and mail outs; and (e) research.
- (2) What: (a) creative agency or agencies; and (b) research agency or agencies; have been engaged for the campaign.
- (3) When will the campaign begin, and when is it planned to end.
- (4) If there is a mail out planned, to whom will it be targeted and what database will be used to select addresses – the Australian Taxation Office database, the electoral database or other.
- (5) (a) What appropriations will the department use to authorise any of the payments either committed to be made or proposed to be made as part of this advertising campaign; (b) will those appropriations be made in the 2003-04 or 2004-05 financial year; (c) will the appropriations relate to a departmental or administered item or the Advance to the Minister for Finance and Administration; and (d) if an appropriation relates to a departmental or administered item, what is the relevant line item in the relevant Portfolio Budget Statement for that item.
- (6) Has a request been made of the Minister for Finance and Administration to issue a drawing right to pay out moneys for any part of the advertising campaign; if so: (a) what are the details of that request; and (b) against which particular appropriation is it requested that the money be paid.
- (7) Has the Minister for Finance and Administration issued a drawing right as referred to in paragraph (6) above; if so, what are the details of that drawing right.
- (8) Has an official or minister made a payment of public money or debited an amount against an appropriation in accordance with a drawing right issued by the Minister for Finance and Administration for any part of the advertising campaign.

114 **Senator Faulkner:** To ask the Minister for Fisheries, Forestry and Conservation—With reference to the proposed Natural Heritage Trust advertising campaign:

- (1) For each of the financial years, 2003-04 and 2004-05: (a) what is the cost of this advertising campaign; and (b) what is the breakdown of these advertising costs for: (a) television (TV) placements; (b) radio placements; (c) newspaper placements; (d) printing and mail outs; and (e) research.
- (2) What: (a) creative agency or agencies; and (b) research agency or agencies; have been engaged for the campaign.
- (3) When will the campaign begin, and when is it planned to end.
- (4) If there is a mail out planned, to whom will it be targeted and what database will be used to select addresses – the Australian Taxation Office database, the electoral database or other.

- (5) (a) What appropriations will the department use to authorise any of the payments either committed to be made or proposed to be made as part of this advertising campaign; (b) will those appropriations be made in the 2003-04 or 2004-05 financial year; (c) will the appropriations relate to a departmental or administered item or the Advance to the Minister for Finance and Administration; and (d) if an appropriation relates to a departmental or administered item, what is the relevant line item in the relevant Portfolio Budget Statement for that item.
- (6) Has a request been made of the Minister for Finance and Administration to issue a drawing right to pay out moneys for any part of the advertising campaign; if so: (a) what are the details of that request; and (b) against which particular appropriation is it requested that the money be paid.
- (7) Has the Minister for Finance and Administration issued a drawing right as referred to in paragraph (6) above; if so, what are the details of that drawing right.
- (8) Has an official or minister made a payment of public money or debited an amount against an appropriation in accordance with a drawing right issued by the Minister for Finance and Administration for any part of the advertising campaign.

115 **Senator Faulkner:** To ask the Minister representing the Minister for Employment and Workplace Relations—With reference to the proposed Mature Aged Workers—Increasing Participation Rates advertising campaign:

- (1) For each of the financial years, 2003-04 and 2004-05: (a) what is the cost of this advertising campaign; and (b) what is the breakdown of these advertising costs for: (a) television (TV) placements; (b) radio placements; (c) newspaper placements; (d) printing and mail outs; and (e) research.
- (2) What: (a) creative agency or agencies; and (b) research agency or agencies; have been engaged for the campaign.
- (3) When will the campaign begin, and when is it planned to end.
- (4) If there is a mail out planned, to whom will it be targeted and what database will be used to select addresses – the Australian Taxation Office database, the electoral database or other.
- (5) (a) What appropriations will the department use to authorise any of the payments either committed to be made or proposed to be made as part of this advertising campaign; (b) will those appropriations be made in the 2003-04 or 2004-05 financial year; (c) will the appropriations relate to a departmental or administered item or the Advance to the Minister for Finance and Administration; and (d) if an appropriation relates to a departmental or administered item, what is the relevant line item in the relevant Portfolio Budget Statement for that item.
- (6) Has a request been made of the Minister for Finance and Administration to issue a drawing right to pay out moneys for any part of the advertising campaign; if so: (a) what are the details of that request; and (b) against which particular appropriation is it requested that the money be paid.
- (7) Has the Minister for Finance and Administration issued a drawing right as referred to in paragraph (6) above; if so, what are the details of that drawing right.
- (8) Has an official or minister made a payment of public money or debited an amount against an appropriation in accordance with a drawing right issued

by the Minister for Finance and Administration for any part of the advertising campaign.

116 **Senator Faulkner:** To ask the Minister representing the Prime Minister—With reference to the proposed Elimination of Domestic Violence advertising campaign:

- (1) For each of the financial years, 2003-04 and 2004-05: (a) what is the cost of this advertising campaign; and (b) what is the breakdown of these advertising costs for: (a) television (TV) placements; (b) radio placements; (c) newspaper placements; (d) printing and mail outs; and (e) research.
- (2) What: (a) creative agency or agencies; and (b) research agency or agencies; have been engaged for the campaign.
- (3) When will the campaign begin, and when is it planned to end.
- (4) If there is a mail out planned, to whom will it be targeted and what database will be used to select addresses – the Australian Taxation Office database, the electoral database or other.
- (5) (a) What appropriations will the department use to authorise any of the payments either committed to be made or proposed to be made as part of this advertising campaign; (b) will those appropriations be made in the 2003-04 or 2004-05 financial year; (c) will the appropriations relate to a departmental or administered item or the Advance to the Minister for Finance and Administration; and (d) if an appropriation relates to a departmental or administered item, what is the relevant line item in the relevant Portfolio Budget Statement for that item.
- (6) Has a request been made of the Minister for Finance and Administration to issue a drawing right to pay out moneys for any part of the advertising campaign; if so: (a) what are the details of that request; and (b) against which particular appropriation is it requested that the money be paid.
- (7) Has the Minister for Finance and Administration issued a drawing right as referred to in paragraph (6) above; if so, what are the details of that drawing right.
- (8) Has an official or minister made a payment of public money or debited an amount against an appropriation in accordance with a drawing right issued by the Minister for Finance and Administration for any part of the advertising campaign.

117 **Senator Faulkner:** To ask the Minister representing the Minister for Transport and Regional Services—With reference to the proposed Auslink advertising campaign:

- (1) For each of the financial years, 2003-04 and 2004-05: (a) what is the cost of this advertising campaign; and (b) what is the breakdown of these advertising costs for: (a) television (TV) placements; (b) radio placements; (c) newspaper placements; (d) printing and mail outs; and (e) research.
- (2) What: (a) creative agency or agencies; and (b) research agency or agencies; have been engaged for the campaign.
- (3) When will the campaign begin, and when is it planned to end.
- (4) If there is a mail out planned, to whom will it be targeted and what database will be used to select addresses – the Australian Taxation Office database, the electoral database or other.
- (5) (a) What appropriations will the department use to authorise any of the payments either committed to be made or proposed to be made as part of this advertising campaign; (b) will those appropriations be made in the

2003-04 or 2004-05 financial year; (c) will the appropriations relate to a departmental or administered item or the Advance to the Minister for Finance and Administration; and (d) if an appropriation relates to a departmental or administered item, what is the relevant line item in the relevant Portfolio Budget Statement for that item.

- (6) Has a request been made of the Minister for Finance and Administration to issue a drawing right to pay out moneys for any part of the advertising campaign; if so: (a) what are the details of that request; and (b) against which particular appropriation is it requested that the money be paid.
- (7) Has the Minister for Finance and Administration issued a drawing right as referred to in paragraph (6) above; if so, what are the details of that drawing right.
- (8) Has an official or minister made a payment of public money or debited an amount against an appropriation in accordance with a drawing right issued by the Minister for Finance and Administration for any part of the advertising campaign.

118 **Senator Faulkner:** To ask the Minister representing the Minister for Transport and Regional Services—With reference to the proposed Regional Information Service advertising campaign:

- (1) For each of the financial years, 2003-04 and 2004-05: (a) what is the cost of this advertising campaign; and (b) what is the breakdown of these advertising costs for: (a) television (TV) placements; (b) radio placements; (c) newspaper placements; (d) printing and mail outs; and (e) research.
- (2) What: (a) creative agency or agencies; and (b) research agency or agencies; have been engaged for the campaign.
- (3) When will the campaign begin, and when is it planned to end.
- (4) If there is a mail out planned, to whom will it be targeted and what database will be used to select addresses – the Australian Taxation Office database, the electoral database or other.
- (5) (a) What appropriations will the department use to authorise any of the payments either committed to be made or proposed to be made as part of this advertising campaign; (b) will those appropriations be made in the 2003-04 or 2004-05 financial year; (c) will the appropriations relate to a departmental or administered item or the Advance to the Minister for Finance and Administration; and (d) if an appropriation relates to a departmental or administered item, what is the relevant line item in the relevant Portfolio Budget Statement for that item.
- (6) Has a request been made of the Minister for Finance and Administration to issue a drawing right to pay out moneys for any part of the advertising campaign; if so: (a) what are the details of that request; and (b) against which particular appropriation is it requested that the money be paid.
- (7) Has the Minister for Finance and Administration issued a drawing right as referred to in paragraph (6) above; if so, what are the details of that drawing right.
- (8) Has an official or minister made a payment of public money or debited an amount against an appropriation in accordance with a drawing right issued by the Minister for Finance and Administration for any part of the advertising campaign.

119 **Senator Faulkner:** To ask the Minister representing the Minister for Health and Ageing—With reference to the proposed Illicit Drugs—Targeting Youth advertising campaign:

- (1) For each of the financial years, 2003-04 and 2004-05: (a) what is the cost of this advertising campaign; and (b) what is the breakdown of these advertising costs for: (a) television (TV) placements; (b) radio placements; (c) newspaper placements; (d) printing and mail outs; and (e) research.
- (2) What: (a) creative agency or agencies; and (b) research agency or agencies; have been engaged for the campaign.
- (3) When will the campaign begin, and when is it planned to end.
- (4) If there is a mail out planned, to whom will it be targeted and what database will be used to select addresses – the Australian Taxation Office database, the electoral database or other.
- (5) (a) What appropriations will the department use to authorise any of the payments either committed to be made or proposed to be made as part of this advertising campaign; (b) will those appropriations be made in the 2003-04 or 2004-05 financial year; (c) will the appropriations relate to a departmental or administered item or the Advance to the Minister for Finance and Administration; and (d) if an appropriation relates to a departmental or administered item, what is the relevant line item in the relevant Portfolio Budget Statement for that item.
- (6) Has a request been made of the Minister for Finance and Administration to issue a drawing right to pay out moneys for any part of the advertising campaign; if so: (a) what are the details of that request; and (b) against which particular appropriation is it requested that the money be paid.
- (7) Has the Minister for Finance and Administration issued a drawing right as referred to in paragraph (6) above; if so, what are the details of that drawing right.
- (8) Has an official or minister made a payment of public money or debited an amount against an appropriation in accordance with a drawing right issued by the Minister for Finance and Administration for any part of the advertising campaign.

120 **Senator Faulkner:** To ask the Minister representing the Minister for Health and Ageing—With reference to the current Strengthening Medicare advertising campaign:

- (1) For each of the financial years, 2003-04 and 2004-05: (a) what is the cost of this advertising campaign; and (b) what is the breakdown of these advertising costs for: (a) television (TV) placements; (b) radio placements; (c) newspaper placements; (d) printing and mail outs; and (e) research.
- (2) What: (a) creative agency or agencies; and (b) research agency or agencies; have been engaged for the campaign.
- (3) When will the campaign begin, and when is it planned to end.
- (4) If there is a mail out planned, to whom will it be targeted and what database will be used to select addresses – the Australian Taxation Office database, the electoral database or other.
- (5) (a) What appropriations will the department use to authorise any of the payments either committed to be made or proposed to be made as part of this advertising campaign; (b) will those appropriations be made in the 2003-04 or 2004-05 financial year; (c) will the appropriations relate to a

departmental or administered item or the Advance to the Minister for Finance and Administration; and (d) if an appropriation relates to a departmental or administered item, what is the relevant line item in the relevant Portfolio Budget Statement for that item.

- (6) Has a request been made of the Minister for Finance and Administration to issue a drawing right to pay out moneys for any part of the advertising campaign; if so: (a) what are the details of that request; and (b) against which particular appropriation is it requested that the money be paid.
- (7) Has the Minister for Finance and Administration issued a drawing right as referred to in paragraph (6) above; if so, what are the details of that drawing right.
- (8) Has an official or minister made a payment of public money or debited an amount against an appropriation in accordance with a drawing right issued by the Minister for Finance and Administration for any part of the advertising campaign.

