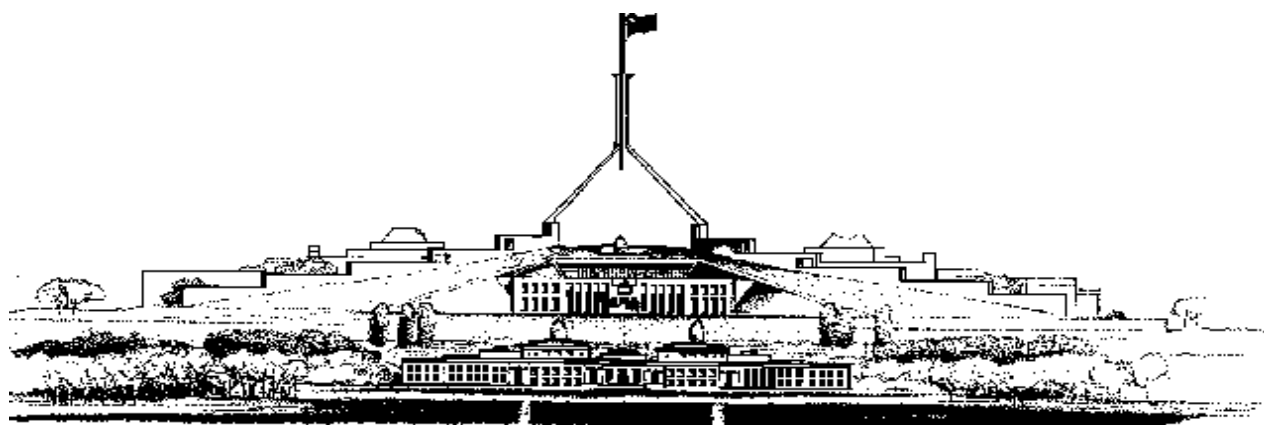




COMMONWEALTH OF AUSTRALIA

**PARLIAMENTARY DEBATES**



**SENATE**

**Official Hansard**

**No. 7, 2001**

**TUESDAY, 22 MAY 2001**

THIRTY-NINTH PARLIAMENT  
FIRST SESSION—SEVENTH PERIOD

BY AUTHORITY OF THE SENATE

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### SITTING DAYS—2001

Month	Date
February	6, 7, 8, 26, 27, 28
March	1, 5, 6, 7, 8, 26, 27, 28, 29
April	2, 3, 4, 5,
May	22, 23, 24
June	4, 5, 6, 7, 18, 19, 20, 21, 25, 26, 27, 28
August	6, 7, 8, 9, 20, 21, 22, 23, 27, 28, 29, 30
September	17, 18, 19, 20, 24, 25, 26, 27
October	15, 16, 17, 18, 22, 23, 24, 25
November	12, 13, 14, 15, 19, 20, 21, 22
December	3, 4, 5, 6, 10, 11, 12, 13

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<i>BRISBANE</i>	936 AM
<i>MELBOURNE</i>	1026 AM
<i>ADELAIDE</i>	972 AM
<i>PERTH</i>	585 AM
<i>HOBART</i>	729 AM
<i>DARWIN</i>	102.5 FM



# THIRTY-NINTH PARLIAMENT FIRST SESSION—EIGHTH PERIOD

## Governor-General

His Excellency the Hon. Sir William Patrick Deane, Companion of the Order of Australia,  
Knight Commander of the Order of the British Empire

## Senate Officeholders

President—*Senator the Hon. Margaret Elizabeth Reid*

Deputy President and Chairman of Committees—*Senator Suzanne Margaret West*

Temporary Chairmen of Committees—*Senators Andrew Julian Bartlett, Paul Henry Calvert,  
George Campbell, Hedley Grant Pearson Chapman, Hon. Rosemary Anne Crowley, Alan Baird  
Ferguson, John Joseph Hogg, Susan Christine Knowles, Philip Ross Lightfoot, James Philip  
McKiernan, Shayne Michael Murphy, Hon. Nicholas John Sherry and John Odin Wentworth  
Watson*

Leader of the Government in the Senate—*Senator the Hon. Robert Murray Hill*

Deputy Leader of the Government in the Senate—*Senator the Hon. Richard Kenneth Robert  
Alston*

Leader of the Opposition—*Senator the Hon. John Philip Faulkner*

Deputy Leader of the Opposition—*Senator the Hon. Peter Francis Salmon Cook*

Manager of Government Business in the Senate—*Senator the Hon. Ian Gordon Campbell*

Manager of Opposition Business in the Senate—*Senator Kim John Carr*

## Senate Party Leaders

Leader of the Liberal Party of Australia—*Senator the Hon. Robert Murray Hill*

Deputy Leader of the Liberal Party of Australia—*Senator the Hon. Richard Kenneth Robert  
Alston*

Leader of the National Party of Australia—*Senator the Hon. Ronald Leslie Doyle Boswell*

Deputy Leader of the National Party of Australia—*Senator the Hon. Grant Ernest John Tambling*

Leader of the Australian Labor Party—*Senator the Hon. John Philip Faulkner*

Deputy Leader of the Australian Labor Party—*Senator the Hon. Peter Francis Salmon Cook*

Leader of the Australian Democrats—*Senator Meg Heather Lees*

Deputy Leader of the Australian Democrats—*Senator Natasha Jessica Stott Despoja*



## Members of the Senate

Senator	State or Territory	Term expires	Party
Abetz, Hon. Eric	Tas.	30.6.2005	LP
Allison, Lynette Fay	Vic.	30.6.2002	AD
Alston, Hon. Richard Kenneth Robert	Vic.	30.6.2002	LP
Bartlett, Andrew John Julian <sup>(6)</sup>	Qld	30.6.2002	AD
Bishop, Thomas Mark	WA	30.6.2002	ALP
Bolkus, Hon. Nick	SA	30.6.2005	ALP
Boswell, Hon. Ronald Leslie Doyle	Qld	30.6.2002	NP
Bourne, Vicki Worrall	NSW	30.6.2002	AD
Brandis, George Henry <sup>(7)</sup>	Qld	30.6.2005	LP
Brown, Robert James	Tas.	30.6.2002	AG
Buckland, Geoffrey Frederick <sup>(8)</sup>	SA	30.6.2005	ALP
Calvert, Paul Henry	Tas.	30.6.2002	LP
Campbell, George <sup>(5)</sup>	NSW	30.6.2002	ALP
Campbell, Hon. Ian Gordon	WA	30.6.2005	LP
Carr, Kim John	Vic.	30.6.2005	ALP
Chapman, Hedley Grant Pearson	SA	30.6.2002	LP
Collins, Jacinta Mary Ann	Vic.	30.6.2005	ALP
Conroy, Stephen Michael	Vic.	30.6.2005	ALP
Cook, Hon. Peter Francis Salmon	WA	30.6.2005	ALP
Coonan, Helen Lloyd	NSW	30.6.2002	LP
Cooney, Bernard Cornelius	Vic.	30.6.2002	ALP
Crane, Arthur Winston	WA	30.6.2002	LP
Crossin, Patricia Margaret <sup>(1)</sup>	NT		ALP
Crowley, Hon. Rosemary Anne	SA	30.6.2002	ALP
Denman, Kay Janet	Tas.	30.6.2005	ALP
Eggleston, Alan	WA	30.6.2002	LP
Ellison, Hon. Christopher Martin	WA	30.6.2005	LP
Evans, Christopher Vaughan	WA	30.6.2005	ALP
Faulkner, Hon. John Philip	NSW	30.6.2005	ALP
Ferguson, Alan Baird	SA	30.6.2005	LP
Ferris, Jeannie Margaret <sup>(2)</sup>	SA	30.6.2002	LP
Forshaw, Michael George	NSW	30.6.2005	ALP
Gibbs, Brenda	Qld	30.6.2002	ALP
Gibson, Hon. Brian Francis, AM	Tas.	30.6.2005	LP
Greig, Brian Andrew	WA	30.6.2005	AD
Harradine, Brian	Tas.	30.6.2005	Ind.
Harris, Len	Qld	30.6.2005	PHON
Heffernan, Hon. William Daniel	NSW	30.6.2005	LP
Herron, Hon. John Joseph	Qld	30.6.2002	LP
Hill, Hon. Robert Murray	SA	30.6.2002	LP
Hogg, John Joseph	Qld	30.6.2002	ALP
Hutchins, Stephen Patrick	NSW	30.6.2005	ALP
Kemp, Hon. Charles Roderick	Vic.	30.6.2002	LP
Knowles, Susan Christine	WA	30.6.2005	LP
Lees, Meg Heather	SA	30.6.2005	AD
Lightfoot, Philip Ross <sup>(4)</sup>	WA	30.6.2002	LP
Ludwig, Joseph William	Qld	30.6.2005	ALP
Lundy, Kate Alexandra <sup>(1)</sup>	ACT		ALP
Macdonald, Hon. Ian Douglas	Qld	30.6.2002	LP
Macdonald, John Alexander Lindsay (Sandy)	NSW	30.6.2002	NP
Mackay, Susan Mary	Tas.	30.6.2002	ALP
Mason, Brett John	Qld	30.6.2005	LP
McGauran, Julian John James	Vic.	30.6.2005	NP
McKiernan, James Philip	WA	30.6.2002	ALP
McLucas, Jan Elizabeth	Qld	30.6.2005	ALP
Minchin, Hon. Nicholas Hugh	SA	30.6.2005	LP
Murphy, Shayne Michael	Tas.	30.6.2005	ALP
Murray, Andrew James Marshall	WA	30.6.2002	AD

### Members of the Senate

Senator	State or Territory	Term expires	Party
Newman, Hon. Jocelyn Margaret	Tas.	30.6.2002	LP
O'Brien, Kerry Williams Kelso	Tas.	30.6.2005	ALP
Patterson, Hon. Kay Christine Lesley	Vic.	30.6.2002	LP
Payne, Marise Ann <sup>(3)</sup>	NSW	30.6.2002	LP
Ray, Hon. Robert Francis	Vic.	30.6.2002	ALP
Reid, Hon. Margaret Elizabeth <sup>(1)</sup>	ACT		LP
Ridgeway, Aden Derek	NSW	30.6.2005	AD
Schacht, Hon. Christopher Cleland	SA	30.6.2002	ALP
Sherry, Hon. Nicholas John	Tas.	30.6.2002	ALP
Stott Despoja, Natasha Jessica	SA	30.6.2002	AD
Tambling, Hon. Grant Ernest John <sup>(1)</sup>	NT		CLP
Tchen, Tsebin	Vic.	30.6.2005	LP
Tierney, John William	NSW	30.6.2005	LP
Troeth, Hon. Judith Mary	Vic.	30.6.2005	LP
Vanstone, Hon. Amanda Eloise	SA	30.6.2005	LP
Watson, John Odin Wentworth	Tas.	30.6.2002	LP
West, Suzanne Margaret	NSW	30.6.2002	ALP
Woodley, John	Qld	30.6.2005	AD

- (1) Term expires at close of day next preceding the polling day for the general election of members of the House of Representatives.
- (2) Chosen by the Parliament of South Australia to fill a casual vacancy caused by her resignation.
- (3) Chosen by the Parliament of New South Wales vice Robert Leslie Woods, resigned.
- (4) Chosen by the Parliament of Western Australia vice John Horace Panizza, deceased.
- (5) Chosen by the Parliament of New South Wales vice Bruce Kenneth Childs, resigned.
- (6) Chosen by the Parliament of Queensland vice Cheryl Kernot, resigned.
- (7) Chosen by the Parliament of Queensland vice Warwick Raymond Parer, resigned.
- (8) Chosen by the Parliament of South Australia vice John Andrew Quirke, resigned

### PARTY ABBREVIATIONS

AD—Australian Democrats; AG—Australian Greens; ALP—Australian Labor Party; CLP—Country Liberal Party; Ind.—Independent; LP—Liberal Party of Australia; NP—National Party of Australia; PHON—Pauline Hanson's One Nation

### Heads of Parliamentary Departments

*Clerk of the Senate*—H. Evans

*Clerk of the House of Representatives*—I. C. Harris

*Departmental Secretary, Parliamentary Library*—J. W. Templeton

*Departmental Secretary, Parliamentary Reporting Staff*—J. W. Templeton

*Departmental Secretary, Joint House Department*—M. W. Bolton

## **HOWARD MINISTRY**

Prime Minister	The Hon. John Winston Howard MP
Minister for Transport and Regional Services and Deputy Prime Minister	The Hon. John Duncan Anderson MP
Treasurer	The Hon. Peter Howard Costello MP
Minister for Trade	The Hon. Mark Anthony James Vaile MP
Minister for Foreign Affairs	The Hon. Alexander John Gosse Downer MP
Minister for the Environment and Heritage and Leader of the Government in the Senate	Senator the Hon. Robert Murray Hill
Minister for Communications, Information Technology and the Arts and Deputy Leader of the Government in the Senate	Senator the Hon. Richard Kenneth Robert Alston
Minister for Defence and Leader of the House	The Hon. Peter Keaston Reith MP
Minister for Health and Aged Care	The Hon. Dr Michael Richard Lewis Wooldridge MP
Minister for Finance and Administration	The Hon. John Joseph Fahey MP
Minister for Education, Training and Youth Affairs and Minister Assisting the Prime Minister for the Public Service	The Hon. Dr David Alistair Kemp MP
Minister for Industry, Science and Resources	Senator the Hon. Nicholas Hugh Minchin
Attorney-General	The Hon. Daryl Robert Williams AM, QC, MP
Minister for Immigration and Multicultural Affairs and Minister for Reconciliation and Aboriginal and Torres Strait Islander Affairs	The Hon. Philip Maxwell Ruddock MP
Minister for Agriculture, Fisheries and Forestry	The Hon. Warren Errol Truss MP
Minister for Family and Community Services and Minister Assisting the Prime Minister for the Status of Women	Senator the Hon. Amanda Eloise Vanstone
Minister for Employment, Workplace Relations and Small Business	The Hon. Anthony John Abbott MP

**(The above ministers constitute the cabinet)**



## **HOWARD MINISTRY—*continued***

Assistant Treasurer	Senator the Hon. Charles Roderick Kemp
Minister for Financial Services and Regulation	The Hon. Joseph Benedict Hockey MP
Minister for Regional Services, Territories and Local Government	Senator the Hon. Ian Douglas Macdonald
Minister for the Arts and the Centenary of Federation and Deputy Leader of the House	The Hon. Peter John McGauran MP
Minister for Community Services	The Hon. Lawrence James Anthony MP
Minister for Veterans' Affairs and Minister Assisting the Minister for Defence	The Hon. Bruce Craig Scott MP
Minister for Aged Care	The Hon. Bronwyn Kathleen Bishop MP
Special Minister of State	Senator the Hon. Eric Abetz
Minister for Sport and Tourism	The Hon. Jackie Marie Kelly MP
Minister for Justice and Customs	Senator the Hon. Christopher Martain Ellison
Minister for Forestry and Conservation and Minister Assisting the Prime Minister	The Hon. Charles Wilson Tuckey MP
Minister for Small Business	The Hon. Ian Elgin Macfarlane
Parliamentary Secretary to Cabinet	Senator the Hon. William Daniel Heffernan
Parliamentary Secretary to the Minister for Transport and Regional Services	Senator the Hon. Ronald Leslie Doyle Boswell
Parliamentary Secretary to the Minister for Foreign Affairs and Parliamentary Secretary to the Minister for Immigration and Multicultural Affairs	Senator the Hon. Kay Christine Lesley Patterson
Parliamentary Secretary to the Minister for the Environment and Heritage	The Hon. Sharman Nancy Stone MP
Parliamentary Secretary to the Minister for Communications, Information Technology and the Arts and Manager of Government Business in the Senate	Senator the Hon. Ian Gordon Campbell
Parliamentary Secretary to the Minister for Defence	The Hon. Dr Brendan John Nelson
Parliamentary Secretary to the Minister for Health and Aged Care	Senator the Hon. Grant Ernest John Tambling
Parliamentary Secretary to the Minister for Finance and Administration	The Hon. Peter Neil Slipper MP
Parliamentary Secretary to the Minister for Education, Training and Youth Affairs	The Hon. Patricia Mary Worth MP
Parliamentary Secretary to the Minister for Industry, Science and Resources	The Hon. Warren George Entsch MP
Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry	Senator the Hon. Judith Mary Troeth
Parliamentary Secretary to the Minister for Reconciliation and Aboriginal and Torres Strait Islander Affairs	The Hon. Christine Ann Gallus

## SHADOW MINISTRY

Leader of the Opposition	The Hon. Kim Christian Beazley MP
Deputy Leader of the Opposition and Shadow Treasurer	The Hon. Simon Findlay Crean MP
Leader of the Opposition in the Senate, Shadow Minister for Public Administration and Government Services and Shadow Minister for Olympic Coordination and the Centenary of Federation	Senator the Hon. John Philip Faulkner
Deputy Leader of the Opposition in the Senate and Shadow Minister for Trade	Senator the Hon. Peter Francis Salmon Cook
<b>(The following members of the Shadow Ministry are listed in alphabetical order)</b>	
Shadow Minister for Industrial Relations	The Hon. Archibald Ronald Bevis MP
Shadow Minister for Environment and Heritage	Senator the Hon. Nick Bolkus
Shadow Minister for Foreign Affairs	The Hon. Laurence John Brereton MP
Shadow Minister for Financial Services and Regulation	Senator Stephen Michael Conroy
Shadow Minister for Family Services and the Aged	Senator Christopher Vaughan Evans
Shadow Minister for Science and Resources	The Hon. Martyn John Evans MP
Shadow Minister for Defence Science and Personnel and Shadow Minister for Forestry and Conservation	Mr Laurie Donald Thomas Ferguson MP
Shadow Minister for Regional Development, Infrastructure, Transport, Regional Services and Population	Mr Martin John Ferguson MP
Shadow Minister for Small Business and Tourism	Mr Joel Andrew Fitzgibbon MP
Shadow Minister for Employment and Training	Ms Cheryl Kernot MP
Shadow Minister for Justice and Customs and Shadow Minister Assisting the Shadow Minister for Population	The Hon. Duncan James Colquhoun Kerr MP
Shadow Minister for Industry, Innovation and Technology and Shadow Minister for the Status of Women	The Hon. Dr Carmen Mary Lawrence MP
Shadow Minister for Education	The Hon. Michael John Lee MP
Shadow Minister for Sport and Youth Affairs and Shadow Minister Assisting the Shadow Minister for Industry, Innovation and Technology on Information Technology	Senator Kate Alexandra Lundy

## **Shadow Ministry—*continued***

Shadow Attorney-General	Mr Robert Bruce McClelland MP
Shadow Minister for Regional Services, Territories and Local Government	Senator Susan Mary Mackay
Shadow Minister for Aboriginal and Torres Strait Islander Affairs, Shadow Minister for Reconciliation, Shadow Minister for the Arts and Manager of Opposition Business	The Hon. Robert Francis McMullan MP
Shadow Minister for Health	Ms Jennifer Louise Macklin MP
Shadow Minister for Defence	The Hon. Dr Stephen Paul Martin MP
Shadow Minister for Agriculture, Fisheries and Forestry	Mr Gavan Michael O'Connor MP
Shadow Minister for Veterans' Affairs	Senator the Hon. Christopher Cleland Schacht
Shadow Minister for Immigration and Shadow Minister Assisting the Leader of the Opposition on Multicultural Affairs	The Hon. Con Sciacca MP
Shadow Minister for Communications	Mr Stephen Francis Smith MP
Shadow Minister for Finance and Shadow Minister for Consumer Affairs	Mr Lindsay James Tanner MP
Shadow Assistant Treasurer	Mr Kelvin John Thomson MP

**(The following Parliamentary Secretaries are listed in alphabetical order)**

Parliamentary Secretary to the Shadow Minister for Family and Community Services	Mr Anthony Albanese MP
Parliamentary Secretary to the Shadow Minister for Communications	Senator Thomas Mark Bishop
Manager of Opposition Business in the Senate and Parliamentary Secretary to the Shadow Minister for Education	Senator Kim John Carr
Parliamentary Secretary to the Shadow Ministers for Industrial Relations and Employment, Training and Population	Senator Jacinta Mary Ann Collins
Parliamentary Secretary to the Shadow Minister for Agriculture, Fisheries and Forestry	Senator Michael George Forshaw
Parliamentary Secretary to the Shadow Minister for Health	Mr Alan Peter Griffin MP
Parliamentary Secretary to the Shadow Minister for Regional Development, Infrastructure, Transport and Regional Services	Mr Robert Horne MP

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*Tuesday, 22 May 2001*

**The PRESIDENT (Senator the Hon. Margaret Reid)** took the chair at 2.00 p.m., and read prayers.

#### **MINISTERIAL ARRANGEMENTS**

**Senator ALSTON** (Victoria—Deputy Leader of the Government in the Senate) (2.00 p.m.)—by leave—I inform the Senate that Senator Robert Hill, the Minister for the Environment and Heritage, the Minister representing the Prime Minister and the Minister representing the Minister for Reconciliation and Aboriginal and Torres Strait Islander Affairs, the Minister for Trade, the Minister for Foreign Affairs and the Minister for Forestry and Conservation, will be absent from question time today. The minister is attending the funeral ceremony for an Uluru elder in Central Australia. During Senator Hill's absence, I shall be the Minister representing the Prime Minister and the Minister representing the Minister for Reconciliation and Aboriginal and Torres Strait Islander Affairs, the Minister for Foreign Affairs and the Minister for Trade. Senator Minchin will represent the Minister for the Environment and Heritage and the Minister for Forestry and Conservation.