121 **Senator Faulkner:** To ask the Minister representing the Minister for Citizenship and Multicultural Affairs—With reference to the current tranche of the Citizenship advertising campaign:

- (1) For each of the financial years, 2003-04 and 2004-05: (a) what is the cost of this advertising campaign; and (b) what is the breakdown of these advertising costs for: (a) television (TV) placements; (b) radio placements; (c) newspaper placements; (d) printing and mail outs; and (e) research.
- (2) What: (a) creative agency or agencies; and (b) research agency or agencies; have been engaged for the campaign.
- (3) When will the campaign begin, and when is it planned to end.
- (4) If there is a mail out planned, to whom will it be targeted and what database will be used to select addresses – the Australian Taxation Office database, the electoral database or other.
- (5) (a) What appropriations will the department use to authorise any of the payments either committed to be made or proposed to be made as part of this advertising campaign; (b) will those appropriations be made in the 2003-04 or 2004-05 financial year; (c) will the appropriations relate to a departmental or administered item or the Advance to the Minister for Finance and Administration; and (d) if an appropriation relates to a departmental or administered item, what is the relevant line item in the relevant Portfolio Budget Statement for that item.
- (6) Has a request been made of the Minister for Finance and Administration to issue a drawing right to pay out moneys for any part of the advertising campaign; if so: (a) what are the details of that request; and (b) against which particular appropriation is it requested that the money be paid.
- (7) Has the Minister for Finance and Administration issued a drawing right as referred to in paragraph (6) above; if so, what are the details of that drawing right.
- (8) Has an official or minister made a payment of public money or debited an amount against an appropriation in accordance with a drawing right issued by the Minister for Finance and Administration for any part of the advertising campaign.

Senator Faulkner: To ask the Ministers listed below (Question Nos 122-140)—

- (1) Not including any advertising campaigns contained in questions on notice nos 105 to 121, for each of the financial years, 2003-04 and 2004-05 to date: (a) what is the cost of any current or proposed advertising campaign in the department; (b) what are the details of the campaign, including: (a) creative agency or agencies engaged; (b) research agency or agencies engaged; (c) the cost of television advertising; (d) the cost and nature of any mail out; and (e) the full cost of advertising placement.
- (2) When will the campaign begin, and when is it planned to end.
- (3) (a) What appropriations will the department use to authorise any of the payments either committed to be made or proposed to be made as part of this advertising campaign; (b) will those appropriations be made in the 2003-04 or 2004-05 financial year; (c) will the appropriations relate to a departmental or administered item or the Advance to the Minister for Finance and Administration; and (d) if an appropriation relates to a departmental or administered item, what is the relevant line item in the relevant Portfolio Budget Statement for that item.
- (4) Has a request been made of the Minister for Finance and Administration to issue a drawing right to pay out moneys for any part of the advertising campaign; if so: (a) what are the details of that request; and (b) against which particular appropriation is it requested that the money be paid.
- (5) Has the Minister for Finance and Administration issued a drawing right as referred to in paragraph (4) above; if so, what are the details of that drawing right.
- (6) Has an official or minister made a payment of public money or debited an amount against an appropriation in accordance with a drawing right issued by the Minister for Finance and Administration for any part of the advertising campaign.

122 Minister representing the Prime Minister

123 Minister representing the Minister for Transport and Regional Services

124 Minister representing the Treasurer

125 Minister representing the Minister for Trade

126 Minister for Defence

127 Minister representing the Minister for Foreign Affairs

128 Minister representing the Minister for Health and Ageing

129 Minister representing the Attorney-General

130 Minister for Finance and Administration

131 Minister representing the Minister for Agriculture, Fisheries and Forestry

132 Minister for Immigration and Multicultural and Indigenous Affairs

133 Minister representing the Minister for Education, Science and Training

134 Minister for Family and Community Services

135 Minister representing the Minister for Industry, Tourism and Resources

136 Minister representing the Minister for Employment and Workplace Relations

137 Minister for Communications, Information Technology and the Arts

138 Minister for the Environment and Heritage

139 Special Minister of State

140 Minister representing the Minister for Veterans' Affairs

Notice given 22 November 2004

141 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—With reference to the grant of \$6 000 000 for the National Equine and Livestock Centre project in Tamworth under the Regional Partnerships Programme:

- (1) (a) What total funds have been paid to the proponent; (b) if the funds were paid in one sum, on what date was the payment made; and (c) if the funds were paid in instalments, please identify instalment dates and amounts paid on each date.
- (2) What is the name of the proponent.
- (3) What is the proponent's business address.
- (4) Will the Minister provide a full description of the project.
- (5) On what date did the proponent first discuss the Regional Partnerships Programme funding application with the New England North West Area Consultative Committee.
- (6) On what date was the application submitted to the department.
- (7) On what date did the department send a copy of the submitted application to the New England North West Area Consultative Committee for comment and recommendation.
- (8) (a) On what date did the New England North West Area Consultative Committee provide the department with a response; and (b) what was the nature of the response.
- (9) On what date did the department commence assessment of the application to determine if it was suitable for Regional Partnerships funding.
- (10) (a) What representations were received from the National Party candidate for New England for the 2004 federal election in respect to the project proposal; and (b) on what date(s) and in what form(s) were the representations made by the candidate.
- (11) What referees were listed on the application.
- (12) What project partners, if any, did the application identify.
- (13) What funding did the application seek.
- (14) (a) What cash contribution(s) from the proponent and/or project partners did the application identify; and (b) what was the status of the cash contribution(s) when the application was lodged with the department.
- (15) (a) What in-kind contribution(s) from the proponent and/or project partners did the application identify; and (b) what was the status of the in-kind contribution(s) when the application was lodged with the department.
- (16) What applications over the previous five years to Commonwealth, state or local governments were identified in the application for funding of the project.
- (17) Did the application include a breakdown of various project cost items; if not, why not.
- (18) What key milestones were noted in the project timetable that formed part of the application including a project start and completion dates.
- (19) What project rationale was identified in the application.

- (20) How did the project description align with its region's identified priorities, including priorities identified by the New England North West Area Consultative Committee in its Strategic Regional Plan.
- (21) Was a project plan and feasibility study attached to the application; if not, on what date(s) were these documents provided.
- (22) (a) What evidence of community support was contained in the application; and (b) was a letter of support from the unsuccessful National Party candidate for New England for the 2004 federal election and/or Senator Sandy Macdonald attached to the application.
- (23) What evidence was provided in the application demonstrating the project would be self-sustaining.
- (24) Was an independent risk assessment of the proponent or the project or both based on information provided in the Regional Partnerships funding application; if so: (a) on what date was the independent assessment ordered; (b) who undertook it; (c) when was it completed; (d) what was its conclusion; (e) how much did it cost; and (f) can a copy of the assessment report be provided; if not, why not.
- (25) If no independent risk assessment was undertaken, why not.
- (26) With reference to additional requirements imposed on applicants for Regional Partnerships funding exceeding \$250 000:
 - (a) Did the proponent provide an outline of its management structure including full names, dates of birth, current residential addresses and driver's licence numbers of relevant persons concerned with the project; if so, on what date; if not, why not.
 - (b) Did the proponent provide audited profit and loss and balance sheet statements for the previous three financial years; if so, on what date; if not, why not.
 - (c) Did the proponent provide an authorised statement of financial position; if so, on what date; if not, why not.
 - (d) Did the proponent provide tax returns for the past three financial years; if so, on what date; if not, why not.
 - (e) Did the proponent provide a business plan for the project, including: (i) a feasibility study, (ii) industry/data research, (iii) a three year cash flow projection for the project including assumptions used and sensitive factors in the projection, (iv) a market strategy including assumptions used, (v) a strengths, weaknesses, opportunities, threats (SWOT) analysis, and (vi) a full list of pecuniary interests relevant to the project
- (27) Did the initial funding application fully comply with Regional Partnerships Programme guidelines; if not, what elements of the application were non-compliant.
- (28) (a) If applicable, on what date(s) was the application varied; and (b) in each case, how was the application varied.
- (29) (a) On what date did the department make a recommendation to the Minister; (b) what recommendation did the department make; and (c) were any preliminary or draft recommendations referred to the Minister and/or discussed with his office; if so, what draft recommendations were referred and/or discussed.
- (30) (a) On what occasions did the Minister and/or his office meet with the proponent and/or supporters of the project; and (b) in respect to each

occasion, can the Minister identify the date, duration, attendance and matters discussed.

- (31) How did the proponent address each of the matters of concern identified in the 2002 independent assessment of the proposed National Equine and Livestock Centre project by Professor John Chudleigh, including: (a) insufficient funding to complete the project; (b) over ambitious usage targets necessary to service debt; (c) lack of funds from the equine industry; and (d) no prospect of commercial viability.
- (32) Did the Minister impose any unwritten conditions on the grant, including a requirement that the Member for New England step down from the project board and disassociate himself from the proposal.
- (33) On what date was the funding application approved by the Minister.
- (34) On what date(s) and in what form(s) did the department and/or the Minister inform the proponent, the New England North West Area Consultative Committee, the Member for New England and the unsuccessful National Party candidate for New England for the 2004 federal election about the Minister's funding approval.
- (35) On what date did the department and/or the Minister publicly announce the grant.
- (36) Will the Minister provide a copy of the original Regional Partnerships Programme funding application, including attachments, and all subsequent variations; if not, why not.
- (37) On what date did the department commence negotiations with the proponent on a funding agreement.
- (38) On what date was the funding agreement signed.
- (39) Will the Minister provide a copy of the funding agreement; if not, why not.

142 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—

- (1) On what date did the Minister attend the announcement of the \$6 000 000 grant for the National Equine and Livestock Centre project in Tamworth in the company of Senator Sandy Macdonald, Mr Greg Maguire and others.
- (2) What departmental resources were expended on the planning and execution of the announcement in Tamworth, including but not necessarily limited to: (a) production and postage of invitations; (b) logistics arrangements including the carriage and placement of 'Nationals' banners; (c) departmental staff time including associated remuneration; (d) departmental staff transport; (e) production and distribution of material related to the announcement; (f) refreshments; and (e) media monitoring.
- (3) Were any departmental staff present at the announcement; if so, which staff and what departmental function did they perform.
- (4) Was the unsuccessful National Party candidate for New England for the 2004 federal election invited to the announcement of the grant; if so, did he attend.
- (5) Was the Member for New England invited to the announcement of this grant; if so, did he attend; if not, why not.

143 **Senator O'Brien:** To ask the Minister representing the Minister for Transport and Regional Services—With reference to all applications for public funding of the

National Equine and Livestock Centre project in Tamworth (excluding the Regional Partnerships Programme application):

- (1) On what dates have applications been received.
- (2) For each application: (a) under what departmental program was funding sought; (b) what quantum of funding was sought; (c) for what purpose was funding sought; (d) (i) what independent assessment was instituted in respect to each application, (ii) who undertook the independent assessment in each case, (iii) over what time were the independent assessments made, and (iv) what was the cost; and (e) (i) what funding decision was made, (ii) who made it, and (iii) on what date was it made.

Notice given 24 November 2004

144 **Senator Allison:** To ask the Minister representing the Minister for Health and Ageing—

- (1) Has the Australian Competition and Consumer Commission (ACCC) received final advice from legal counsel regarding the feasibility of instituting proceedings against tobacco companies with regard to misleading and deceptive practices in the use of the terms 'mild' and 'light' and other similar descriptors; if so, can a copy be provided.
- (2) If the ACCC has not received this final advice: (a) what has delayed the receipt of this final advice which was expected within a few weeks of the public hearing on 12 August 2004 of the Community Affairs Legislation Committee inquiry into the exposure draft of the Tobacco Advertising Prohibition (Film, Internet and Misleading Promotion) Amendment Bill 2004 and the adequacy of the ACCC response to date on issues concerning tobacco; and (b) when will the advice be received.
- (3) If the ACCC has received such advice: (a) what was the outcome of the ACCC's consideration of this advice; and (b) has the ACCC approached the Minister in regard to this advice; if so, what was the outcome of the Minister's consideration of this matter.

145 **Senator Nettle:** To ask the Minister for Communications, Information Technology and the Arts—

- (1) Is the Minister aware that 3G mobile phone towers are currently being built in suburban backyards, local parks and school grounds in Sydney, Melbourne, Brisbane, Adelaide and Perth.
- (2) Is the Minister aware of a January 2004 review by the British Advisory Group on Non-Ionising Radiation of the latest scientific developments in relation to mobile communications and health, which concluded that there is still a possibility of negative impacts on human health, particularly for children suffering extended exposure, and continued research is needed.
- (3) Given the ongoing concerns about the health impacts of radiation generated by 3G mobile telephone towers, why doesn't the Australian Communications Authority have any role in authorising where these facilities are placed, monitoring their ongoing maintenance and upgrading, or determining whether these individual installations comply with low-impact criteria.
- (4) Given the ongoing concerns about the effects of the radiation generated by 3G mobile telephone towers, and the fact that approximately 5 000 new 3G telecommunications facilities are expected to be installed over the next 2 years, why does the Government believe that regulation of the

construction and placing of these towers can be left to a voluntary code drawn up by the industry itself, via the Australian Communications Industry Forum (ACIF).

- (5) If federal legislation allows 3G mobile phone towers to be installed without council approval, why does no federal body have the power to regulate the installation of these facilities.
- (6) Will the Minister investigate complaints of alleged breaches of the ACIF code with regard to the location and siting of 3G towers in and around schools, in local parks and in suburban backyards; if not, why not.
- (7) Are there any 3G mobile phone towers situated on Commonwealth controlled crown land; if so: (a) where; (b) how many 3G mobile phone towers are sited on Commonwealth controlled crown land; and (c) what is the approximate rent paid for the use of this land.
- (8) Does the Commonwealth have any guidelines or requirements for the placing of 3G towers on state government controlled crown land; if not, why not.
- (9) Does the Commonwealth Government have records of all 3G mobile phone towers in Australia that are situated within 300m of places where children congregate for long periods.
- (10) Does the Commonwealth Government have records showing how many 3G mobile phone towers are situated within school grounds and in suburban backyards.
- (11) What has the Commonwealth Government done to alert school staff and parents of the possible health impacts associated with 3G mobile phone towers in schools where the towers are located within 300 metres of playgrounds and sports ovals.