#### **QUESTIONS WITHOUT NOTICE**

##### **HIH Insurance**

**Senator CONROY** (2.01 p.m.)—My question is to Senator Alston, representing the Prime Minister. Can the minister inform the Senate whether the \$500 million HIH bailout package announced yesterday by the Prime Minister will cover the cost of HIH policyholders who are being sued and wish to defend their claims?

**Senator ALSTON**—The package is designed to essentially stand in the shoes of HIH Insurance so that, to the extent that those people have claims against the company, those claims will be dealt with in the normal manner. I think we have already made it clear how that will be brought about. The package will pay 100 cents in the dollar for people with salary continuance policies and disability policies who are Australian citizens or permanent residents; will pay 100 cents in the dollar for personal injury claims

where the insured is an Australian citizen, permanent resident or small business; will pay 100 cents in the dollar for claims for a total loss on a primary place of residence where the insured is an Australian citizen or permanent resident; and will pay 100 cents in the dollar for claims where the insured is an Australian not-for-profit organisation. The government will also give 90 cents in the dollar support for other claims where the insured is subject to an income test and where the family taxable income is less than \$77,234. It increases by \$3,139 for each additional child. A policyholder qualifies regardless of the size of their claim. There will also be a cover of 90 cents in the dollar where claims have been lodged for Australian small businesses that have 50 employees or fewer.

There are a number of other aspects of the claim. Those matters not covered are claims where the insured is not an Australian citizen or permanent resident and claims for reinsurance contracts. We will not be paying insurance mandated by state and territory governments, we will not be paying for any business that is not an Australian business or does not meet the definition of a small business and we will not be paying for claims where the insured was a director, an officer or an associate of a director or officer of any company within HIH three years before its failure, nor will we pay claims where the insured was an individual or an associate of an individual who was in a position to influence or advise the directors or officers of any companies within HIH three years before its failure.

**Senator CONROY**—Madam President, I ask a supplementary question. Will any of the government's \$500 million taxpayer funded bailout of HIH go to policyholders in the building industry, whether it be home owners who wish to sue their builders or builders who are being sued by their clients?

**Senator ALSTON**—In relation to the building industry, that matter is the responsibility of state governments. Those schemes, together with a number of other schemes that fall within the responsibility of the state governments, are matters to be dealt with by them. We will not be paying insurance man-

dated for compulsory third-party motor vehicle insurance, workers compensation, builders warranty and professional indemnity for legal practitioners to the extent that that is compulsory in some states. If Senator Conroy is concerned about matters arising out of builders warranty—in other words, people who take out insurance for indemnity from an insurance company in respect of claims—those claims are dealt with under state and territory government legislation and are not the responsibility of the federal government.

**Rural and Regional Australia:  
Telecommunications**

**Senator CALVERT** (2.05 p.m.)—My question is to the Minister for Communications, Information Technology and the Arts, Senator Alston. What recent commitments has the coalition government made to further improve phone and Internet services in regional Australia? Is the minister aware of any risks to the early delivery of these important commitments?

**Senator ALSTON**—Last week we announced a package of \$163 million to address the recommendations of the Besley inquiry into the adequacy of telecommunications services around Australia but particularly in relation to regional and rural Australia. That package addresses the three major issues of concern to people outside the metropolitan areas, including the quality of plain old telephone services. In particular, it strengthens the time lines in relation to new connections and repairs. It ensures that temporary services are available where people do not otherwise have those services.

*Senator Conroy interjecting—*

**Senator ALSTON**—It is interesting, Madam President. I think Senator Conroy typifies his colleagues, who do not have the slightest interest in this issue. We will come to that in a moment, when we look at what Mr Smith had to say. We also provide close to \$90 million in relation to mobile phone coverage. This is clearly a major concern to people outside the metropolitan areas, despite the fact that we have something in excess of 11 million mobile phone subscribers. As a result, those towns which have populations of more than 50,000 and where there is

a demonstrated need and ongoing commercial viability will be eligible for funding under that scheme.

Particularly significant for those who want high-speed access to the Internet is the minimum guarantee in relation to data bit rates that will increase what is effectively a 2.4 kilobit rate to a 19.2 kilobit rate, which gives people sufficient bandwidth capability to web browse and to have email and chat services. This generally puts them on a par with those in metropolitan areas. To the extent that they want higher bit rates, they will be able to obtain that from other services, and our digital data service capability is already legislated for.

The real answer to the second part of Senator Calvert's question is: there is only one risk to all of this package, and that is Labor. Labor has form on reneging on these sorts of policy commitments. Senator Schacht, who is not here—and who, in any event, will not be here for much longer—was the high-water mark of this during the last election. Mr Crean is on record in recent times as making all these sliding around promises: 'Yes, we will review commitments that are in place and we'll decide whether we can afford them.' That is code for saying: 'We'll hold off for as long as possible but, if the occasion arises, we'll give them the chop. If we don't think they're our constituents, we're not committed to them.'

**Senator Mackay**—What did Shane Stone say?

**Senator ALSTON**—It ought to be blindingly obvious, based on past practice, what is likely to happen to these sorts of initiatives. That is why, when one looks at the press release put out by—

**Senator Mackay**—'Mean and tricky.'

**Senator ALSTON**—I wouldn't say too much: we might have to come to your press release of the other day, which is a very big howler that will come back to haunt you, Senator Mackay.

**The PRESIDENT**—Order, Senator Alston.

**Senator ALSTON**—Mr Smith's press release implies that this package ought to be a lot larger. He talks about the 'limited scope

of the package'. He comments that the government has given \$2.5 billion to spending on regional communications and the environment since the last election—I would have thought that is a matter to be very proud of indeed—and he then goes on and snidely says that this compares to a \$2.6 billion half-yearly profit for Telstra. There is again a snide implication that somehow the Labor Party would spend even more. They will not spend one red cent. They have never committed to it; they have always opposed every initiative in this area. They call Telstra Countrywide a sop and they call our Networking the Nation promises bribes. They have been out there and had every opportunity to commit themselves and have done quite the opposite. It is quite clear what the people in regional and rural Australia can expect in terms of telecommunications services, and they ought to be very much aware of the very big risk that is there. (*Time expired*)

#### HIH Insurance

**Senator LUDWIG** (2.10 p.m.)—My question is to Senator Alston, the Minister representing the Prime Minister. I refer the minister again to the Prime Minister's announcement of the \$500 million HIH bailout package through the establishment of a private company to process claims. What benefit will this taxpayer funded package be to the single income family in Toowoomba who filed for bankruptcy on legal advice last week because they could not afford to defend a claim against them by a former tenant? Hasn't the Howard government's backflip come too late for this family and probably many others?

**Senator ALSTON**—The last thing we want to be doing here is making judgments based on individual circumstances. Clearly, the government have acted as quickly as possible to ensure that we have a comprehensive package of initiatives and compensation in place. It has been a very difficult and complex exercise and one that has redounded to the great credit of Mr Hockey. The arrangement that will allow a claim support company that is a nonprofit company to be set up by the industry with the support of QBE,

NRMA and Royal Sun Alliance is something that is very significant indeed.

**Senator Conroy**—Come on, how are you going to help this family?

**The PRESIDENT**—Senator Conroy, cease shouting.

**Senator ALSTON**—The Labor Party are essentially trying to undermine a package of very significant compensation arrangements. These are very generous in the scheme of things. You have to strike a balance between the interests of taxpayers and ensuring that people are not left high and dry and that you have a very generous means test. That is what this does. It overwhelmingly caters for the vast majority of claims that are likely to be made. If Senator Conroy is implying that every claim ought to be met automatically, that there should not be any testing of claims for damages—

**Senator Conroy**—What do you mean 'damages'? They've had to file for bankruptcy!

**The PRESIDENT**—Senator Conroy, this is not the time to be debating the matter across the chamber.

**Senator ALSTON**—The Labor Party would say that there have been some months in which to devise an alternative approach on this issue. We have announced a very comprehensive package of measures and what do we have in response? We have a deafening silence—no alternative approach. They are never prepared to say that this is very good news and that this is very much in the interests of the overwhelming bulk of policyholders.

**Senator Conroy**—You've been dragged to this screaming and kicking.

**Senator ALSTON**—I see you are one of the dry right-wingers, Senator Conroy. Senator Conroy is described as one of the dry right-wingers that will keep Labor honest—he and Mr Crean. Mr Crean is the guy who was out there only a few days ago, saying that he was not in favour of a royal commission. That is his position. You talk about being dragged screaming and yelling—we still have not got there as far as the Labor Party are concerned; they have not signed on to this package. Where is the an-

nouncement saying that this is good news? When are we going to stop playing the politics and worry about why people are hurting out there? Don't you understand that there are something like 28,000 claims extant, and those claims can only be addressed in a very comprehensive and detailed way, in the manner of our announcement yesterday?

That is what is so disappointing and why the Labor Party, in its heart of hearts, ought to be absolutely terrified. It has demonstrated, over more than five years now, that it is too policy lazy. It is prepared to try and look for cheap shots and to try and find a few minor criticisms on the fringe but it is never prepared to come up with the solutions. It does not have an approach. It does not have any alternative ideas because, at the end of the day, it is not interested in that. As long as the Labor Party can undermine the government, it thinks the job is done. Of course, it is not. The Australian public expect a lot more than that and, as we have seen, tonight is the night. The real game starts tonight, because our budget will be on the table.

**Senator Conroy**—Bounce the ball.

**Senator ALSTON**—It is the bounce of the ball for you. This is real time; the silly season has finished. Now you will have a chance to come up with your alternative. And do not pretend you do not have the time to do it. (*Time expired*)

**Senator LUDWIG**—Madam President, I ask a supplementary question. Will the private company being established to administer the \$500 million taxpayer funded HIH bailout be fully accountable to parliament and the Senate estimates process? Will it be accountable to the Commonwealth Auditor-General? And will it be accountable to financial system regulators APRA and ASIC?

*Honourable senators interjecting—*

**The PRESIDENT**—Order! The Senate will come to order before we proceed. Discussions across the chamber are disorderly and we are waiting for them to cease.

**Senator ALSTON**—This is a non-profit company. I would expect it—along with the other 1.2 million-odd companies—to be accountable and therefore under the supervision of ASIC, which has the responsibility

for investigating, and APRA, to the extent that there are prudential and regulatory requirements in place. What is being put here is that, rather than worrying about the way ahead and how you can actually address the concerns, what you want to do is to bring an Australian company before the estimates committee so you can crawl all over it. That is what you want to do, before it has even been established and before there is any suggestion of any difficulty.

*Honourable senators interjecting—*

**The PRESIDENT**—Order! There is too much noise in the chamber. The Senate will come to order before we proceed.

**Senator ALSTON**—There will be every opportunity for all those seriously interested in exploring the issues to investigate the merits of the \$500 million proposal—and I hope you have an alternative approach.

#### **Rural and Regional Australia: Initiatives**

**Senator WATSON** (2.17 p.m.)—My question is directed to the Minister for Regional Services, Territories and Local Government, Senator Ian Macdonald. Will the minister advise the Senate of any recent government initiatives which will benefit communities in rural and regional Australia? Is the minister aware of any alternative policies?

**Senator IAN MACDONALD**—Senator Watson is one of those Liberal senators who represent country Australia, and I know he will be delighted to hear of the new initiatives. Unlike the criminal neglect of country Australia that the Labor Party embarked upon over 13 long, hard years, the government have done a lot of work in rural and regional Australia. On top of the \$1.7 billion that the government have provided for the dairy industry, we have just in the last couple of days announced an additional \$140 million for the dairy industry, which became necessary because the state governments—all of them Labor—refused to contribute to the dairy farmers who were experiencing difficult times.

In addition to that, the federal government's Regional Solutions Program has had 850 applications for assistance, and already 101 applications have been funded. In our

Rural Transaction Centres Program, 380 communities are already involved and 73 have actually been approved. I am delighted that—and I thank them very much—Senators Tchen, Tambling and Abetz opened another three rural transaction centres since we last met. I assume from Senator Abetz that Senator Mackay took up my invitation to attend the—

**Senator Abetz**—No, she didn't.

**Senator IAN MACDONALD**—She didn't?

**Senator Abetz**—No, she did not.

**Senator IAN MACDONALD**—She did not attend the one at Port Arthur?

**Senator Abetz**—No.

**Senator IAN MACDONALD**—Well, I suppose it is an hour away from her office in the capital city of Tasmania, and I suppose it was a bit hard for her to get there. But I am disappointed, Senator Mackay, that as the opposition spokesman on these matters you were unable to attend that opening. But I do thank Senator Abetz and Senator Calvert for opening that Port Arthur centre. In addition to that, 500 councils have already received \$62 million from the federal government's Roads to Recovery program, a \$1.2 billion program to help local governments with their local roads. As Senator Alston has said, \$163 million has gone to better mobile phone access, faster Internet access and improved delivery of education and health services in country Australia. That has been opposed by Labor.

I am asked by Senator Watson if I am aware of any alternative policies. In spite of what Labor may well promise in the months ahead, you should have a look at their record. Labor's record in country Australia included the abolition of the analog mobile phone network without any plans for a replacement. In addition, in the Labor years almost 300 post offices were closed in country Australia. So that is the Labor record. As for their alternative policies, I am not aware of any at all. In fact, Labor have opposed every single initiative the Liberal-National Party government has proposed for country Australia—every single program. The telecommunications program and the Rural

Transaction Centre Program were opposed. The Natural Heritage Trust, which puts a lot of money into country Australia, was opposed by the Labor Party. The Rural Transaction Centre Program, putting money and services back into the bush, was opposed by Labor. I might conclude by quoting from the *Yarram Standard* newspaper, which talks about the opposition spokesman. That newspaper says:

Senator Mackay goes on to make further criticism of the federal government's failure to deliver on the RTC program, but if she could visit—

*(Time expired)*

#### HIH Insurance

**Senator O'BRIEN** (2.22 p.m.)—My question is directed to Senator Alston, the Minister representing the Prime Minister.

*Senator Bolkus interjecting—*

**The PRESIDENT**—Order! Senator Bolkus, Senator O'Brien has the call.

**Senator O'BRIEN**—Following the Prime Minister's announcements regarding the first home owners GST grants program, can the minister confirm that it is a government requirement that construction commence within four months of any application? Is the minister aware that a number of builders have failed to commence construction or have stopped work because they no longer have warranty insurance coverage as a result of the HIH collapse? Will the Howard government make special provisions for people who have applied for a grant under the government's first home owners scheme and whose home construction commencement has been held up by the collapse of HIH?

**Senator ALSTON**—I am not aware of whether there are some builders who have not been able to commence construction within a four-month period—

**Senator Conroy**—Try staying awake in cabinet!

**Senator ALSTON**—I have actually been concentrating on my work.

**The PRESIDENT**—Order! I remind Senator Conroy of the provisions of standing order 203.

**Senator ALSTON**—There are arrangements in place. Where builders have policies

that have lapsed and they have not taken out other insurance arrangements, presumably they are within the jurisdiction of the state government whose building liability warranty scheme would govern these arrangements. In those circumstances, I would expect the state governments to be addressing that issue.

**Senator O'BRIEN**—Madam President, I ask a supplementary question. I remind the minister that the question is about this government's GST home grants scheme. Given that the HIH royal commission announced yesterday is just another in a long line of Howard government backflips, will the government also back down on the current anomaly where Centrelink recipients, who have qualified for the first home owner scheme grant, are being subject to liquid assets waiting periods, even though the grant is meant to compensate them for the Howard-Costello GST levied on their new homes?

**Senator ALSTON**—As I understand it, the entitlement to claim the additional amount, up to \$14,000, is available until the end of this calendar year. In those circumstances, of course, it is open to a home owner to make alternative arrangements if a particular builder is not in a position to proceed for a range of reasons. I am not quite sure what Senator O'Brien's point was about backflips. This sort of rhetoric can get you a certain distance and it can distract attention from the fact that you do not have any policies. It can fill up a few inches of column space but, at the end of the day, it is no substitute for having policies. We have six months to go—

**Senator O'Brien**—Why don't you answer the question?

**Senator ALSTON**—The question related to backflips. You haven't got much to backflip on, son, because you have never really been anywhere. *(Time expired)*

#### **HIH Insurance**

**Senator MURRAY** (2.26 p.m.)—My question is to the Assistant Treasurer, Senator Kemp, and it also relates to the HIH collapse. Minister, are you aware that three directors of HIH are competent accountants as former partners of a major accounting firm—

coincidentally, the same accounting firm responsible for the most recent audit of the company's financial statements? Are you aware that the auditors found that accounts, which represented the company as well and truly solvent, were certified by that firm as presenting a true and fair view of the company's accounts only months before it became clear that the company was well and truly insolvent? Would the minister agree that this is surprising, to say the least? Will the terms of reference of the royal commission include an inquiry item as to whether the company's auditors were unduly influenced by members of the board?

**Senator KEMP**—Let me make a number of comments on that question.

*Opposition senators interjecting—*

**The PRESIDENT**—Order! Senator Kemp, would you just wait? There is too much noise in the chamber.

**Senator KEMP**—The first point I want to make, and this is relevant to the matters raised, is that ASIC is investigating HIH's corporate governance, market disclosure and possible insolvent trading. The matters raised by Senator Murray may well come under that issue. The APRA inspector will examine the solvency and other financial affairs of HIH and, of course, the terms of reference of the royal commission will be determined in due course. We would want the royal commission to ensure that it deals with all the fundamental issues in relation to this collapse.

*Opposition senators interjecting—*

**The PRESIDENT**—Order! Senators can ask questions at the appropriate time. Shouting across the chamber is disorderly.

**Senator MURRAY**—Madam President, I ask a supplementary question. Is it not time that the government mandated that public company auditors be appointed either by an independent corporate governance board chosen by a company's shareholders or, in the absence of that, by the Australian Securities and Investments Commission? Does not the minister recognise that such a requirement would remove any connection between the directors of a public company and a firm of accountants? Does the minister accept the obvious conflict of interest in



boards deciding on auditors, since he who pays the piper calls at least some of the tunes? Will consideration of such a requirement be specifically included in the terms of reference of the inquiry that the Prime Minister recently announced?

**Senator KEMP**—Let me again make a number of comments. Auditors of public companies have to observe various legal requirements that attach to auditing. They have particular responsibilities, Senator, which they cannot avoid. You may raise issues as to whether the appointment procedure should be changed, and that is a view you may hold; others may have a different view. The point is that auditors have particular legal responsibilities which they must observe.

#### HIH Insurance

**Senator CHRIS EVANS** (2.30 p.m.)—My question is to Senator Vanstone, the Minister for Family and Community Services. Can the minister confirm just how Centrelink is assisting people who are in difficult circumstances as a result of the collapse of HIH? Can the minister explain the criteria that will be used in assessing eligibility for Centrelink payments, including the relevant assets and income thresholds?

**Senator VANSTONE**—Yes, Senator, I can assure you that Centrelink is doing everything it can to help people who might be affected in this respect—absolutely everything. In relation to the assets, I can get back to you with some detail on that, but, if you just bear with me for a second, I will give you the number of a hotline that was established, which is 1800 050 015. As a matter of interest, Senator—and I cannot explain this, because I think the hotline was necessary—the original calls peaked at 363 calls a day on 16 May and have now dropped down to 20 a day. In a sense, I thank you for the question. If it gets any publicity, it will at least highlight the 1800 050 015 number for people to ring, but I think that drop-off indicates that there is perhaps a smaller number of people whose payments are affected in this context.

Centrelink is, of course, giving priority to fast-track claims for income support. No-one in genuine hardship is denied income support. Salary continuance policy holders may

be able to get income support from Centrelink while new arrangements are being put in place with insurers, subject to other—that is not HIH—income and assets arrangements. Investors in HIH shares and securities can have zero value of investments counted for income and assets tests for income support payments.

If there is any further information you want, Senator, I will be happy to give it to you, but I can assure you that the Centrelink staff have been doing everything they can, but I do think that the help-line number calls falling off from 363 to 20 a day indicates that there is far less of the group affected by HIH than we originally thought. I think that is a good thing.

**Senator CHRIS EVANS**—I have a supplementary question. I thank the minister for her answer. I also am a bit puzzled by the figures she relayed. Minister, I understand that you have tried to deal sensitively with that issue, and I just wonder why the government has not required Centrelink to use an equal amount of sensitivity when dealing with the victims of the Western Australian finance brokers scandal who did not receive this sort of treatment, given their difficulties.