Notice given 25 November 2004

146 **Senator Greig:** To ask the Minister for the Arts and Sport—With reference to the maintenance and conservation of the Commonwealth's cultural and artistic property and art collection:

- (1) Are external or private contractors used by the Commonwealth in the maintenance and conservation of the Commonwealth's cultural and artistic property and art collection; if so, is there a tendering system in place; if so, can a copy of the relevant documents for that tendering process be provided.
- (2) Does the Commonwealth maintain a register of preferred contractors for the maintenance and conservation of its cultural and artistic property and art collection; if so: (a) what eligibility criteria determine inclusion on the register; (b) are full-time or part-time Commonwealth or state public servants eligible to tender and/or be included on any register; and (c) can a copy of the register be provided.
- (3) Is it appropriate that part-time or full-time public servants are eligible to tender for Commonwealth contracts for the maintenance and conservation of the Commonwealth's cultural and artistic property and art collection; if so, on what grounds.
- (4) Is the Minister aware of any full-time or part-time Commonwealth or state public servants being granted contracts for work on the Commonwealth's cultural and artistic property and art collection.

- (5) Is the Minister satisfied that the tendering process for work on the maintenance and conservation of the Commonwealth's cultural and artistic property and art collection is transparent, accountable and fair.
- (6) What insurance is required by external contractors before they are eligible to tender for work.
- (7) Are there any instances in which insurance requirements have been waived; if so: (a) what criteria applied to such waiver(s); (b) how many external contractors in the past 5 years have had the insurance criteria waived; and (c) how many of these have been full-time or part-time Commonwealth or state public servants.
- (8) Has the Commonwealth reviewed insurance requirements for external contractors since the onset of the insurance industry crisis; if so, what was the outcome of that review.
- (9) Is consideration given to the impact of insurance requirements on the commercial viability of external contractors to bid for work maintaining and conserving the Commonwealth's cultural and artistic property and art collection.
- (10) Are tenders for work on the Commonwealth's cultural and artistic property and art collection consistent with the Commonwealth's rules on tendering.
- (11) Is the code of practice of the Australian Institute for the Conservation of Cultural Materials (AICCM) relevant to how and when work is carried out on the Commonwealth's cultural and artistic property and art collection; if so, what role does the AICCM code of practice or the AICCM itself, play in vetting external contractors granted contracts to supply goods or services to the Commonwealth.
- (12) Does national competition policy apply to individual Commonwealth and state and/or territory public servants in tendering for work to be done on the Commonwealth's cultural and artistic property and art collection; if so, how.

147 **Senator Greig:** To ask the President of the Senate—With reference to the maintenance and conservation of Parliament House and its art collection:

- (1) Are external or private contractors used by the Department of Parliamentary Services (DPS) in the maintenance and conservation of Parliament House and its art collection; if so, is there a tendering system in place; if so, can a copy of the relevant documents for that tendering process be provided.
- (2) Does the DPS maintain a register of preferred contractors for the maintenance and conservation of Parliament House and its art collection; if so: (a) what eligibility criteria determine inclusion on the register; (b) are full-time or part-time Commonwealth or state public servants eligible to tender and/or be included on any register; and (c) can a copy of the register be provided.
- (3) Is it appropriate that part-time or full-time public servants are eligible to tender for Commonwealth contracts for the maintenance and conservation of Parliament House and its art collection; if so, on what grounds.
- (4) Is the President of the Senate aware of any full-time or part-time Commonwealth or state public servants being granted contracts for work on Parliament House and its art collection.

- (5) Is the President satisfied that the tendering process for work on the maintenance and conservation of Parliament House and its art collection is transparent, accountable and fair.
- (6) What insurance is required by external contractors before they are eligible to tender for work.
- (7) Are there any instances in which insurance requirements have been waived; if so: (a) what criteria applied to such waiver(s); (b) how many external contractors in the past 5 years have had the insurance criteria waived; and (c) how many of these have been full-time or part-time Commonwealth or state public servants.
- (8) Has the DPS reviewed insurance requirements for external contractors since the onset of the insurance industry crisis; if so, what was the outcome of that review.
- (9) Is consideration given to the impact of insurance requirements on the commercial viability of external contractors to bid for work maintaining and conserving Parliament House and its art collection.
- (10) Are tenders for work on Parliament House and its art collection consistent with the Commonwealth's rules on tendering.
- (11) Is the code of practice of the Australian Institute for the Conservation of Cultural Materials (AICCM) relevant to how and when work is carried out on Parliament House and its art collection; if so, what role does the AICCM code of practice or the AICCM itself, play in vetting external contractors granted contracts to supply goods or services to the Commonwealth.
- (12) Does national competition policy apply to individual Commonwealth and state and/or territory public servants in tendering for work to be done on Parliament House and its art collection; if so, how.

Notice given 29 November 2004

148 **Senator Allison:** To ask the Minister representing the Minister for Education, Science and Training—

- (1) Which schools received National Safe Schools Framework (NSSF) grants in 2004.
- (2) Which schools will receive NSSF grants in 2005.
- (3) When will the 2004 grants be evaluated.

Notice given 30 November 2004

149 **Senator Allison:** To ask the Minister representing the Minister for Health and Ageing—

- (1) Given that Medicare benefits are paid for testing for other blood-borne diseases such as hepatitis C antibody testing and for other sexually transmitted diseases including chlamydia, gonorrhoea, syphilis and herpes simplex, why are Medicare benefits not available for HIV antibody testing.
- (2) Is the Minister aware that the Draft National HIV/AIDS and Sexually Transmitted Infections (STI) Strategy 2005-2008 recommends that the anomaly between funding arrangements for HIV antibody testing and testing for other blood-borne and sexually transmitted diseases should be reconsidered.
- (3) Given that comprehensive affordable testing is essential in order to determine the extent and location of HIV infection in the community, and

that rates of HIV diagnoses are on the increase in Australia, demonstrating a 17 per cent increase in a 12 month period, what plans does the Government have to review the current HIV testing funding arrangements.

150 **Senator Allison:** To ask the Minister representing the Minister for Health and Ageing—

- (1) What action is being taken by the Government in response to the department's report, *Counting the cost: Estimates of the social costs of drug abuse in Australia in 1998-99*, that indicated that over half of all domestic fires are linked with cigarettes, as are between 7 and 30 per cent of bushfires in certain areas.
- (2) Does the Government intend to introduce laws similar to those in the United States of America to ensure that cigarettes are fire-safe; if not, why not.

Notice given 1 December 2004

151 **Senator Brown:** To ask the Minister for the Environment and Heritage—With reference to the Government's 2004 election policy, *A sustainable future for Tasmania* and, in particular, the commitment to 'immediate reservation of an additional 43 200 hectares of private land to the CAR reserve through voluntary sale or covenanting': Will the Minister immediately acquire all private land on the northern peninsula of Recherche Bay to add to the reserve system so that this site of international archaeological, historic and scientific significance is protected.

152 **Senator Brown:** To ask the Minister for the Environment and Heritage—With reference to the nomination of the northern peninsula of Recherche Bay for the National Heritage List:

- (1) What studies have been undertaken to ascertain the values of the area.
- (2) When will the assessment of the nomination be completed.
- (3) What action will be taken to ensure that no activities detrimental to the protection of the area are proceeded with before a decision is made about the nomination.

153 **Senator Brown:** To ask the Minister for the Environment and Heritage—With reference to the answer to question on notice no. 1370 (Senate *Hansard*, 11 August 2003, p.13099):

- (1) Is the Minister aware that: (a) a Forest Practices Plan (FPP) for a road through Southport Lagoon Conservation Area and Extension and private property (FPP No. RMS0090) expired on 30 June 2003; and (b) there is a FPP also numbered FPP RMS0090, but applying only to private property, represented as a variation of the original plan, which expires on 30 June 2005.
- (2) What action will the Minister take to ensure that any works in the Southport Lagoon Conservation Area and Extension will be subject to assessment under the *Environment Protection and Biodiversity Conservation Act 1999*, particularly in relation to threats to the endangered swamp eyebright, for example, through damage from off-road vehicles, invasion by weeds and *Phytophthora cinnamomi*.

154 **Senator Brown:** To ask the Minister representing the Minister for Health and Ageing—

- (1) For each of the 10 years up to and including 2004 (to date), how many Australians died of illegal drug abuse in each state and territory.

- (2) For each year and in each state and territory, how many of these deaths were caused by the use of: (a) heroin; (b) ecstasy; (c) amphetamines; and (d) marijuana.

155 **Senator Brown:** To ask the Minister for Justice and Customs—For each state and territory in each of the past 10 years up to and including 2004 (to date), how many persons have been: (a) convicted of drug-related offences; (b) gaoled for drug-related offences; and (c) diverted to health or education or other remedial options after apprehension for drug-related offences.

156 **Senator Brown:** To ask the Minister for Fisheries, Forestry and Conservation—With reference to the Minister's statement that in Tasmania, '170 000 hectares of old-growth forest will be added to the reserve system': Does the Minister agree with Forestry Tasmania's definition of 'old-growth forest'; if not, what is the Minister's definition.

157 **Senator Brown:** To ask the Minister for Fisheries, Forestry and Conservation—For each of the past 5 years: (a) what funding was given to the National Association of Forest Industries by the Forest and Wood Products Research and Development Corporation; and (b) in each case, for what purpose and with what result.

Notice given 2 December 2004

158 **Senator Brown:** To ask the Minister representing the Minister for Health and Ageing—For each state and territory in each of the past 10 years up to and including 2004 (to date), how many Australians died of the effects or abuse of: (a) alcohol; (b) tobacco; (c) prescription pharmaceuticals; and (d) non-prescription pharmaceuticals.

159 **Senator Murray:** To ask the Minister representing the Minister for Revenue and Assistant Treasurer—

- (1) Does the Government regard the following as binding on the Government and the Parliament: (a) section 1-3 of *A New Tax System (Goods and Services) Tax Act 1999*; and (b) section 10 of *A New Tax System (Commonwealth-State Financial Arrangements) Act 1999*.
- (2) Has the Government and/or any minister obtained legal advice relating to the validity of, or the constitutional or contractual impact of either: (a) section 1-3 of *A New Tax System (Goods and Services) Tax Act 1999*; (b) section 10 of *A New Tax System (Commonwealth-State Financial Arrangements) Act 1999*; or (c) the Intergovernmental Agreement on the Reform of Commonwealth-State Financial Relations; if so, will the Minister provide this advice.

Notice given 6 December 2004

160 **Senator Bishop:** To ask the Minister representing the Treasurer—

- (1) Has an application been received by the Foreign Investment Review Board from Xstrata Plc, Glencore International AG, their subsidiaries or related entities to take over WMC Resources Ltd; if so, on what date was the application made.
- (2) (a) What is the process of investigation of such takeovers; (b) what time limits apply; and (c) what assessments would be made of the corporate behaviour of any applicant, domestically or internationally.

- (3) In the event of an application being considered, will the report of the Western Australian Parliament's Economics and Industry Standing Committee, *Inquiry into Vanadium Resources at Windimurra*, which deals with the closure of the Windimurra vanadium mine in Western Australia by Xstrata Plc, be taken into account.
- (4) Will consideration of any application also take into account allegations made publicly to the effect that the closure of the Windimurra mine by Xstrata Plc involved unconscionable conduct, including false and misleading statements about the viability of the mine and deliberate destruction of the mine's operational future resulting in significant financial loss for other investors.

161 **Senator Bishop:** To ask the Minister representing the Minister for Industry, Tourism and Resources—

- (1) Is the Minister aware of an investigation by the Western Australian Parliament's Economics and Industry Standing Committee into the closure of the Windimurra vanadium mine by Xstrata Plc which is a subsidiary of Glencore International AG; if so, to what extent, if at all, did the Minister's department monitor or participate in that inquiry.
- (2) Is the Minister aware of the reported takeover of WMC Resources Ltd by Xstrata Plc and of the likely involvement of the Foreign Investment Review Board; if so, is it likely that the department's views will be sought on the application both with respect to policy on the investment in the Australian mining industry, and on the corporate behaviour of Xstrata Plc in the closure of the Windimurra mine.
- (3) Is the Minister aware that significant costs and losses have been incurred by other investors including the Western Australian Government through the closure of the Windimurra mine.
- (4) Is the Minister aware of allegations that the closure of the Windimurra mine and the removal and sale of processing equipment at the site has effectively removed any possibility that the mine will ever reopen.
- (5) Is the Minister aware of allegations that the closure of the Windimurra mine was intended to protect the profitability of another mine owned by the company in South Africa, and that the decision was justified by false and misleading information about the commercial prospects of the Windimurra mine.
- (6) Given the controversy about the corporate behaviour of Xstrata Plc and the closure of the Windimurra mine, will the Minister take an active interest in the proposed takeover of WMC Resources Ltd to ensure that Australian mining interests and the interests of Western Australia are protected.