**Senator VANSTONE**—Senator, I am not familiar with the matter to which you refer, but I will be very interested to see what the Western Australian state government have done. The fact that you are frowning indicates to me yet again that you have a headache or are confused, or do not in fact want the state government to have to accept any responsibility. Through you, Madam President, can I make this clear to the chamber: Centrelink is there, of course, to do all it can to help people who are in need. But let us make one thing clear, Madam President: the federal government and its agencies are not there solely to pick up what the states get wrong.

#### Reserve Bank

**Senator BROWN** (2.33 p.m.)—My question is to the Assistant Treasurer, Senator Kemp. He will be aware of an article relating to the Reserve Bank in the *Sunday Age*, and I ask: will the government move to ensure that the pecuniary interests of the eight members

of the board of the Reserve Bank are placed on the public record, and, if not, why not? In view of the fact that the Commonwealth Authorities and Companies Act requires members of the board to inform each other if they have an interest in a matter being discussed, is the government aware through the minutes that such a declaration has occurred at a bank board meeting? If not, will it find out and inform the Senate how many times over the last five years such a declaration has occurred during the deliberations of the board?

**Senator KEMP**—I will have to check on this, Senator, but my understanding is, of course, that the pecuniary interests of members of the board are filed. They are not public, as far as I am aware, but I will check on that for you. As to the other matters that you have raised, it seems to me that we are fortunate in this country, particularly with the people who are appointed to high public office, and particularly those on the Reserve Bank board, but I am not aware of any problem which has emerged in this area through conflicts of interest. I will check to see whether there is anything I can add to that answer. I know that the minutes of the Reserve Bank board are not made public. There is, of course, as you would be aware, a debate about that particular issue—whether they should be or they should not be. This is a matter which has been canvassed for quite a long period of time and there has been no decision made on that. If there is anything I can add to my answer, Senator, in relation to the matters you have raised and the declarations, I will come back to the chamber.

**Senator BROWN**—Madam President, I ask a supplementary question. I can inform the minister, through you, Madam President, that the pecuniary interests of the Reserve Bank board members are not made public, and I ask: in view of the fact that their US equivalent members do make their pecuniary interests public, will the government move to emulate the American transparency? Secondly, will the government look at creating an opaque trust into which members of the Reserve Bank board place their investments for the time in which they are on the board,

considering the very extensive business interests of all eight members of the board?

**Senator KEMP**—I think there is an argument that it is important to have people with business experience on the board, and I would have thought that that was a commonly held view. The fact of the matter is that someone in business will have particular interests. As I have mentioned, there are arrangements in place so that those people do file those interests. Senator, you would go a significant step further: you would like to go down further what you mark out as the American road. As I have said, there have been debates about this issue, Senator. I will bring your views to the Treasurer, and if he has any further comments that he wishes to make I will pass them on to you, Senator.

#### **HIH Insurance**

**Senator FAULKNER** (2.37 p.m.)— My question is directed to Senator Vanstone, the Minister for Family and Community Services. Is the minister aware that, as late as the April/May edition of its publication *Age pension news*, her department was running advertisements for Over 50s Insurance, an organisation underwritten by HIH Insurance? Will the Howard government consider compensating those pensioners who have decided to use this insurance product, with apparent official imprimatur through this Commonwealth publication?

**Senator VANSTONE**—I often wonder about that hymn that goes 'All things bright and beautiful, all creatures great and small, God made them all.' I look at Senator Faulkner and think it cannot be true! But, yes, Senator, I am aware—

*Opposition senators interjecting—*

**Senator VANSTONE**—He is an exception to the rule.

*Opposition senators interjecting—*

**The PRESIDENT**—Order, Senator, I cannot hear. The Senate will come to order.

**Senator VANSTONE**—Madam President, I sponsor an Indian porcupine at my zoo. The reason I sponsor it every year is because no-one else loves it; somebody has to love it. So, Senator Faulkner, there is somebody out there for you somewhere. I am

sure of that; no-one behind you, incidentally, but do not worry about that. The *Age pension news* did include paid advertising—not sponsorship by the government—relevant to older Australians.

**Senator Jacinta Collins**—Did the news-letter announce that?

**The PRESIDENT**—Order, Senator! You do not have the call.

**Senator VANSTONE**—The March-April edition of the *Age pension news*, which is a much relied on information source to pensioners, did include advertising for the Over 50s Insurance Agency, which was previously underwritten by HIH and which since 22 March this year has been underwritten by Allianz. When the HIH situation became known, immediate action was then taken by Centrelink. Call centres and customer service centres immediately were notified to ensure correct information for any customer inquiries. The March-April edition had already been printed and it was impossible to include an update. The Over 50s Insurance Agency confirms that business is now being underwritten by Allianz.

**Senator FAULKNER**—I have a supplementary question. Does the *Age pension news* contain any disclaimer about Commonwealth responsibility for any advertisements that appear in *Age pension news*? This is as a result of either Centrelink or the department.

**Senator VANSTONE**—I am just advised by my colleague Senator Newman that they did in the past. I would not like to say whether this particular edition did or not, without checking. I will do that and advise Senator Faulkner.

#### **Australian Federal Police**

**Senator BRANDIS** (2.40 p.m.)—My question is directed to the Minister for Justice and Customs, Senator Ellison. Will the minister advise the Senate of the results the Australian Federal Police have delivered with the Howard government's significant investment in Commonwealth policing? Is the minister aware of any alternative policies?

**Senator ELLISON**—That is a very good question from Senator Brandis. The fact that

the Australian Federal Police is a first-class law enforcement agency is largely due to the professionalism of the men and women who serve in the AFP. But it is also thanks to the great financial investment made by the Howard government in the Australian Federal Police. Since coming to office, we have invested \$1.4 billion in the Australian Federal Police. When you look at the press reports by News Ltd papers and also by the opposition spokesman, Mr Kerr, in relation to funding being slashed, you can just see the hypocrisy of this. Look at the fact that in the last four years of the Labor government, new money for the AFP totalled \$13 million. Compare that to this government injecting \$374 million of new money in the last four years.

What is equally outrageous is the fact that the opposition is trying to say that this government does not have a plan for law enforcement and that it is ad hoc. Let us just look at what we are doing: introducing legislation for the proceeds of crime to be confiscated at a federal level and broadening that to make it easier to access and confiscate the proceeds of crime, particularly in relation to organised crime; new powers to fight organised crime and people smugglers; and modern cyber crime laws to be introduced by this government in view of the emerging trend that we see internationally in hacking into computer systems and computer viruses. Also, the Howard government has committed \$50 million to CrimTrac, the national DNA and fingerprint database that will revolutionise the way policing is conducted in Australia.

This is a strategy for Australia for law enforcement in the modern times we find ourselves in. This is a modern strategy to fight organised and serious crime which the previous Labor government never, ever had. We will continue to support the Australian Federal Police and our law enforcement agencies such as Customs. In fact, over \$500 million has been invested on the Tough on Drugs strategy by the Prime Minister. What have we had from Labor? We have had a 10-point 'soft on drugs' plan where in the whole document you do not even get one page on education. In fact, you get a rehash of diversionary programs which are being run by

state governments across the country. What do you get in relation to law enforcement? You get nothing new in relation to law enforcement and fighting organised and serious crime in relation to drug trafficking.

The results of our financial investment in the AFP are evident in the drug seizures that we have seen. In fact, there have been 5,000 illicit drug seizures by the Australian Federal Police since the Howard government came to power—seizures of illicit drugs weighing in the region of 4.2 tonnes. All this has been as a result of the dedicated professionalism of our Australian Federal Police men and women and the funding we have given them to do the job.

This government is committed to law enforcement, unlike the Labor opposition. So when they get up and say we do not have a strategy, let us see where their strategy is. They do not have one. Let us see where they are going to fund the Australian Federal Police. Let us look at their record—\$13 million of new money in their last four years of government compared to \$374 million of new money in the last four years by this government. That shows a real commitment to law enforcement by the Howard government. *(Time expired)*

**Australian Prudential Regulation  
Authority: Insurance Industry Reforms**

**Senator SHERRY** (2.45 p.m.)—My question is to Senator Kemp, the Assistant Treasurer. Could the minister explain why, in its year 2000 annual report, the Australian Prudential Regulation Authority stated that it did not expect that the new standards for the insurance industry would be introduced until mid-2002, despite the fact that a review of these standards began in September 1999? Why did the Howard government delay those reforms, when its own Reserve Bank governor said that the problem with insurance was that the act gave the industry ‘enormous flexibility’ and gave ‘APRA very little power to do the sorts of things that you could do with bank supervision’? Why has it taken the devastating collapse of HIH Insurance for the government to give any indication that such reforms will be implemented sooner? Isn’t this just another massive

backflip from a mean and tricky government?

**Senator KEMP**—In view of the rather unfortunate end to that question—a very highly political end, one which I do not think was worthy of Senator Sherry—let me quote Mr Della Bosca on Labor’s Mr Beazley. Mr Della Bosca said that Mr Beazley could not be believed. I am afraid that is the general problem with the Labor Party on every issue—the Labor Party simply cannot be believed. The Labor Party—as the Acting Leader of the Government in the Senate, Senator Alston, pointed out—is devoid of real policy.

*Senator Sherry interjecting—*

**Senator KEMP**—You decided to attempt to make a pathetic political point. If you wish to go down that road, you must expect a response. That has generally been my practice. Let me make the point: these matters come under the responsibility of Mr Joe Hockey.

*Opposition senators interjecting—*

**Senator KEMP**—They do. They come under the responsibility of Mr Joe Hockey. In view of the quality of your question, Senator Sherry—in particular, the impolite way in which you finished it—I am somewhat loath to respond but, because I believe in treating the Senate with great courtesy when responding to questions, I will draw your question to the attention of Mr Hockey and will provide you with a detailed response as soon as practicable.

**Senator SHERRY**—‘Courtesy’ means actually trying to answer the question. Madam President, I ask a supplementary question. Is the minister aware of comments by the Minister for Financial Services and Regulation, Mr Hockey, that the government delayed important reforms to the supervision of insurance, mooted as early as 1999, because of resistance by the industry? Is Mr Hockey trying to blame the industry for his own failings, or has the government caved in yet again to the big end of town?

**Senator KEMP**—Mr Hockey has acted with great speed and behaved with propriety. Rather than being the subject of attacks from you, Senator Sherry, I think Mr Hockey’s efforts in bringing together this complex

package should be praised. I think his work, and his performance in dealing with a very complex problem, should receive praise rather than abuse.

**Veterans: Maralinga**

**Senator ALLISON** (2.49 p.m.)—My question is to the Minister representing the Minister for Veterans' Affairs. Minister, in the light of admissions by the British government in the last few weeks that Australian servicemen were deliberately exposed to ionising radiation at Maralinga in the 1950s, will your government now provide proper pensions and compensation for those veterans and their families?

**Senator MINCHIN**—I thank Senator Allison for her question. This matter has arisen because of the recent publicity obtained by Ms Rabbitt Roff in relation to certain documents that were released. As I am advised, those documents were available to the 1984-85 McClelland royal commission and were analysed carefully by the commission in its report, and the National Archives made those documents open to the public in March 1986—in other words, there is nothing really new in all of this. The Department of Veterans' Affairs has checked its records and, according to the documents, the 25 Australians who received the dangerous dosage were all commissioned officers. Of the 25 the department can confirm, 14 are deceased and 11 are believed to be alive. Of the 17 for whom we have been able to locate any health records, only three have developed a cancer.

If any Australian veteran has suffered from an illness or injury related to service during this nuclear testing program, there are a number of avenues open for compensation under the Safety, Rehabilitation and Compensation Act 1988. Such claims are now administered by the Military Compensation and Rehabilitation Service, under the Department of Veterans' Affairs on behalf of the Department of Defence. There is also the special administrative scheme administered by the Department of Industry, Science and Resources. That scheme provides compensation to test participants who have developed multiple myeloma or leukaemia other than chronic lymphatic leukaemia. Since 1995,

compensation was only provided if the leukaemia had developed within 25 years since participation. There are, of course, common law claims through the courts. The recent revelations do not really change the facts. Our government and the previous government put in place appropriate arrangements to deal with any veterans affected by those tests.

**Senator ALLISON**—Madam President, I ask a supplementary question. I thank the minister for his answer, but I asked him about the admissions of the British government and not about the revelation of the documents, which I am aware were known at the time of the royal commission. I note the minister's answer about compensation, but isn't it the case that the royal commission in the 1980s recommended shifting the onus of proof with regard to compensation and proper compensation not just for veterans but for indigenous people and other civilians and workers in the area? Will you now undertake a study as a matter of urgency into the health effects of exposure on these people and their families at Maralinga, Monte Bello and Emu? Will you also conduct an investigation into the ongoing denial by Australian governments that Australians were not used as guinea pigs?

**Senator MINCHIN**—These issues are very old. There is nothing new in what has been revealed. These issues have been adequately dealt with over a very long period by both the previous government and ourselves. We believe the compensation arrangements that we have in place are appropriate. Of course, we have enormous sympathy for those affected by this. That is why these arrangements, which we believe are comprehensive and adequate, have been put in place.

**Australian Prudential Regulation  
Authority: Staffing**

**Senator CONROY** (2.52 p.m.)—My question is to Senator Kemp, the Assistant Treasurer. I ask the minister whether he is aware that the chair and the CEO of APRA in their 2000 annual report state:

As part of the restructuring process and the consolidation of APRA's head office in Sydney a number of experienced staff left the organisation.

How many experienced staff left APRA in its early stages? How many staff from APRA's precursor agencies, the ISC, the Reserve Bank and the various state authorities, have quit rather than move to APRA? Was the loss of these staff the reason APRA spent \$11.3 million of its \$19.8 million establishment budget on abnormal staff expenses, including redundancies and training for inexperienced recruits?

**Senator KEMP**—I will make a couple of observations first. My memory is that the Labor Party was strongly supportive of the creation of APRA. My memory is that APRA arose out of the Wallis inquiry, and I believe the Labor Party—if I am wrong, I am sure Senator Conroy will correct me—was very strongly supportive of the changes that were brought into place in relation to APRA and ASIC. That is the first point I would make, and I think it is an important point.

It is the responsibility of APRA to make sure that they have the people in place to carry out the job for which they have been tasked. If APRA have concerns in those areas, APRA would draw those concerns to the government's attention. As a result of the various inquiries that are under way—and, of course, the royal commission—a whole range of issues will be explored. I will check the actual numbers involved and come back to the Senate with those numbers. I am not sure whether the figures that have been given to me by Senator Conroy are correct. Given his practice on previous occasions of giving selective quotes, Senator Conroy would appreciate that I would want to check closely his comments.

**Senator CONROY**—Madam President, I ask a supplementary question. Minister, what role did the loss of experienced staff play in the dismal failure of APRA to properly enforce prudential regulation in the financial sector? Does the minister agree with the Treasurer's claim in March 1998 that, under APRA, 'Australia will have a stronger regulatory regime designed to better respond to developments in the finance sector'? Is it not a fact that Mr Costello was directly responsible for the legislation establishing APRA in early 1998 and therefore has his fingerprints all over the dud regulator which has failed

Australian businesses, shareholders and consumers?

**Senator KEMP**—Much of the content of that question was taken up with Senator Conroy trying to prejudge the results of the various inquiries that are under way. One wonders, as Senator Alston said, why, with Senator Conroy here, we need to have these particular inquiries, seeing that Senator Conroy apparently knows all the answers. As to the latter part of the question on the legislation which set up APRA and ASIC and dealt with the regulatory environment of this country, my memory is—and Senator Conroy could have confirmed this—

**Senator Conroy**—It won't save Hockey!

**The PRESIDENT**—Senator Conroy, stop shouting!

**Senator KEMP**—Senator Conroy did not demur when I said that the legislation setting up APRA was supported by the Labor Party.

**Senator Murphy**—That is not the point, you dope!

**Senator KEMP**—It wasn't supported?

**Senator Murphy**—It is not the point.

**Senator KEMP**—Oh, not the point! We pass a bill through the Senate and the Labor Party supports the bill and now the implication from Senator Conroy is that somehow it was a dud bill. (*Time expired*)

#### **Mining Industry: Government Policy**

**Senator TIERNEY** (2.58 p.m.)—My question is to the Minister for Industry, Science and Resources, Senator Minchin. Will the minister advise the Senate of any assessments of Australia's status as an investment location by mining companies, whose investment brings both jobs and exports? Is the minister aware of any alternative policies?

**Senator MINCHIN**—I thank Senator Tierney very much for that very good question. It is a fact that too many Australians, particularly those opposite, ignore the central importance of the minerals industry to Australia and indeed the international prestige and reputation of Australia's minerals industry. It is the only Australian industry that can be truly regarded as world class. The proposed merger of BHP and Billiton, a merger which, of course, we welcome—you

wouldn't have a clue what the Labor Party think about it; the Labor Party are absolutely all over the place on this very important merger, as they were and are on the Shell-Woodside issue—will mean that the world's largest diversified mining company will be headquartered here in Australia. It is the first time ever we have had a world-class company headquartered here in Australia.

The minerals industry employs directly and indirectly about 400,000 Australians and produces about 35 per cent of our exports. This world-class status of our industry was underlined by the recent global survey showing that Australia is now the best place in the world to invest in the resources industry. The latest annual American international group world risk survey finds that, for the first time ever, Australia is seen as the least risky country to invest in, ahead of our traditional rivals, Chile, Canada and the USA.

This result, which is a great result for Australia and one we should all be proud of, is a tribute to our government's determination to make Australia the most attractive place in the world to invest in. Our five years of very good economic management, which will be confirmed by the budget tonight, our tax reforms and, of course, our industrial relations reforms have produced this No. 1 ranking for the first time ever for Australia. I would remind you that our tax reforms take \$1 billion off mineral exports. That is the most important thing that is too often ignored about our tax reforms: the way in which we have removed tax completely from our exports, which is going to reduce production costs in the minerals industry by some four per cent. Our industrial relations reforms have been vital to the international competitiveness of the Australian mining industry.

This otherwise outstanding result is, of course, blighted by the fact that, in this same survey, Australia is ranked equal worst in the world, with Zimbabwe of all places, for the risk of land claims in relation to minerals investments. That ranking, a dreadful result, is a direct result of the former Labor government's—

*Opposition senators interjecting—*

**The PRESIDENT**—Order! Labor senators will observe the standing orders.

**Senator MINCHIN**—That ranking is a direct result of the appalling handling by the former Labor government of the High Court's decision on Mabo, and its determination over the last five years to do its utmost to prevent us cleaning up the mess that we inherited from the Labor Party. The original Native Title Act, rammed through the Senate in late 1993, was one of the worst pieces of legislation ever produced by the former Labor government. It has put an unworkable straitjacket on Australia's minerals industry. The real victims of that shemuzzle were Aboriginal Australians, who have suffered not only from the mess created but also from the impact on the mining industry. We did our utmost to clean up the mess that Labor left us. We were opposed at every step by the Labor Party. It was only due to Senator Harradine that we got any changes through the Senate. Labor has continuously tried to prevent the states introducing workable right to negotiate legislation under the amendments that we passed. The native title debate a few years ago saw the worst example of Mr Beazley's backflipping and his complete lack of ticker. When we announced our 10-point plan, Mr Beazley actually put out a press statement saying what a very good plan it was and that he could support it. (*Time expired*)

**Senator Alston**—Madam President, I ask that further questions be placed on the *Notice Paper*.

#### ANSWERS TO QUESTIONS WITHOUT NOTICE

##### HIH Insurance

**Senator VANSTONE** (South Australia—Minister for Family and Community Services and Minister Assisting the Prime Minister for the Status of Women) (3.02 p.m.)—Madam President, during question time I said would get back to Senator Faulkner—

*Senator Bolkus interjecting—*

**The PRESIDENT**—Order! Senator Bolkus, you are out of order, you have not had the call and you are standing in an aisle.

**Senator VANSTONE**—I am now able to get back to Senator Faulkner and complete

that answer. I indicate that, just as with the other issues, the March/April issue did contain a disclaimer indicating that the Commonwealth did not endorse and was not responsible for the views, products or services offered or provided by advertisers.

**AUSTRALIAN DEMOCRATS:  
LEADERSHIP**

**Senator BOURNE** (New South Wales) (3.03 p.m.)—by leave—Madam President, on behalf of the Australian Democrats, I announce—in case anybody missed it—that we have a new leader and a new deputy leader. Our new leader is Senator Natasha Stott Despoja and our new deputy leader is Senator Aden Ridgeway. I seek leave to table the Australian Democrats new federal parliamentary party portfolio distribution.

Leave granted.

**ANSWERS TO QUESTIONS WITHOUT  
NOTICE**

**Rural and Regional Australia:  
Telecommunications**

**Senator ALSTON** (Victoria—Minister for Communications, Information Technology and the Arts) (3.03 p.m.)—Madam President, it has been suggested to me that, in the course of my answer in relation to our response to the Besley inquiry, I said that one of our commitments in relation to mobile phone coverage was that all towns with a population of more than 50,000 would be eligible. If I did say that, I meant to say 500.