162 **Senator Brown:** To ask the Minister representing the Attorney-General—

- (1) Has the Attorney-General received letters from the public expressing concern in relation to the proposed military commission trials in the United States of America of Australian citizens Mr Hicks and Mr Habib and/or their treatment as detainees at Guantanamo Bay.
- (2) Is the Attorney-General refusing or declining to respond to letters from the public concerning those matters.
- (3) Would the Attorney-General specify the number of letters addressed to him by members of the public concerning those matters during November 2004.

- (4) Would the Attorney-General specify the number of letters from members of the public concerning those matters which he has replied to during November 2004.

Notice given 7 December 2004

- 163 **Senator Brown:** To ask the Minister for Communications, Information Technology and the Arts—Of the 993 complaints about the Australian Broadcasting Corporation's 2004 election coverage: (a) how many complained of political bias; and (b) of these, against which party or party leader was the bias claimed.
- 164 **Senator Allison:** To ask the Minister for the Environment and Heritage—With reference to seismic testing approvals:
- (1) Did the Minister approve activities proposed by Santos Ltd, and contracted to Multiwave Geophysical Company's seismic survey vessel, *Pacific Titan*, as detailed in a letter sent from Santos Ltd to the Australian Democrats, dated 8 November 2004.
 - (2) (a) Will the Minister provide details of the potential interactions with marine mammals that were considered within the assessment process required under the *Environment Protection and Biodiversity Conservation Act 1999*; (b) were impacts on any other marine animals considered within the assessment process for this activity; and (c) will the Minister provide details of all other seismic activities he has approved to be carried out in Australian waters during the period 8 November 2004 to 30 May 2005.
 - (3) Have aural cavity biopsies been undertaken, either by Commonwealth or state agencies, on any of the whales that beached themselves on Tasmania's coast in November 2004; if not, will the Minister ensure such biopsies are done in order to assess the degree to which ocean noise may have played a part in the beachings and subsequent fatalities.
 - (4) Is the Minister aware of any evidence linking use of navy sonar or seismic activities to marine mammal strandings in Australian waters; if so, will the Minister provide details.

Notice given 8 December 2004

- *165 **Senator Faulkner:** To ask the Minister for Justice and Customs—Did Abu Quassey, who was found guilty of charges related to people smuggling and sentenced to 7 years' gaol on 27 December 2003 by an Egyptian court, appeal this decision; if so: (a) what assistance, if any, did the Australian Government provide to Egyptian authorities in relation to the appeal; and (b) what was the outcome of the appeal.

Senator Bishop: To ask the Ministers listed below (Question Nos *166-*168)—With reference to the Minister's official engagements on 15 November 2004:

- (1) Where did each engagement occur.
- (2) What was the nature of each engagement.
- (3) What was the start and finish time of each engagement.
- (4) (a) When was the Minister invited to, or when did the Minister first become aware of, each engagement; and (b) on what date did the Minister commit to attending each engagement.
- (5) (a) Who attended each engagement; and (b) in what capacity did they attend.

- (6) What was the cost incurred by the Commonwealth in arranging or ensuring the Minister's attendance at each engagement.
- (7) Will the Minister provide details of invitations or approaches to attend other official engagements on 15 November 2004 which the Minister either declined or delegated.

*166 Minister representing the Prime Minister

*167 Minister for Defence

*168 Minister representing the Minister for Veterans' Affairs

*169 **Senator Bishop:** To ask the Minister for Defence—With reference to the decoration ceremony for former Australian Defence Force officer, Mr Nathan Moore on 15 November 2004:

- (1) On what date was Mr Moore first contacted in order to make arrangements for the ceremony.
- (2) (a) Who made contact with Mr Moore; and (b) what form did that contact take.
- (3) Will the Minister provide copies of any written contact regarding the arrangement of the ceremony; if not, why not.
- (4) (a) Who attended the ceremony; and (b) in what capacity did they attend.
- (5) Was the ceremony conducted at the Qantas Club at the Brisbane airport.
- (6) Will the Minister provide details of steps taken to publicise the event including copies of any media releases or media alerts issued by the Minister's office or the department.
- (7) Will the Minister provide a copy of the citation; if not, why not.
- (8) (a) What are the usual steps taken to publicise decoration ceremony events; and (b) if the usual steps differ from those taken to publicise the ceremony for Mr Moore, why did these differences occur.

*170 **Senator Bishop:** To ask the Minister for Defence—With reference to the Minister's visit to Iraq in December 2004:

- (1) When did planning for the visit begin.
- (2) (a) Did the original idea for the visit originate from the Minister's office, the department, or the Prime Minister's office; and (b) was the visit based on media or policy advice.
- (3) Were specific media representatives selected to accompany the Minister; if so, how were they selected.
- (4) (a) Which media representatives were selected; and (b) which opted to accept the invitation to accompany the Minister.
- (5) Besides media representatives: (a) who else accompanied the Minister; and (b) in which capacity did they accompany the Minister.
- (6) (a) What was the cost to the Commonwealth of the trip to Iraq; and (b) are there any costs to the Commonwealth which could be attributed to the contingent of media representatives who accompanied the Minister.

*171 **Senator Bishop:** To ask the Minister for Defence—With reference to weapons and ordnance unaccounted for by the Australian Defence Force (ADF) either through loss or theft:

- (1) For each of the past 3 financial years, what was: (a) the date the items were lost; (b) the location from where the weapons and/or ordnance went missing; (c) the Service from which the weapons and/or ordnance went

missing; (d) the type of weapons and/or ordnance lost; and (e) the specific use of the weapons and/or ordnance.

- (2) What is the current replacement value in Australian dollars of the weapons and/or ordnance.
- (3) Which weapons and/or ordnance are suspected of being: (a) lost; or (b) stolen.
- (4) Were any weapons and/or ordnance recovered; if so, where were they recovered.
- (5) Where weapons and/or ordnance have been recovered, and a theft is suspected, have charges been laid; if so, what convictions have been obtained.
- (6) (a) What steps have been taken by the ADF to reduce the theft or loss of weapons and/or ordnance; and (b) can details be provided of the measurable outcomes of these steps to date.

ORDERS OF THE SENATE

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Address-in-reply

1 Address-in-reply

That standing order 3(4) be suspended to enable the Senate to consider business other than that of a formal character before the address-in-reply to the Governor-General's opening speech has been adopted.

(Agreed to 17 November 2004.)

Committees

2 Allocation of departments

Departments and agencies are allocated to the legislative and general purpose standing committees as follows:

Community Affairs

Family and Community Services

Health and Ageing

Economics

Treasury

Industry, Tourism and Resources
Employment, Workplace Relations and Education
 Employment and Workplace Relations
 Education, Science and Training
Environment, Communications, Information Technology and the Arts
 Environment and Heritage
 Communications, Information Technology and the Arts
Finance and Public Administration
 Parliament
 Prime Minister and Cabinet
 Finance and Administration
 Human Services
Foreign Affairs, Defence and Trade
 Foreign Affairs and Trade
 Defence (including Veterans' Affairs)
Legal and Constitutional
 Attorney-General
 Immigration and Multicultural and Indigenous Affairs
Rural and Regional Affairs and Transport
 Transport and Regional Services
 Agriculture, Fisheries and Forestry.

(1 May 1996, amended 2 September 1997, 21 October 1997, 11 November 1998, 8 February 2000, 13 February 2002 and 17 November 2004.)

3 Community Affairs Legislation Committee—Authorisation to meet

That the Community Affairs Legislation Committee be authorised to hold a public meeting during the sitting of the Senate on Thursday, 9 December 2004, from 10.30 am, to take evidence on a matter relating to the Department of Health and Ageing.

(Agreed to 7 December 2004.)

4 Estimates—Answers to questions

That answers be provided by 31 January 2005 to:

- (a) estimates questions on notice lodged with legislation committees in the course of the estimates hearings in May and June 2004; and
- (b) estimates questions on notice lodged with legislation committees by 2 December 2004.

(Agreed to 18 November 2004.)

5 Foreign Affairs, Defence and Trade—Joint Standing Committee—Authorisation to meet

That the Joint Standing Committee on Foreign Affairs, Defence and Trade be authorised to hold private meetings otherwise than in accordance with standing order 33(1) during the sittings of the Senate.

(Agreed to 6 December 2004.)

6 Privileges—Standing Committee—Adoption of 94th report recommendation

That the Senate authorise the President, if required, to engage counsel as *amicus curiae* if either the action for defamation against Mr David Armstrong or a similar action against Mr William O’Chee is set down for trial.

(Agreed to 4 September 2000.)

Legislation

7 Senate consideration—Variation

That the provisions of paragraphs (5) to (8) of standing order 111 not apply to the following bills:

Agriculture, Fisheries and Forestry Legislation Amendment Bill (No. 2) 2004

Australian Security Intelligence Organisation Amendment Bill 2004

Aviation Security Amendment Bill 2004

Classification (Publications, Films and Computer Games) Amendment Bill (No. 2) 2004

Health Insurance Amendment (100% Medicare Rebate and Other Measures) Bill 2004

Indigenous Education (Targeted Assistance) Amendment Bill 2004

National Security Information (Criminal Proceedings) Bill 2004 and National Security Information (Criminal Proceedings) (Consequential Provisions) Bill 2004

Schools Assistance (Learning Together—Achievement through Choice and Opportunity) Bill 2004 and States Grants (Primary and Secondary Education Assistance) Legislation Amendment Bill 2004

Superannuation Legislation Amendment Bill 2004

Surveillance Devices Bill 2004

Telecommunications (Interception) Amendment (Stored Communications) Bill 2004

Textile, Clothing and Footwear Strategic Investment Program Amendment (Post-2005 Scheme) Bill 2004 and Customs Tariff Amendment (Textile, Clothing and Footwear Post-2005 Arrangements) Bill 2004

Vocational Education and Training Funding Amendment Bill 2004

Workplace Relations Amendment (Agreement Validation) Bill 2004.

(Agreed to 17 November 2004.)

8 Senate consideration—Variation

That the provisions of paragraphs (5) to (8) of standing order 111 not apply to the following bills:

Bankruptcy and Family Law Legislation Amendment Bill 2004

Disability Discrimination Amendment (Education Standards) Bill 2004

Family Law Amendment (Annuities) Bill 2004

Fisheries (Validation of Plans of Management) Bill 2004.

(Agreed to 29 November 2004.)

9 Senate consideration—Variation

That the provisions of paragraphs (5) to (8) of standing order 111 not apply to the following bills:

Family and Community Services and Veterans’ Affairs Legislation Amendment (2004 Election Commitments) Bill 2004

Tax Laws Amendment (Retirement Villages) Bill 2004
 Tax Laws Amendment (Small Business Measures) Bill 2004
 Tax Laws Amendment (Superannuation Reporting) Bill 2004.

(Agreed to 30 November 2004.)

10 Senate consideration—Variation

That the provisions of paragraphs (5) to (8) of standing order 111 not apply to the following bills:

Copyright Legislation Amendment Bill 2004
 James Hardie (Investigations and Proceedings) Bill 2004
 National Water Commission Bill 2004.

(Agreed to 6 December 2004.)

Meeting of Senate

11 Adjournment debate on Tuesdays—Temporary order

- (1) On the question for the adjournment of the Senate on Tuesday, a senator who has spoken once subject to the time limit of 10 minutes may speak again for not more than 10 minutes if no other senator who has not already spoken once wishes to speak, provided that a senator may by leave speak for not more than 20 minutes on one occasion.
- (2) This order shall have effect till the conclusion of the last sitting day in 2004.

(Agreed to 19 November 2002 upon adoption of recommendations in the Procedure Committee's second report of 2002; readopted and extended 10 February 2004.)

12 Divisions on Thursday—Temporary order

That the following order operate as a temporary order until the conclusion of the 2004 sittings:

If a division is called for on Thursday after 4.30 pm, the matter before the Senate shall be adjourned until the next day of sitting at a time fixed by the Senate.

(Agreed to 4 August 2004.)

13 Meeting of Senate

That the days of meeting of the Senate for 2004 and 2005 be as follows:

Spring sittings (2004):

Tuesday, 16 November to Thursday, 18 November
 Monday, 29 November to Thursday, 2 December
 Monday, 6 December to Thursday, 9 December

Summer sittings (2005):

Tuesday, 8 February to Thursday, 10 February

Autumn sittings (2005):

Monday, 7 March to Thursday, 10 March
 Monday, 14 March to Thursday, 17 March

Budget sittings (2005):

Tuesday, 10 May to Thursday, 12 May

Winter sittings (2005):

Tuesday, 14 June to Thursday, 16 June
Monday, 20 June to Thursday, 23 June

Spring sittings (2005):

Tuesday, 9 August to Thursday, 11 August
Monday, 15 August to Thursday, 18 August
Monday, 5 September to Thursday, 8 September
Monday, 12 September to Thursday, 15 September
Tuesday, 4 October to Thursday, 6 October
Monday, 10 October to Thursday, 13 October

Spring sittings (2) (2005):

Monday, 7 November to Thursday, 10 November
Monday, 28 November to Thursday, 1 December.

(Agreed to 17 November 2004.)

Orders for production of documents

14 Parliament—Telstra senior officers—Order for production of document

That there be laid on the table by not later than 1 March 2005 a statement of measures taken by Telstra to ensure that its senior officers are appropriately trained in their obligations to Parliament, including the number and level of officers who have undergone such training and the dates of any such training.