**Senator Faulkner**—Is it 500,000 or 500?

**Senator ALSTON**—No, it is 500.

**Australian Federal Police**

**Senator ELLISON** (Western Australia—Minister for Justice and Customs) (3.04 p.m.)—Madam President, in relation to my answer earlier, I believe that I might have said—

**Senator Faulkner**—Another correction.

**Senator ELLISON**—No, it is just setting the record straight. Madam President, I think I might have said \$374 million in relation to my answer in question time. The amount should be \$314 million, which is still 24 times the amount of funding that Labor gave the AFP.

*Opposition senators interjecting—*

**The PRESIDENT**—Order! The Senate will come to order and senators will stop shouting across the chamber.

**HIH Insurance**

**Senator CONROY** (Victoria) (3.05 p.m.)—I move:

That the Senate take note of the answers given by the Assistant Treasurer (Senator Kemp) to questions without notice asked today relating to the collapse of HIH Insurance Ltd.

What we have seen today is a government that has done everything it can to avoid facing up to the debacle that is APRA—its federal regulator. It has been dragged, screaming and kicking, to the inevitable conclusion of a royal commission. But, even today, it still has not been able to provide the terms of reference. We heard Senator Alston say, 'We weren't dragged screaming and kicking.' But let us look at the facts of what has occurred over the last couple of months since this debacle unfolded.

First of all, the government said that we should not have any bailout and that it was the policyholders who had to pursue the directors and the auditors. That was the government's first position when it came to dealing with HIH. Then the government said, 'Maybe we could have a bailout. But we can't have a bailout, because there are no details until after the provisional liquidator's report.' Remember that? We could not have a bailout, we could not do anything, until after the provisional liquidator's report.

Then we had the third backflip: 'Yes, we are going to provide details, but there is still a lot of information missing. But we are prepared to move before the liquidator's report.' So what did we have happening there? We did not need the information, as they told us for the first few weeks; they just did not have the political will or guts. That is what is at stake here: they did not have the political will; they just thought they could make it go away. Then they started saying, 'We can't possibly have a royal commission, because it would get in the way of the ASIC inquiry.' Remember that? We had the Prime Minister and the Treasurer saying no, and then Mr Hockey appeared in that now infamous in-



interview on the *7.30 Report*—and isn't it a pleasure to see Rod Kemp taken off the worst interview on the *7.30 Report*—

**The DEPUTY PRESIDENT**—Senator Kemp, please.

**Senator CONROY**—Senator Kemp, sorry. Isn't it a pleasure to see Senator Kemp has finally dropped down a rung in the worst performance on the *7.30 Report*.

**Senator Carr**—He has lost his title.

**Senator CONROY**—He has lost his title—that is right, Senator Carr. We all remember the surcharge, we all remember the famous interview about the casino high roller amendment. But Mr Hockey finally has taken Senator Kemp's guernsey as the worst interview. He went on to say, 'Of course there will be a royal commission,' only to be slapped down the next day by his Prime Minister, who said, 'No, of course we are not having a royal commission, because it would get in the way of the ASIC inquiry.' As Mr Hockey—or Hindenburg, as he is known to his affectionate friends—staggered on through last week, we saw his performance get worse and worse. He is a serial bungler. And so, yesterday, the government finally caved in. They finally faced up to what they have had to face up to. But, as I said, we still do not have the terms of reference.

As Mr Beazley and Kelvin Thomson, our spokesman in this area, have stated, the government cannot get away with confining and narrowing the terms of reference. Maybe they will appoint Senator Brandis to help with drafting the terms of reference. He has been doing a great job on the Queensland Liberal Party constitution; maybe they will bring him in to help. But do not think, Senator Brandis, that you can get away with a royal commission that does not include the actions of the Howard government ministers and advice given to them by APRA and ASIC. Do not think you cannot include the government's handling of insurance industry regulation issues, including a review of the Insurance Act since 1998, and any role played by the political donations of HIH in this debacle. Any role we have seen the Liberal Party Mafia in New South Wales, the bagman himself, Hindenburg Hockey—

**The DEPUTY PRESIDENT**—Mr Hockey, thank you.

**Senator CONROY**—Mr Hockey is the one who collects the dough from all of the Liberal Mafia in Sydney. He is their fundraiser; he is their bagman. For him to pretend he knew nothing about the donations by two of the biggest Liberal Party spivs in Sydney, Adler and Williams, defies belief.

All the attempts by this government to avoid scrutiny come back to the central question of HIH's political donations. In an article in today's *Financial Review*, Mr Tony Walker said, in relation to Mr Costello announcing the legislation to establish APRA:

APRA, which combined regulatory and consumer-protection functions previously vested in other supervisory bodies, was to represent best practice and, in Mr Costello's words, provide "strong prudential regulation to lessen risks". APRA would also provide "effective intervention to manage a crisis."

(Time expired)

**Senator BRANDIS (Queensland)** (3.10 p.m.)—For five minutes we have been listening to Senator Conroy's tirade, and I wondered how many minutes would have to pass before he mentioned the 28,000 policyholders. I thought that surely, in his tirade of ignorance, rabblousing and political point scoring, he would eventually address the really acute issue: the 28,000 people facing immediate hardship as a result of the HIH collapse. Remarkably, not once in the entire tirade did the policyholders rate a mention. Not once did the people suffering hardship rate a mention from Senator Conroy. Do you know why, Madam Deputy President? Because he is not interested. He skulks out of the chamber; he cannot bear to face the truth. He is not interested in the hardship, he is not interested in the pressing need to alleviate that hardship; all he is interested in is the politics and the point scoring.

Let me put the record straight. This is what the government's \$500 million package—which was announced promptly—will do. I hope people listening to the broadcast this afternoon will take note of this. The government has announced a package which will pay 100 cents in the dollar for Australian citizens or permanent residents who

have salary continuance policies and disability policies. The government will pay 100 cents in the dollar for personal injury claims where the insured is an Australian citizen, a permanent resident or an Australian small business. The government will pay 100 cents in the dollar for claims for a total loss on a primary place of residence where the insured is an Australian citizen or a permanent resident. The government will pay 100 cents in the dollar for claims where the insured is an Australian not-for-profit organisation. The government will pay 90 cents in the dollar for other claims where the insured is subject to an income test where the family taxable income is less than \$77,234, and it increases by \$3,139 for each additional child. A policyholder qualifies regardless of the size of their claim.

Secondly, where family taxable income is more than \$77,234—including \$3,139 for each child—the policyholder qualifies for assistance if the claim is more than 10 per cent of the family taxable income. As well, the government will pay 90 cents in the dollar where claims have been lodged for Australian businesses that have 50 employees or fewer.

Throughout the five-minute tirade from Senator Conroy, we did not hear a word about that. People listening to the broadcast of these proceedings, had they listened to Senator Conroy, would not have been informed of those measures which are addressed specifically to alleviate hardship in each of the seven categories of cases that I have identified. Rather, they would have heard an unseemly, grubby tirade of political point scoring and rabblousing.

Isn't it interesting that, at a time of real crisis and at a time when Australian families and Australian small business people are suffering from the worst corporate collapse in Australian history, one side of politics in this country—the government—has addressed itself to the priority of moving swiftly to alleviate hardship by, in a matter of weeks if not days, reconstructing one of the largest corporate entities in Australia to handle the outstanding claims. The other side of politics—the Labor Party—has taken absolutely no interest in participating in the de-

bate about how these cases of hardship might be addressed swiftly and sensitively; rather, it has played a blame game. It is looking only for the political dividend; it is not looking to the public interest and to the needs and interests of the policyholders. *(Time expired)*

**Senator O'BRIEN (Tasmania)** (3.15 p.m.)—Isn't it marvellous that Senator Brandis comes in here and complains about Senator Conroy for not dealing with one aspect of this matter in his five-minute contribution, when the cabinet of his own government took two months to discuss this matter! I draw Senator Brandis's attention to Saturday's edition of the *Courier-Mail*, a paper from his own state, which says just that. It says:

It took the cabinet almost two months to discuss the collapse, during which time fear spread among policyholders, many of whom are stranded in dire circumstances.

Senator Brandis, your government took not five minutes but nearly two months to get off its backside and do something. Why did it do that? The screams that were coming from the community for the last two months have been overwhelming. The calls for action have been enormous and at a crescendo. But what has this government done? It has done absolutely nothing, until now. What happened? Why was there such a change? Have a look at an article in the *Sun-Herald* of 20 May headed 'HIH—We're not taking it anymore. Survey reveals public contempt for corporate Australia.' What did the result of question 3 reveal? The article states:

Should there be a royal commission into the HIH collapse? Answer: yes, 74 per cent; no, 18 per cent.

So it was not the concerns, the losses, the calamity or the damage to the lives of the people that Senator Brandis claims this government are concerned about; it was the polling again. It was the poll-driven government—

*Senator Brandis interjecting—*

**The DEPUTY PRESIDENT**—Order! Senator Brandis, you have had your time to speak.

**Senator O'BRIEN**—saying, 'Never mind about the problems. The polling says we are losing on this one. We had better act.' After two months of doing nothing—not five minutes—the government says that we had better have a royal commission. To show you just how much this has been driven by the polling, one would have thought that if the government had been giving this serious consideration over the last two months they would have been a lot closer to announcing the terms of reference for a royal commission. But, no, they will tell us about that later. What did Senator Kemp say in question time today? He said, 'We will tell you in the fullness of time.' The Australian community needs to know whether the full concerns of Australians will be attended to in the terms of reference of this royal commission. Certainly there is nothing we can glean from the answers presented today which would indicate that there is any more in this package than an eye to the next poll.

The government have made a decision that the polling is wrong for them on HIH. How do they get this off the agenda? By saying, 'We will agree to a royal commission, but if we can stall a bit on the terms of reference it will not start until later in the year. We can stonewall on every question by saying, "We have referred it to a royal commission and we are going to put taxpayers' money up"—not the insurance industry's money up—"to pay these claims." This is going to sit there, and hopefully this is going to put a bandaid on this huge wound on the government's credibility until after the next election.' Well, I have got news for the government—that is, the Australian public is extremely cynical, not just about the business community, as this survey indicates, not just about whether business is selfish, which is what this survey indicates, but about this government's motivation for every action that they have taken, because each of those actions have been backflips. They have been in the face of statements that this was not the appropriate course of action. When it was clear that the polls were going against them, this government said, 'We had better change tack; we will throw some money here; we will make a decision there; we will do anything to try to hang on to government.'