(Agreed to 5 August 2004 upon adoption of a recommendation in the Committee of Privileges' 119th report.)

15 Trade—Free trade agreement—Order for production of documents

That there be laid on the table by the Minister representing the Minister for Trade, no later than 4 pm on Tuesday, 7 December 2004, the final letters and any attachments and annexures exchanged between the governments of Australia and the United States (US) of America to finalise the free trade agreement between Australia and the US.

(Motion of Senator Nettle agreed to 2 December 2004.)

Orders for production of documents still current from previous parliaments

Date of order	Subject	Addressed to
25.10.1995	Administrative decision-making—Effect of international instruments	Minister representing the Attorney-General
13.05.1998	Waterfront reform	Minister representing the Minister for Transport and Regional Development (Senator Alston); Minister representing the Minister for Workplace Relations and Small Business (Senator Alston); and Minister representing the Prime Minister (Senator Hill)

Date of order	Subject	Addressed to
07.03.2000	Environment—Queensland—Tree clearing	Minister for the Environment and Heritage (Senator Hill)
03.04.2000	Aged care—Riverside Nursing Home	Minister representing the Minister for Aged Care
27.06.2000	Tax reform—Petrol pricing	Assistant Treasurer (Senator Kemp)
09.11.2000	Environment—Tasmania	Minister representing the Minister for Sport and Tourism (Senator Minchin)
04.12.2000	Taxation—Opinion polls	Leader of the Government in the Senate (Senator Hill)
05.03.2001	Taxation	Minister representing the Treasurer (Senator Kemp)
23.05.2001	HIH Insurance	Minister representing the Treasurer (Senator Kemp)
24.05.2001	Workplace relations	Minister representing the Minister for Employment, Workplace Relations and Small Business
09.08.2001	Foreign Affairs—Japanese fishing boats	Minister representing the Ministers for Foreign Affairs and Trade
21.08.2001	Transport—Black Spot Project	Minister representing the Minister for Transport and Regional Services
23.08.2001	Environment—Great Barrier Reef—Water quality control	Leader of the Government in the Senate (Senator Hill)
19.09.2001	Transport—Ansett Australia	Minister representing the Minister for Transport and Regional Services
20.09.2001	Transport—Ansett Australia	Minister representing the Prime Minister
19.06.2002	Mining—Christmas Island	
24.06.2002	Superannuation system	
25.06.2002	Finance—Retirement and income modelling	
27.06.2002	Health—Tobacco	Australian Competition and Consumer Commission
20.08.2002	Animal Welfare—Cattle	
28.08.2002	Superannuation Working Group	
11.11.2002	Environment—Queensland—Nathan Dam	
14.11.2002	Trade—General Agreement on Trade in Services	Minister representing the Minister for Trade
18.11.2002	Environment—Oceans policy	
19.11.2002	Superannuation—Insurance and Superannuation Commission	Minister representing the Treasurer (Senator Minchin) and the Minister for Revenue and Assistant Treasurer (Senator Coonan)

Date of order	Subject	Addressed to
10.12.2002	Minister for Revenue and Assistant Treasurer	
11.12.2002	Environment—Tasmania—Logging	Minister for Fisheries, Forestry and Conservation
12.12.2002	Science and Technology—Genetically-modified food	Minister representing the Minister for Foreign Affairs and representing the Prime Minister (Senator Hill)
05.02.2003	Environment—National Radioactive Waste Repository	
05.02.2003	Environment—National Radioactive Waste Repository	
05.03.2003	Environment—National Radioactive Waste Repository	
25.03.2003	Immigration—Illegal migration	
14.05.2003	Environment—Radioactive waste—National store	Minister representing the Minister for Science
14.05.2003	Industry—Basslink	
19.06.2003	Energy Grants (Credits) Scheme—Draft regulations	
17.09.2003	Animal Welfare—Live sheep export	The Government
08.10.2003	Health—National Drug Research Strategy	Minister representing the Minister for Health and Ageing
13.10.2003	Immigration—Management of detention centres	Minister for Immigration and Multicultural and Indigenous Affairs
13.10.003	Finance—Calculation of the IBNR levy	Minister for Revenue and Assistant Treasurer
14.10.2003	Animal Welfare—Live sheep export	
16.10.2003	Environment—Sepon Mine	Minister representing the Minister for Trade (Senator Hill)
28.10.2003	Science and Technology—Assisted reproductive technology	Leader of the Government in the Senate (Senator Hill)
28.10.2003	Education—Higher education—Regional impact statement	Minister representing the Minister for Education, Science and Training
25.11.2003	Finance—Deposit bonds	
01.12.2003	Taxation—First home owners, ‘bracket creep’ and Intergeneration Report	Minister representing the Treasurer
03.12.2003	Health—Pharmaceutical Benefits Scheme	

Date of order	Subject	Addressed to
03.12.2003	Environment—Sepon mine	
10.02.2003	Science and Technology—Assisted reproductive technology	Leader of the Government in the Senate (Senator Hill)
24.03.2004	Superannuation—Departing temporary residents	Minister for Revenue and Assistant Treasurer
24.03.2004	Australian Federal Police Commissioner—Statement	Leader of the Government in the Senate
01.04.2004	Immigration—Ministerial discretion	Minister for Immigration and Multicultural and Indigenous Affairs
21.06.2004	Indigenous Australians—Lands Acquisition Amendment Regulations 2004 (No. 2)	Minister for Immigration and Multicultural and Indigenous Affairs
22.06.2004	Defence—Iraq—Human rights abuses	Minister for Defence
23.06.2004	Science and Technology—Synthetic aperture radar	Minister representing the Minister for Industry, Tourism and Resources
23.06.2004	Defence—Office of National Assessments report	Leader of the Government in the Senate
24.06.2004	Environment—Videophone facilities	
04.08.2004	Defence—Missile defence program	Minister for Defence
05.08.2004	Environment—Bushfire mitigation and management	Minister representing the Prime Minister
10.08.2004	Environment—Repulse Bay	Minister for the Environment and Heritage
11.08.2004	Environment—Nuclear waste storage	Minister for Finance and Administration

Parliament

*16 Security funding

The Senate:

- (a) notes the transfer of \$1 million from the Department of the Senate to the Department of Parliamentary Services as a special contribution to security costs in the parliamentary precincts over and above the transferred funds previously provided for security, and
- (b) agrees that, if any further funds are necessary to provide additional security costs, they be made by additional appropriation to, or savings within, the Department of Parliamentary Services.

(Agreed to 8 December 2004 upon adoption of a recommendation of the Appropriations and Staffing Committee in its 41st report.)

***17 Appropriation bills: Payments to international organisations**

The Senate is of the view that:

- (a) an initial payment to an international organisation in effect represents a new policy decision and therefore should be in Appropriation Bill (No. 2); and
- (b) subsequent payments represent a continuing government activity of supporting the international organisation and therefore represents an ordinary annual service and should be in Appropriation Bill (No. 1).

(Agreed to 8 December 2004 upon adoption of a recommendation of the Appropriations and Staffing Committee in its 41st report.)

CONTINGENT NOTICES OF MOTION

Auditor-General's reports—Consideration

1 Leader of the Opposition in the Senate (Senator Evans)

Leader of the Australian Democrats (Senator Bartlett)

Senator Brown

Senator Harradine

Senator Harris

Senator Nettle

Senator Lees

To move (contingent on the President presenting a report of the Auditor-General on any day or notifying the Senate that such a report had been presented under standing order 166)—That so much of the standing orders be suspended as would prevent the senator moving a motion to take note of the report and any senator speaking to it for not more than 10 minutes, with the total time for the debate not to exceed 60 minutes.

Conduct of business

- 2 Leader of the Government in the Senate (Senator Hill):** To move (contingent on the Senate on any day concluding its consideration of any item of business and prior to the Senate proceeding to the consideration of another item of business)—That so much of the standing orders be suspended as would prevent a minister moving a motion to provide for the consideration of any matter.

3 Leader of the Opposition in the Senate (Senator Evans)

Leader of The Nationals in the Senate (Senator Boswell)

Leader of the Australian Democrats (Senator Bartlett)

Senator Brown

Senator Harradine

Senator Harris

Senator Nettle

Senator Lees

To move (contingent on the Senate on any day concluding its consideration of any item of business and prior to the Senate proceeding to the consideration of another item of business)—That so much of the standing orders be suspended as would

prevent the senator moving a motion relating to the conduct of the business of the Senate or to provide for the consideration of any matter.

Government documents

- 4 **Leader of the Opposition in the Senate (Senator Evans)**
Leader of The Nationals in the Senate (Senator Boswell)
Leader of the Australian Democrats (Senator Bartlett)
Senator Brown
Senator Harradine
Senator Harris
Senator Nettle
Senator Lees

To move (contingent on the Senate proceeding to the consideration of government documents)—That so much of the standing orders relating to the consideration of government documents be suspended as would prevent the senator moving a motion relating to the order in which the documents are called on by the President.

Limitation of time

- Leader of the Opposition in the Senate (Senator Evans)**
Leader of the Australian Democrats (Senator Bartlett)
Senator Brown
Senator Harradine
Senator Harris
Senator Nettle
Senator Lees

- 5 To move (contingent on a minister moving a motion that a bill be considered an urgent bill)—That so much of standing order 142 be suspended as would prevent debate taking place on the motion.
- 6 To move (contingent on a minister moving a motion to specify time to be allotted to the consideration of a bill, or any stage of a bill)—That so much of standing order 142 be suspended as would prevent the motion being debated without limitation of time and each senator speaking for the time allotted by standing orders.
- 7 To move (contingent on the chair declaring that the time allotted for the consideration of a bill, or any stage of a bill, has expired)—That so much of standing order 142 be suspended as would prevent further consideration of the bill, or the stage of the bill, without limitation of time or for a specified period.

Matters of urgency

- 8 **Leader of the Government in the Senate (Senator Hill):** To move (contingent on the moving of a motion to debate a matter of urgency under standing order 75)—That so much of the standing orders be suspended as would prevent a minister moving an amendment to the motion.
- 9 **Leader of the Opposition in the Senate (Senator Evans)**
Leader of The Nationals in the Senate (Senator Boswell)
Leader of the Australian Democrats (Senator Bartlett)

Senator Brown
Senator Harradine
Senator Harris
Senator Nettle
Senator Lees

To move (contingent on the moving of a motion to debate a matter of urgency under standing order 75)—That so much of the standing orders be suspended as would prevent the senator moving an amendment to the motion.

Order of business

- 10 **Leader of the Opposition in the Senate (Senator Evans)**
Leader of The Nationals in the Senate (Senator Boswell)
Leader of the Australian Democrats (Senator Bartlett)
Senator Brown
Senator Harradine
Senator Harris
Senator Nettle
Senator Lees

To move (contingent on the President proceeding to the placing of business on any day)—That so much of the standing orders be suspended as would prevent the senator moving a motion relating to the order of business on the *Notice Paper*.

Statements

- 11 **Leader of the Opposition in the Senate (Senator Evans)**
Leader of The Nationals in the Senate (Senator Boswell)
Leader of the Australian Democrats (Senator Bartlett)
Senator Brown
Senator Harradine
Senator Harris
Senator Nettle
Senator Lees

To move (contingent on any senator being refused leave to make a statement to the Senate)—That so much of the standing orders be suspended as would prevent that senator making that statement.

Questions without notice

- 12 **Leader of the Opposition in the Senate (Senator Evans)**
Leader of The Nationals in the Senate (Senator Boswell)
Leader of the Australian Democrats (Senator Bartlett)
Senator Brown
Senator Harradine
Senator Harris
Senator Nettle
Senator Lees

To move (contingent on a minister at question time on any day asking that further questions be placed on notice)—That so much of the standing orders be suspended

as would prevent the senator moving a motion that, at question time on any day, questions may be put to ministers until 28 questions, including supplementary questions, have been asked and answered.

Tabling of documents

- 13 **Leader of the Opposition in the Senate (Senator Evans)**
Leader of The Nationals in the Senate (Senator Boswell)
Leader of the Australian Democrats (Senator Bartlett)
Senator Brown
Senator Harradine
Senator Harris
Senator Nettle
Senator Lees

To move (contingent on any senator being refused leave to table a document in the Senate)—That so much of the standing orders be suspended as would prevent the senator moving that the document be tabled.

TEMPORARY CHAIRS OF COMMITTEES

Senators Bolkus, Brandis, Chapman, Cherry, Crossin, Ferguson, Hutchins, Kirk, Knowles, Lightfoot, Sandy Macdonald, Marshall, Moore and Watson

CATEGORIES OF COMMITTEES

Standing Committees

Appropriations and Staffing
House
Library
Privileges
Procedure
Publications
Selection of Bills
Senators' Interests

Legislative Scrutiny Standing Committees

Regulations and Ordinances
Scrutiny of Bills

Legislative and General Purpose Standing Committees

Community Affairs Legislation
Community Affairs References
Economics Legislation
Economics References
Employment, Workplace Relations and Education Legislation
Employment, Workplace Relations and Education References

Environment, Communications, Information Technology and the Arts Legislation
 Environment, Communications, Information Technology and the Arts References
 Finance and Public Administration Legislation
 Finance and Public Administration References
 Foreign Affairs, Defence and Trade Legislation
 Foreign Affairs, Defence and Trade References
 Legal and Constitutional Legislation
 Legal and Constitutional References
 Rural and Regional Affairs and Transport Legislation
 Rural and Regional Affairs and Transport References

Select Committees

Administration of Indigenous Affairs
 Lindeberg Grievance
 Scafton Evidence

Joint Statutory Committees

ASIO, ASIS and DSD
 Australian Crime Commission
 Broadcasting of Parliamentary Proceedings
 Corporations and Financial Services
 Native Title and the Aboriginal and Torres Strait Islander Land Fund
 Public Accounts and Audit
 Public Works

Joint Committees

Electoral Matters
 Foreign Affairs, Defence and Trade
 Migration
 National Capital and External Territories
 Treaties

N.B. Details appear in the following section, with committees listed in alphabetical order.

COMMITTEES

Administration of Indigenous Affairs—Select Committee

(appointed 16 June 2004; reappointed 17 November 2004; reporting date: 8 March 2005)

Members

Senator Moore (*Chair*), Senator Johnston (*Deputy Chair*), Senators Carr, Crossin, Heffernan, Nettle, Ridgeway and Scullion

Report presented

Interim report (*presented to the President on 31 August 2004, pursuant to standing order 38(7); tabled 16 November 2004*)

Appropriations and Staffing—Standing Committee

Members

The President (*Chairman*), the Leader of the Government in the Senate, the Leader of the Opposition in the Senate and Senators Allison, Boswell, Faulkner, Ferris, Heffernan and Ray

Report presented

- * 41st report—Security funding; Appropriation bills: Payments to international organisations (*tabled 8 December 2004*)
-

ASIO, ASIS and DSD—Joint Statutory Committee

Members

Senators Ferguson, Sandy Macdonald and Ray

Australian Crime Commission—Joint Statutory Committee

Members

Senators Denman, Ferris, Greig, Hutchins and Santoro and Mr Byrne, Mrs Gash, Mr Kerr, Mr Richardson and Mr Wood

Report presented

Examination of the annual report for 2002-03 of the National Crime Authority and the Australian Crime Commission (*presented to the President on 31 August 2004, pursuant to standing order 38(7); tabled 16 November 2004*)

Broadcasting of Parliamentary Proceedings—Joint Statutory Committee

Members

The President, the Speaker and Senators Faulkner and Ferris and Mr Baldwin, Mr Bartlett, Mr Lindsay, Mr Murphy and Ms Vamvakinou

Community Affairs Legislation Committee

Portfolios

Family and Community Services; Health and Ageing

Members

Senator Knowles (*Chair*), Senator Greig (*Deputy Chair*), Senators Barnett, Denman, Humphries and Moore

Participating members

Senators Abetz, Allison, Bishop, Boswell, Buckland, George Campbell, Carr, Chapman, Colbeck, Collins, Coonan, Crossin, Eggleston, Evans, Faulkner, Ferguson, Ferris, Forshaw, Harradine, Hogg, Lightfoot, Ludwig, Lundy, Mackay, McGauran, McLucas, Moore, Nettle, O'Brien, Payne, Ray, Tierney, Watson and Webber

Current inquiries

Provisions of the Private Health Insurance Incentives Amendment Bill 2004 (*referred 1 December 2004; reporting date: 8 February 2005*)

- * Provisions of the National Health Amendment (Prostheses) Bill 2004 (*referred 8 December 2004; reporting date: 10 February 2005*)

Report presented

Tobacco advertising prohibition (*presented to the Temporary Chair of Committees, Senator Kirk, on 30 September 2004, pursuant to standing order 38(7); tabled 16 November 2004*)

Community Affairs References Committee*Members*

Senator Marshall (*Chair*), Senator Knowles (*Deputy Chair*), Senators Humphries, Hutchins, Lees and Moore

Substitute members

Senator Allison to replace Senator Lees for the committee's inquiry into aged care
 Senator Murray to replace Senator Lees for the committee's inquiry into children in institutional care

Participating members

Senators Abetz, Allison, Barnett, Bishop, George Campbell, Carr, Chapman, Colbeck, Coonan, Crossin, Denman, Eggleston, Evans, Faulkner, Ferguson, Ferris, Forshaw, Greig, Harradine, Lees, Lightfoot, Ludwig, Mackay, Mason, McGauran, McLucas, Murray, Nettle, O'Brien, Payne, Tierney, Watson and Webber

Current inquiries

Children in institutional care (*referred 4 March 2003; readopted 1 December 2004; reporting date: 17 March 2005*)

Aged care (*referred 23 June 2004; readopted 1 December 2004; reporting date: 23 June 2005*)

Reports presented

Inquiry into aged care—Interim report (*presented to the Temporary Chair of Committees, Senator Kirk, on 30 September 2004, pursuant to standing order 38(7); tabled 16 November 2004*)

Matters not disposed of at the end of the 40th Parliament (*tabled 1 December 2004*)

Corporations and Financial Services—Joint Statutory Committee*Members*

Senator Chapman (*Chair*), Senators Brandis, Lundy, Murray and Wong and Mr Bartlett, Ms JM Kelly and Mr McArthur

Current inquiries

The Australian Accounting Standards tabled in compliance with the *Corporations Act 2001* on 30 August and 16 November 2004 (*adopted 2 December 2004*)

- * Regulation of property investment advice (*adopted 8 December 2004*)
 - * Regulation of the time share industry in Australia (*adopted 8 December 2004*)
-

Economics Legislation Committee*Portfolios*

Treasury; Industry, Tourism and Resources

Members

Senator Brandis (*Chair*), Senator Stephens (*Deputy Chair*), Senators Chapman, Murray, Watson and Webber

Substitute member

Senator Allison to replace Senator Murray for matters relating to the Resources portfolio

Participating members

Senators Abetz, Boswell, Brown, Buckland, George Campbell, Carr, Cherry, Colbeck, Conroy, Cook, Coonan, Eggleston, Evans, Faulkner, Ferguson, Ferris, Fifield, Forshaw, Harradine, Hogg, Kirk, Knowles, Lightfoot, Ludwig, Lundy, Mackay, Marshall, Mason, McGauran, O'Brien, Payne, Ray, Ridgeway, Sherry, Stott Despoja, Tchen, Tierney and Wong

Reports presented

Annual reports (No. 2 of 2004), September 2004 (*presented to the Temporary Chair of Committees, Senator Ferguson, on 1 September 2004, pursuant to standing order 38(7); tabled 16 November 2004*)

Provisions of the Tax Laws Amendment (Superannuation Reporting) Bill 2004 (*tabled 7 December 2004*)

Economics References Committee

Members

Senator Stephens (*Chair*), Senator Brandis (*Deputy Chair*), Senators Chapman, Lundy, Ridgeway and Webber

Substitute member

Senator Allison to replace Senator Ridgeway for matters relating to the Resources portfolio

Participating members

Senators Abetz, Barnett, Boswell, Brown, Buckland, George Campbell, Carr, Cherry, Colbeck, Conroy, Coonan, Eggleston, Evans, Faulkner, Ferguson, Ferris, Fifield, Forshaw, Harradine, Kirk, Knowles, Lightfoot, Ludwig, Mackay, Mason, McGauran, Murray, Payne, Ray, Sherry, Stott Despoja, Tchen, Tierney, Watson and Wong

Electoral Matters—Joint Standing Committee

(*appointed 18 November 2004*)

Members

Senators Brandis, Carr, Forshaw, Mason and Murray and Mr Ciobo, Mr Danby, Mr Melham, Ms Panopoulos and Mr ADH Smith

Current inquiry

Electoral funding and disclosure and any amendments to the Commonwealth Electoral Act necessary in relation to political donations (*referred 30 November 2004*)

Employment, Workplace Relations and Education Legislation Committee

Portfolios

Employment and Workplace Relations; Education, Science and Training

Members

Senator Barnett (*Chair*), Senator Marshall (*Deputy Chair*), Senators Johnston, Stott Despoja, Tierney and Wong

Substitute members

Senator Allison to replace Senator Stott Despoja for matters relating to the Schools and Training portfolio

Senator Cherry to replace Senator Stott Despoja for matters relating to the Employment portfolio

Senator Murray to replace Senator Stott Despoja for matters relating to the Workplace Relations portfolio

Senator Carr to replace Senator Wong for matters relating to the Education portfolio

Senator Crossin to replace Senator Wong for matters relating to the Industrial Relations portfolio

Participating members

Senators Abetz, Bartlett, Boswell, Buckland, George Campbell, Carr, Chapman, Cherry, Colbeck, Collins, Coonan, Crossin, Eggleston, Evans, Faulkner, Ferguson, Fifield, Forshaw, Harradine, Hogg, Humphries, Hutchins, Knowles, Lightfoot, Ludwig, Lundy, Mackay, Mason, McGauran, Nettle, O'Brien, Payne, Ray, Santoro, Sherry, Stephens, Watson and Webber

Current inquiry

- * Provisions of the Workplace Relations Amendment (Right of Entry) Bill 2004 (*referred 8 December 2004; reporting date: 7 March 2005*)

Reports presented

Provisions of the Higher Education Legislation Amendment Bill (No. 3) 2004 (*presented to the President on 31 August 2004, pursuant to standing order 38(7); tabled 16 November 2004*) and a supplementary report from the Australian Democrats (*presented to the Temporary Chair of Committees, Senator Ferguson, on 2 September 2004, pursuant to standing order 38(7); tabled 16 November 2004*)

Annual reports (No. 2 of 2004), September 2004 (*presented to the Temporary Chair of Committees, Senator Ferguson, on 1 September 2004, pursuant to standing order 38(7); tabled 16 November 2004*)

Provisions of the Workplace Relations Amendment (Protecting Small Business Employment) Bill 2004—Interim report (*presented to the President on 14 September 2004, pursuant to standing order 38(7); tabled 16 November 2004*)

Inquiry into the proposed amendment in the form of Schedule 1B to the Workplace Relations Amendment (Codifying Contempt Offences) Bill 2004—Interim report (*presented to the Temporary Chair of Committees, Senator McLucas, on 27 October 2004, pursuant to standing order 38(7); tabled 16 November 2004*)

Workplace Relations Amendment (Agreement Validation) Bill 2004 (*tabled 29 November 2004*)

- * Matters not disposed of at the end of the 40th Parliament (*tabled 8 December 2004*)

Employment, Workplace Relations and Education References Committee

Members

Senator Crossin (*Chair*), Senators Barnett, Collins, Kirk, Stott Despoja and Tierney

Substitute members

Senator Allison to replace Senator Stott Despoja for matters relating to the Schools and Training portfolio

Senator Cherry to replace Senator Stott Despoja for matters relating to the Employment portfolio

Senator Murray to replace Senator Stott Despoja for matters relating to the Workplace Relations portfolio

Participating members

Senators Abetz, Bartlett, Boswell, Buckland, George Campbell, Carr, Chapman, Cherry, Colbeck, Coonan, Denman, Eggleston, Evans, Faulkner, Ferguson, Ferris, Fifield, Forshaw, Harradine, Humphries, Hutchins, Johnston, Knowles, Lightfoot, Ludwig, Mackay, Marshall, Mason, McGauran, McLucas, Moore, Nettle, O'Brien, Payne, Ray, Santoro, Sherry, Stephens, Watson, Webber and Wong

Current inquiries

Indigenous education (*referred 6 December 2004; reporting date: 12 May 2005*)

Unfair dismissal laws (*referred 7 December 2004; reporting date: 14 June 2005*)

- * Student income support (*referred 11 March 2004; readopted 8 December 2004; reporting date: 16 June 2005*)

Reports presented

Inquiry into lifelong learning—Interim report (*presented to the Temporary Chair of Committees, Senator Kirk, on 20 October 2004, pursuant to standing order 38(7); tabled 16 November 2004*)

Inquiry into Indigenous training and employment—Interim report (*presented to the Temporary Chair of Committees, Senator Kirk, on 20 October 2004, pursuant to standing order 38(7); tabled 16 November 2004*)

Inquiry into student income support—Interim report (*presented to the Temporary Chair of Committees, Senator Kirk, on 20 October 2004, pursuant to standing order 38(7); tabled 16 November 2004*)

- * Matters not disposed of at the end of the 40th Parliament (*tabled 8 December 2004*)

Environment, Communications, Information Technology and the Arts Legislation Committee

Portfolios

Environment and Heritage; Communications, Information Technology and the Arts

Members

Senator Eggleston (*Chair*), Senators Allison, Conroy, Lundy, Santoro and Tchen

Substitute members

Senator Cherry to replace Senator Allison for matters relating to the Communications portfolio

Senator Greig to replace Senator Allison for matters relating to the Information Technology portfolio

Senator Ridgeway to replace Senator Allison for matters relating to the Arts portfolio

Participating members

Senators Abetz, Bolkus, Boswell, Brown, George Campbell, Carr, Chapman, Colbeck, Coonan, Crossin, Evans, Faulkner, Ferguson, Ferris, Harradine, Heffernan, Hogg, Humphries, Knowles, Lightfoot, Ludwig, Mason, McGauran, McLucas, Moore, Nettle, O'Brien, Ray, Watson and Wong

Current inquiry

- * Provisions of the Broadcasting Services Amendment (Anti-Siphoning) Bill 2004 (*referred 8 December 2004; reporting date: 7 March 2005*)

Reports presented

Annual reports (No. 2 of 2004), September 2004 (*presented to the Temporary Chair of Committees, Senator Ferguson, on 1 September 2004, pursuant to standing order 38(7); tabled 16 November 2004*)

Provisions of the National Water Commission Bill 2004 (*tabled 7 December 2004*)

Environment, Communications, Information Technology and the Arts References Committee

Members

Senator Cherry (*Chair*), Senator Tierney (*Deputy Chair*), Senators Bishop, Conroy, Lundy and Tchen

Participating members

Senators Abetz, Allison, Bolkus, Boswell, Brown, Buckland, George Campbell, Carr, Chapman, Colbeck, Coonan, Crossin, Eggleston, Evans, Faulkner, Ferguson, Ferris, Harradine, Humphries, Knowles, Ludwig, Mason, McGauran, Nettle, O'Brien, Payne, Ray and Watson

Current inquiries

- * Provisions of the Australian Communications and Media Authority Bill 2004, the Australian Communications and Media Authority (Consequential and Transitional Provisions) Bill 2004, the Datacasting Charge (Imposition) Amendment Bill 2004, the Radio Licence Fees Amendment Bill 2004, the Radiocommunications (Receiver Licence Tax) Amendment Bill 2004, the Radiocommunications (Spectrum Licence Tax) Amendment Bill 2004, the Radiocommunications (Transmitter Licence Tax) Amendment Bill 2004, the Telecommunications (Carrier Licence Charges) Amendment Bill 2004, the Telecommunications (Numbering Charges) Amendment Bill 2004 and the Television Licence Fees Amendment Bill 2004, and related matters (*referred 8 December 2004; reporting date: 10 March 2004*)
- * Budgetary and environmental implications of the Government's Energy White Paper (*referred 24 June 2004; readopted 8 December 2004; reporting date: 10 March 2005*)

Reports presented

- Budgetary and environmental implications of the Government's energy white paper—Interim report (*presented to the Temporary Chair of Committees, Senator Ferguson, on 2 September 2004, pursuant to standing order 38(7); tabled 16 November 2004*)
- Matters not disposed of at the end of the 40th Parliament (*tabled 1 December 2004*)
- * Matters not disposed of at the end of the 40th Parliament (*tabled 8 December 2004*)
- * Turning back the tide – the invasive species challenge: Report on the regulation, control and management of invasive species and the Environment Protection and Biodiversity Conservation Amendment (Invasive Species) Bill 2002 (*tabled 8 December 2004*)

Finance and Public Administration Legislation Committee

Portfolios

Parliament; Prime Minister and Cabinet; Finance and Administration; Human Services

Members

Senator Mason (*Chair*), Senator Murray (*Deputy Chair*), Senators Brandis, George Campbell, Forshaw and Heffernan

Participating members

Senators Abetz, Brown, Carr, Chapman, Colbeck, Conroy, Coonan, Eggleston, Evans, Faulkner, Ferguson, Ferris, Fifield, Harradine, Hogg, Knowles, Ludwig, Lundy, Mackay, Marshall, McGauran, Moore, O'Brien, Payne, Ray, Ridgeway, Sherry, Stephens, Tchen, Tierney, Watson and Webber

Report presented

Annual reports (No. 2 of 2004), September 2004 (*presented to the Temporary Chair of Committees, Senator Ferguson, on 1 September 2004, pursuant to standing order 38(7); tabled 16 November 2004*) and corrigendum (*presented to the Temporary Chair of Committees, Senator McLucas, on 7 September 2004, pursuant to standing order 38(7); tabled 16 November 2004*)

Finance and Public Administration References Committee

Members

Senator Forshaw (*Chair*), Senator Watson (*Deputy Chair*), Senators George Campbell, Heffernan, Moore and Ridgeway

Substitute members

Senator Murray to replace Senator Ridgeway for the committee's inquiry into government advertising

Senators Barnett and Johnston to replace Senators Watson and Heffernan for the committee's inquiry into the Regional Partnerships program

Senator Murray to replace Senator Ridgeway for the committee's inquiry into the Regional Partnerships program

Senators Carr and O'Brien to replace Senators George Campbell and Moore for the committee's inquiry into the Regional Partnerships program

Participating members

Senators Abetz, Brandis, Boswell, Brown, Carr, Chapman, Colbeck, Conroy, Coonan, Crossin, Eggleston, Evans, Faulkner, Ferguson, Ferris, Fifield, Harradine, Knowles, Ludwig, Lundy, Sandy Macdonald, Mackay, Mason, McGauran, McLucas, Murray, O'Brien, Payne, Ray, Sherry, Stephens, Tchen, Tierney and Webber

Current inquiries

Government advertising (*referred 18 November 2004; reporting date: 22 June 2005*)

Regional Partnerships program (*referred 2 December 2004; reporting date: 15 August 2005*)

Report presented

Inquiry into government advertising and accountability—Interim report (*presented to the Temporary Chair of Committees, Senator Brandis, on 3 September 2004, pursuant to standing order 38(7); tabled 16 November 2004*)

Foreign Affairs, Defence and Trade—Joint Standing Committee

(*appointed 18 November 2004*)

Members

Senator Ferguson (*Chair*), Senators Bolkus, Cook, Eggleston, Harradine, Hutchins, Johnston, Kirk, Lundy, Sandy Macdonald, Payne and Stott Despoja and Mr Baldwin, Mr Baird, Mr Barresi, Mr Beazley, Mr Danby, Mrs Draper, Mr Edwards, Mrs Gash, Mr Gibbons, Mr Haase, Mr Jull, Mrs Moylan, Mr Prosser, Mr Scott, Mr Sercombe, Mr Snowdon, Mr Turnbull, Ms Vamvakinou, Mr Wakelin and Mr Wilkie

Foreign Affairs, Defence and Trade Legislation Committee

Portfolios

Foreign Affairs and Trade; Defence (including Veterans' Affairs)

Members

Senator Sandy Macdonald (*Chair*), Senator Hutchins (*Deputy Chair*), Senators Ferguson, Mackay, Payne, and Ridgeway

Participating members

Senators Abetz, Bartlett, Bishop, Boswell, Brandis, Brown, George Campbell, Carr, Chapman, Colbeck, Conroy, Coonan, Crossin, Eggleston, Evans, Faulkner, Ferris, Fifield, Forshaw, Harradine, Hogg, Johnston, Kirk, Knowles, Lightfoot, Ludwig, Lundy, Mackay, Mason, McGauran, Nettle, Ray, Santoro, Stott Despoja, Tchen, Tierney and Watson

Report presented

Annual reports (No. 2 of 2004), September 2004 (*presented to the Temporary Chair of Committees, Senator Ferguson, on 1 September 2004, pursuant to standing order 38(7); tabled 16 November 2004*)

Foreign Affairs, Defence and Trade References Committee*Members*

Senator Hutchins (*Chair*), Senator Sandy Macdonald (*Deputy Chair*), Senators Hogg, Johnston, Mackay and Ridgeway

Participating members

Senators Abetz, Bartlett, Boswell, Brandis, Brown, George Campbell, Carr, Chapman, Colbeck, Collins, Conroy, Coonan, Crossin, Denman, Eggleston, Evans, Faulkner, Ferguson, Ferris, Fifield, Forshaw, Harradine, Kirk, Knowles, Lightfoot, Ludwig, Mackay, Mason, McGauran, Nettle, Payne, Ray, Santoro, Stott Despoja, Tchen, Tierney and Watson

Current inquiries

Effectiveness of the Australian military justice system (*referred 30 October 2003; terms of reference varied 12 February 2004; readopted 6 December 2004; reporting date: 17 March 2005*)

- * Australia's relationship with China (*referred 8 December 2004; reporting date: 15 September 2005*)

Reports presented

Inquiry into the effectiveness of Australia's military justice system—Interim report (*presented to the Temporary Chair of Committees, Senator McLucas, on 8 September 2004, pursuant to standing order 38(7); tabled 16 November 2004*)

Matters not disposed of at the end of the 40th Parliament (*tabled 6 December 2004*)

House—Standing Committee*Members*

The President (*Chair*), the Deputy President and Senators Carr, Crossin, Ferris, Lightfoot and Stephens

Legal and Constitutional Legislation Committee*Portfolios*

Attorney-General; Immigration and Multicultural and Indigenous Affairs

Members

Senator Payne (*Chair*), Senator Bolkus (*Deputy Chair*), Senators Greig, Ludwig, Mason and Scullion

Substitute member

Senator Ridgeway to replace Senator Greig for matters relating to the Indigenous Affairs portfolio

Participating members

Senators Abetz, Barnett, Bartlett, Bishop, Brandis, Brown, Buckland, George Campbell, Carr, Chapman, Colbeck, Conroy, Eggleston, Evans, Faulkner, Ferguson, Ferris, Harradine, Hogg, Humphries, Kirk, Knowles, Lightfoot, Lundy, Mackay, McGauran, McLucas, Nettle, Ray, Ridgeway, Sherry, Stephens, Stott Despoja, Tchen, Tierney and Watson

Current inquiry

Administrative Appeals Tribunal Amendment Bill 2004 (*referred 1 December 2004; reporting date: 10 March 2005*)

Reports presented

Annual reports (No. 2 of 2004), September 2004 (*presented to the Temporary Chair of Committees, Senator Ferguson, on 1 September 2004, pursuant to standing order 38(7); tabled 16 November 2004*)

Marriage Amendment Bill 2004 (*presented to the President on 6 September 2004, pursuant to standing order 38(7); tabled 16 November 2004*)

Provisions of the Criminal Code Amendment (Suicide Related Material Offences) Bill 2004 (*presented to the President on 6 September 2004, pursuant to standing order 38(7); tabled 16 November 2004*)

Copyright Legislation Amendment Bill 2004 (*tabled 7 December 2004*)

- * Disability Discrimination Amendment (Education Standards) Bill 2004 (*tabled 8 December 2004*)

Legal and Constitutional References Committee

Members

Senator Bolkus (*Chair*), Senator Payne (*Deputy Chair*), Senators Buckland, Greig, Kirk and Scullion

Substitute member

Senator Ridgeway to replace Senator Greig for matters relating to the Indigenous Affairs portfolio

Participating members

Senators Abetz, Barnett, Bartlett, Bishop, Brandis, Brown, George Campbell, Carr, Chapman, Colbeck, Conroy, Crossin, Eggleston, Evans, Faulkner, Ferguson, Ferris, Harradine, Humphries, Knowles, Lightfoot, Ludwig, Mackay, Mason, McGauran, Nettle, Ray, Sherry, Stephens, Stott Despoja, Tchen, Tierney and Watson

Current inquiry

Australian expatriates (*referred 16 October 2003; readopted 6 December 2004; reporting date: 8 March 2005*)

Reports presented

The road to a republic (*presented to the President on 31 August 2004, pursuant to standing order 38(7); tabled 16 November 2004*)

Inquiry into Australian expatriates—Interim report (*presented to the President on 1 October 2004, pursuant to standing order 38(7); tabled 16 November 2004*)

Matters not disposed of at the end of the 40th Parliament (*tabled 6 December 2004*)

Library—Standing Committee*Members*

The President (*Chair*) and Senators Faulkner, Kirk, Scullion, Stephens, Tchen and Tierney

Lindeberg Grievance—Select Committee

(*appointed 1 April 2004; final report tabled 16 November 2004*)

Report presented

Report (*presented to the Deputy President on 15 November 2004, pursuant to standing order 38(7); tabled 16 November 2004*)

Migration—Joint Standing Committee

(*appointed 18 November 2004*)

Members

Senators Bartlett, Eggleston, Kirk and Tchen and Mr Keenan, Mr Randall and Dr Southcott

National Capital and External Territories—Joint Standing Committee

(*appointed 18 November 2004*)

Members

Senator Lightfoot (*Chair*), The Deputy President and Chairman of Committees, the Deputy Speaker, and Senators Crossin, O'Brien, Scullion and Stott Despoja and Mr Neville, Ms Panopoulos and Mr Secker

Reports presented

Indian Ocean territories: Review of the annual reports of the Department of Transport and Regional Services and the Department of the Environment and Heritage (*presented to the President on 31 August 2004, pursuant to standing order 38(7); tabled 16 November 2004*)

Difficult choices: Inquiry into the role of the National Capital Authority in determining the extent of redevelopment of the Pierces Creek Settlement in the ACT (*presented to the President on 31 August 2004, pursuant to standing order 38(7); tabled 16 November 2004*)

Native Title and the Aboriginal and Torres Strait Islander Land Fund—Joint Statutory Committee

(*term extended until 23 March 2006 in accordance with the Extension of Sunset of Parliamentary Joint Committee on Native Title Act 2004*)

Members

Senators Carr, Crossin, Johnston, Lees and Scullion and Mr McMullan, Mr Randall, Mr Slipper, Mr Tollner and Ms Vamvakinou

Privileges—Standing Committee

Members

Senator Faulkner (*Chair*), Senator Knowles (*Deputy Chair*), Senators Humphries, Johnston, Payne, Ray and Sherry

Procedure—Standing Committee

Members

The Deputy President (*Chair*), the President, the Leader of the Government in the Senate, the Leader of the Opposition in the Senate and Senators Allison, Eggleston, Ellison, Faulkner, Ferguson and Ray

Public Accounts and Audit—Joint Statutory Committee

Members

Senators Hogg, Humphries, Moore, Murray, Scullion and Watson and Mr Baldwin, Mr Broadbent, Ms JM Kelly, Dr Laming, Mr Somlyay and Mr Ticehurst

Public Works—Joint Statutory Committee

Members

Mrs Moylan (*Chairman*), Senators Ferguson, Forshaw and Troeth and Mr Forrest, Mr Jenkins, Mr BP O'Connor, Mr Ripoll and Mr Wakelin

Reports presented

- * Proposed development of land at Lee Point, Darwin, for defence and private housing (Fifth report of 2004) (*tabled 8 December 2004*)
 - * Fit-out of new leased premises for the Department of the Prime Minister and Cabinet at 1 National Circuit, Barton, ACT (Sixth report of 2004) (*tabled 8 December 2004*)
 - * Fit-out of new leased premises for the Attorney-General's Department at 3-5 National Circuit, Barton, ACT (Seventh report of 2004) (*tabled 8 December 2004*)
 - * New east building for the Australian War Memorial, Canberra, ACT (Eighth report of 2004) (*tabled 8 December 2004*)
 - * Development of a new collection storage facility for the National Library of Australia at Hume, ACT (Ninth report of 2004) (*tabled 8 December 2004*)
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Publications—Standing Committee

Members

Senators Hutchins, Johnston, Kirk, Marshall, Moore, Scullion and Watson

Regulations and Ordinances—Legislative Scrutiny Standing Committee

Members

Senator Tchen (*Chairman*), Senators Bartlett, Marshall, Mason, Moore and Santoro

Rural and Regional Affairs and Transport Legislation Committee

Portfolios

Transport and Regional Services; Agriculture, Fisheries and Forestry

Members

Senator Heffernan (*Chair*), Senator Buckland (*Deputy Chair*), Senators Cherry, Ferris, McGauran and Stephens

Participating members

Senators Abetz, Allison, Bishop, Boswell, Brown, George Campbell, Carr, Chapman, Coonan, Eggleston, Evans, Faulkner, Ferguson, Greig, Harradine, Hogg, Hutchins, Knowles, Lightfoot, Ludwig, Lundy, Sandy Macdonald, Mackay, Mason, McLucas, Nettle, O'Brien, Payne, Ray, Santoro, Tchen, Tierney, Watson and Webber

Current inquiries

Administration of Biosecurity Australia concerning the revised draft import risk analysis for bananas from the Philippines (*adopted under standing order 25(2)(b), 2 March 2004; readopted 1 December 2004; reporting date: last sitting day in March 2005*)

Administration of Biosecurity Australia concerning the revised draft import risk analysis for apples from New Zealand (*adopted under standing order 25(2)(b), 2 March 2004; readopted 1 December 2004; reporting date: last sitting day in March 2005*)

Reports presented

Annual reports (No. 2 of 2004), including final report on the administration of the Civil Aviation Safety Authority, September 2004 (*presented to the Temporary Chair of Committees, Senator Ferguson, on 1 September 2004, pursuant to standing order 38(7); tabled 16 November 2004*)

Provisions of the Agriculture, Fisheries and Forestry Legislation Amendment Bill (No. 2) 2004 (*presented to the Temporary Chair of Committees, Senator Ferguson, on 2 September 2004, pursuant to standing order 38(7); tabled 16 November 2004*)

Provisions of the National Animal Welfare Bill 2003—Interim report (*presented to the Temporary Chair of Committees, Senator Watson, on 8 September 2004, pursuant to standing order 38(7); tabled 16 November 2004*)

Matters not disposed of at the end of the 40th Parliament (*tabled 1 December 2004*)

Rural and Regional Affairs and Transport References Committee

Members

Senator Ridgeway (*Chair*), Senator Heffernan (*Deputy Chair*), Senators Buckland, McGauran, O'Brien and Stephens

Participating members

Senators Abetz, Allison, Boswell, Brown, George Campbell, Carr, Chapman, Colbeck, Coonan, Crossin, Eggleston, Evans, Faulkner, Ferguson, Ferris, Greig, Harradine, Hutchins, Ludwig, Knowles, Lightfoot, Sandy Macdonald, Mackay, Mason, McLucas, Nettle, Payne, Ray, Santoro, Tchen, Tierney, Watson and Webber

Current inquiry

* Compensation for wheat growers (*referred 8 December 2004; reporting date: 16 June 2005*)

Report presented

Australian forest plantations: A review of Plantations for Australia: The 2020 Vision (presented to the Temporary Chair of Committees, Senator Ferguson, on 2 September 2004, pursuant to standing order 38(7); tabled 16 November 2004) and corrigendum (presented to the Temporary Chair of Committees, Senator Brandis, on 3 September 2004, pursuant to standing order 38(7); tabled 16 November 2004) and further corrigenda (tabled 8 December 2004)

Scrafton Evidence—Select Committee

(appointed 30 August 2004; reappointed 18 November 2004; reporting date varied 1 December 2004; reporting date: 9 December 2004)

Members

Senator Collins (*Chair*), Senator Brandis (*Deputy Chair*), Senators Bartlett, Faulkner and Ferguson

Scrutiny of Bills—Legislative Scrutiny Standing Committee

Members

Senator Ray (*Chairman*), Senator Mason (*Deputy Chairman*), Senators Barnett, Johnston, Marshall and Murray

Current inquiry

Entry, search and seizure provisions in Commonwealth legislation (*referred 25 March 2004; readopted 29 November 2004*)

Alert Digests presented

No. 11 of 2004 (*tabled 1 December 2004*)

* No. 12 of 2004 (*tabled 8 December 2004*)

Reports presented

Matters not disposed of at the end of the 40th Parliament (*tabled 29 November 2004*)

Eleventh report of 2004 (*tabled 1 December 2004*)

* Twelfth report of 2004 (*tabled 8 December 2004*)

Selection of Bills—Standing Committee

Members

The Government Whip (*Chair*), the Opposition Whip, the Australian Democrats Whip, the Nationals Whip and Senators Eggleston, Ellison, Ludwig and Webber

Reports presented

Report no. 12 of 2004 (*presented 1 December 2004*)

Report no. 13 of 2004 (*presented 6 December 2004*)

* Report no. 14 of 2004 (*presented 8 December 2004*)

Senators' Interests—Standing Committee

Members

Senator Denman (*Chair*), Senator Lightfoot (*Deputy Chair*), Senators Allison, Forshaw, Humphries, Kirk, McGauran and Webber

Notifications of alterations of interests

- * Register of senators' interests incorporating a statement of interests and notifications of alterations of interests of senators lodged between 19 June and 6 December 2004 (*tabled 8 December 2004*)
-

Treaties—Joint Standing Committee

(*appointed 18 November 2004*)

Members

Senators Bartlett, Collins, Mackay, Mason, Santoro, Stephens and Tchen and Mr Johnson, Mrs May, Ms Panopoulos, Mr Scott, Dr Southcott and Mr Turnbull

Current inquiry

Proposed agreement relating to US nationals and the International Criminal Court (*referred 7 December 2004; reporting date: 30 June 2005*)

Report presented

Report 61—The Australia – United States Free Trade Agreement—Corrigenda (*tabled 7 December 2004*)

SENATE APPOINTMENTS TO STATUTORY AUTHORITIES

Advisory Council on Australian Archives

Senator Faulkner—(*appointed 27 June 2002 for a period of 3 years*).

Council of the National Library of Australia

Senator Tierney (*appointed 14 February 2002 for a period of 3 years*).

Parliamentary Retiring Allowances Trust

Senators Cook and Watson (*appointed 13 May 1998 and 10 February 1994, respectively*).

HARRY EVANS

Clerk of the Senate

MINISTERIAL REPRESENTATION

Minister	Representing
Senator the Honourable Robert Hill <i>Minister for Defence</i> <i>Leader of the Government in the Senate</i>	Prime Minister Minister for Trade Minister for Foreign Affairs Minister for Veterans' Affairs
Senator the Honourable Nicholas Minchin (<u>Nick</u>) <i>Minister for Finance and Administration</i> <i>Deputy Leader of the Government in the Senate</i> <i>Vice-President of the Executive Council</i>	Treasurer Minister for Industry, Tourism and Resources
Senator the Honourable Amanda Vanstone <i>Minister for Immigration and Multicultural and Indigenous Affairs</i> <i>Minister Assisting the Prime Minister for Indigenous Affairs</i>	Minister for Education, Science and Training Minister for Citizenship and Multicultural Affairs Minister for Vocational and Technical Education
Senator the Honourable Kay Patterson <i>Minister for Family and Community Services</i> <i>Minister Assisting the Prime Minister for Women's Issues</i>	Minister for Health and Ageing Minister for Human Services Minister for Ageing
Senator the Honourable Helen Coonan <i>Minister for Communications, Information Technology and the Arts</i>	Minister for Revenue and Assistant Treasurer
Senator the Honourable Ian Campbell <i>Minister for the Environment and Heritage</i>	Minister for Transport and Regional Services Minister for Local Government, Territories and Roads
Senator the Honourable Christopher Ellison (<u>Chris</u>) <i>Minister for Justice and Customs</i> <i>Manager of Government Business in the Senate</i>	Attorney-General
Senator the Honourable Ian Macdonald <i>Minister for Fisheries, Forestry and Conservation</i>	Minister for Agriculture, Fisheries and Forestry
Senator the Honourable Charles Kemp (<u>Rod</u>) <i>Minister for the Arts and Sport</i>	
Senator the Honourable Eric Abetz <i>Special Minister of State</i>	Minister for Employment and Workplace Relations Minister for Small Business and Tourism Minister for Workforce Participation
Parliamentary Secretary	
Senator the Honourable Richard Colbeck <i>Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry</i>	

In those instances where Senators prefer to be known by other than their first name, the preferred name is underlined.

A GUIDE TO THE NOTICE PAPER

The *Notice Paper* is issued each sitting day and contains details of current business before the Senate. Its structure is based on four main types of business, as follows:

Matters of privilege take precedence over all other business and are listed at the beginning of the *Notice Paper* when they arise. They consist of notices of motion which the President has determined warrant such precedence and any orders relating to uncompleted debates on such motions.

Business of the Senate has precedence over government and general business for the day on which it is listed. It includes disallowance motions, orders of the day for the presentation of committee reports, motions to refer matters to standing committees, motions for leave of absence for a senator and motions concerning the qualification of a senator.

Government business is business initiated by a minister. It takes precedence over general business except for a period of 2½ hours each week set aside on Thursdays for general business.

General business is all other business initiated by senators who are not ministers. It takes precedence over government business only as described above.

Within each of these categories, business consists of notices of motion and orders of the day:

Notices of motion are statements of intention that senators intend to move particular motions on the days indicated. They are entered on the *Notice Paper* in the order given and may be given jointly by two or more senators. Notices of motion are usually considered before orders of the day.

Orders of the day are items of business which the Senate has ordered to be considered on particular days, usually arising from adjourned debates on matters (including legislation) or requirements to present committee reports.

On days other than Thursdays, the *Notice Paper* records in full current items of business of the Senate and government business, but includes only new items of general business from the previous sitting day. On Thursdays, business relating to the consideration of government documents, committee reports and government responses to committee reports is also published.

Other sections in the *Notice Paper* are as follows:

Orders of the day relating to committee reports and government responses follows government business and lists orders of the day for adjourned debates on motions to consider or adopt committee reports and government responses which have been presented during the week. These orders may be considered for one hour on Thursdays at the conclusion of general business. New items appear in the following day's *Notice Paper*. The section is printed in full on Thursdays.

Orders of the day relating to government documents appears in general business and lists orders of the day for adjourned debates on motions to take note of government documents. Such orders arise from consideration of the government documents presented on a particular day and include consideration of any documents not reached on the day. They are also listed for consideration for one hour on Thursdays during the consideration of general business. New items appear in the following day's *Notice Paper*. The section is printed in full on Thursdays.

Business for future consideration lists any notice of motion or order of the day to be considered on a specific day in the future; for example, a committee report ordered to be presented on a specific date, or a notice of motion given for a day other than the next day of sitting.

Bills referred to committees lists all bills or provisions of bills currently being considered by committees.

Questions on notice includes the text of new questions on notice and lists the numbers of unanswered questions.

Orders of the Senate includes orders of short-term duration such as orders for production of documents and those relating to days of sitting for a period of sittings.

Contingent notices of motion are statements of intention by senators that, contingent on a specified occurrence, they may move a motion, usually to suspend standing orders. They are grouped by subject.

Temporary chairs of committees is a daily list of all senators appointed to take the chair in the absence of the President or Deputy President.

Categories of committees is a daily list, categorised by type, of Senate and joint committees. Details of each committee appear in the committee section.

Committees lists all of Senate and joint committees, including membership, current inquiries and reports presented on or since the previous sitting day.

Senate appointments to statutory authorities lists the statutory authorities on which the Senate is represented and details of representation.

Ministerial representation lists Senate ministers and the portfolios they represent.

The ‘full’ Notice Paper

On the first day of each period of sittings a full *Notice Paper* is printed listing all outstanding business before the Senate, including the full text of all unresolved notices of motion and unanswered questions on notice. This edition is a complete reference to unresolved business from earlier in the session and is useful to keep. All business before the Senate is published daily in the full online version of the *Notice Paper*, available on ParlInfo and on the Senate’s Internet site at aph.gov.au/senate.

Inquiries concerning the *Notice Paper* or business listed in it may be directed to the Senate Table Office on (02) 6277 3018.