But the reality is that you are not going to do it. You have no credibility on this. This backflip is just going to be seen, along with all of the others, as a desperate attempt by this government to get an issue off the table before the elections. Frankly, no-one in Australia will have any confidence that a royal commission, under this government, will lead to the proper answers being found. But I can tell you this: when Labor wins after the next election we will make sure, because you will fix it. (*Time expired*)

**Senator FERGUSON (South Australia)** (3.20 p.m.)—Having listened to Senator Conroy and Senator O'Brien, one can only assume that they do not support a package that actually helps those 28,000 policyholders who have been affected by the collapse of HIH. There was not one word from Senator Conroy, as my colleague Senator Brandis pointed out, about the 28,000 policyholders who have been affected by the collapse of HIH. Senator Brandis reminded Senator Conroy of the fact that he was not concerned about them and then Senator O'Brien got up—and how often did we hear from Senator O'Brien about the 28,000 policyholders? Not once—and, like Senator Conroy, Senator O'Brien makes his brief contribution and goes out the door as quick as he can go. It is very easy being in opposition. You can make any amount of irresponsible statements and any amount of irresponsible decisions and have no worries about going through the proper processes and arriving at a decision.

When Senator O'Brien talks about a *Herald-Sun* poll where a considerable number of people think there should be a royal commission, what happens? The Labor Party, having the luxury of being in opposition and knowing that they will never have to put into practice anything they say, can say, 'We'll have a royal commission—that is what we recommend,' whereas those in government who are responsible for putting all of these things into place have to go through the proper processes, which include making sure that you conduct an inquiry into every possible means before you arrive at a decision of what should happen. The government has been proactive all along, but it has to go

through these various processes before it can arrive at its decision.

Minister Hockey on several occasions has proactively sought advice from APRA as to the current situation. Not only that, APRA had advised the government that it did not receive any information from HIH that showed that HIH was insolvent at any time prior to HIH being placed in provisional liquidation. But there was not a word about that from Senator Conroy, who is supposed to be in a responsible position as a shadow minister, and not a word from Senator O'Brien about the issues of what had already taken place and what this government had already done.

We know that ASIC is now investigating HIH's corporate governance, as it should. We know that it is investigating its market disclosure and its possible insolvent trading, as it should. These things all take time and a proper process. Now, in addition to that ASIC inquiry, the government, in looking at all of the evidence that is available to it, has decided that it should establish a royal commission—not the day after it read a poll in the paper, like the Labor Party with no responsibility for their actions. The Labor Party can make policy overnight without consultation, but this government, taking everything into consideration, has decided to establish a royal commission. The one thing that this government will not do—which Senator Conroy and Senator O'Brien have done—is pre-empt the findings of any royal commission. All of the comments made by both Senator Conroy and Senator O'Brien are trying to pre-empt the reasons and the findings of a royal commission inquiry.

As far as I am concerned, the most important people are those 28,000 policyholders referred to by Senator Brandis. They are the people that this government is going to take care of. Senator O'Brien outlined the amounts those people are going to get. I think that it has been a very considered decision by the government to make sure that those who need help the most are the ones who will receive it. And there are some that this government has decided it will not give compensation to. There are some people who are excluded from the package, and I think

that it is important that we remember who those people are. Claims where the insured is not an Australian citizen or a permanent resident will be excluded from the package that this government has put together. Claims for reinsurance contracts, or in the nature of reinsurance contracts issued by HIH, will not be included in this package. We will not be paying claims to any insured who was a director or an officer or an associate of a director or an officer of any company within HIH three years before its failure. I think that is a fair sign of the government's integrity in this process, to make sure that those people who require compensation and those who need it most are the ones who receive the compensation from this government. It would do the Labor Party well to put some consideration into some of their statements before they decide they are critical of what the government is doing. I hope that the next speaker from the Labor opposition will tell us whether they support a package of rescue of those 28,000 policyholders. (*Time expired*)

**Senator SHERRY (Tasmania)** (3.25 p.m.)—To me there are two central and important issues amongst the many complex and very important public policy aspects in relation to HIH. The first is to secure the future of most—but not all—of the 28,000 policyholders who, in a society such as Australia, suffered loss in terms of salary continuance or sickness benefit or indemnity in respect of the construction of their home, and it is good public policy to ensure that those people are protected. The other aspect is the role of APRA and ASIC—the regulators. There are other issues but I think, front and centre, the role of APRA and ASIC will be an important and critical issue that has to be examined. Senator Ferguson led into one of the critical questions that needs to be asked—

**Senator O'Brien**—And he is leaving the chamber, too.

**Senator SHERRY**—Yes, he is leaving the chamber. I notice that he referred to you and to Senator Conroy leaving the chamber. He said that at no time did the minister ever receive any information that indicated that HIH was in trouble. Let us assume that that is correct. We do not know, and perhaps the



royal commission will indicate whether Minister Hockey knew more than he says. But if we assume that that is correct, why didn't the minister receive more information? It was the role of APRA and ASIC to inform the minister and the government—and, indeed, to inform the public and the policyholders—about problems that were emerging in HIH. The problems were so massive—it is the largest corporate failure in Australian history—that it seems unbelievable to me and to most other commentators that APRA and ASIC did not warn the minister and the government and, indeed, the public and policyholders. Why did this occur? We have some evidence and material on the public record. The APRA annual report for the year 1999 said:

The transition to the new organisation was not easy for many of them particularly for people who had enjoyed long and stable careers with their previous employer and for those whose jobs were to move from the former ISC's headquarters in Canberra to APRA's head office in Sydney.

The APRA annual report for the year 2000 said:

For many staff this involved a major reshaping of the jobs especially the front line supervisory roles. As part of restructuring and processing and consolidation of APRA's head office operations in Sydney a number of experienced staff left the organisation.

We look at the funding of APRA. The funding for prudential regulation in Australia has fallen from \$59.9 million in 1998-99 to a budgeted \$51.1 million in 2000-01. APRA and ASIC had much more work to do, yet there was a reduction in funding. In these two important areas—the maintenance of existing and experienced staff and the budget allocation to APRA and ASIC to carry out its role—the government was central in the policy determination that caused these problems. It is the Treasurer of this country, Mr Costello, who insisted that APRA should be located in Sydney. It was the Treasurer of this country, probably helped—if we can refer to it as that—by the Assistant Treasurer, Senator Kemp—who determined the budget allocation to APRA and ASIC.

We are criticised because we supported the legislation. Certainly we supported the legislation when it moved through the par-

liament, but who attempted to take the credit? Who initiated the creation of APRA and ASIC? It was the Treasurer, Mr Costello. I can recall the Treasurer, Mr Costello, before the 1996 election boasting about the need to create a world's best practice prudential regulator. Amongst other things, of course, he referred to foreign debt and the value of the Australian dollar, but this was, front and centre, his policy.

It is the Treasurer, Mr Costello, who created APRA and ASIC. He is on the record as saying APRA is:

... designed to improve the efficiency and competitiveness of the Australian financial system while preserving its integrity, security and fairness. Once implemented, Australia will have a stronger regulatory regime designed to better respond to developments in the finance sector ...

He goes on:

These reforms ... provide a launching pad for this government's drive to make Australia a leading business centre in the Asia-Pacific region.

He goes on and on. It is the creation of the Treasurer, Mr Costello. He has to take some of the responsibility. He is the one who claimed the credit for APRA and ASIC that he referred to as the magnificent edifice. This is one of the essential and critical issues that has to be examined in the forthcoming royal commission.

Question resolved in the affirmative.

#### **Veterans: Maralinga**

**Senator ALLISON (Victoria)** (3.31 p.m.)—I move:

That the Senate take note of the answer given by the Assistant Treasurer (Senator Kemp) to a question without notice asked by Senator Allison today relating to veterans affected by British nuclear tests.

I must say it was a predictable and shameful response. The minister says that it is all history, that there is no need for the government to consider this matter again, that it has all been dealt with, that there is compensation available for veterans who served in this area and that effectively the book is closed on this issue. There are a couple of points I want to make. Firstly, I understand the budget will announce some measures which will compensate prisoners of war who were in the

Second World War. It seems, if there is compensation relating to the Second World War, which is even earlier than Maralinga, that compensation for this is appropriate in this day and age. A couple of weeks ago, we had the German government announce that it would be finalising its compensation package for the Jewish people who were treated so appallingly during the Second World War. So I cannot possibly accept that this is history and that it is a closed book.

The worst point in the minister's response was that there was no acknowledgment that in the last few weeks the British government has actually admitted that Australian veterans were deliberately exposed to the fallout from these nuclear tests. Just a week or so ago, we had the shameful situation of governments suggesting that the exposure was just to the clothing and that it was not meant to look at the health effects on the men who were testing that protective clothing. We have been fed lies. The veterans have been put through not only terrible exposure but ongoing illnesses which affect their families as well as them. But this government keeps turning its back on that situation, as did the previous government.

I referred in my question to the royal commission. I will just read a couple of the recommendations of that commission. It said:

16.0.3 Most of the people exposed to ionising radiation at Emu, Maralinga and Monte Bello Islands are thus covered by this Act—

that is, the Compensation (Commonwealth Government Employees) Act 1971. It continues:

However, it is possible to identify other groups of people who are not so covered. These are people who worked at the test sites during and after the nuclear program and who may have been exposed to ionising radiation and who were not in the above categories of employment. This would include, for example, some day workers at the Kwinana construction company who remained at Maralinga after the explosion at One Tree and people employed in salvage operations. A further group of people includes some who were exposed to the Black Mist following the Totem 1 explosion, and the Milpuddie family.

16.0.4 The Royal Commission believes that access to the benefits of the Compensation (Com-

monwealth Government Employees) Act 1971, including the shifting of the onus of proof from the claimant to the Commonwealth imposed by sections 30 and 31, should be extended to include civilians not presently covered by the Act who were at the test sites at the relevant times, and to Aborigines and other civilians who were exposed to the Black Mist.

Back in 1989, Senator McLean, a Democrats senator, raised this at the first official atomic test anniversary at Monte Bello. He pointed out:

(ii) that it is estimated that only 12 nuclear veterans of more than 15 000 people involved in the program will qualify for compensation under the Government's recently announced provisions;

(iii) that Mr Doug Rickard, a civilian whose case was critical in triggering the McClelland Royal Commission, will not be compensated and that this illustrates the grossly discriminatory nature of the recent compensation provisions, and

(iv) that Mr Ric Johnstone, the first nuclear veteran to fight and win compensation, took 35 years to succeed and will retain, after legal costs and reimbursements, less than \$200 000 of the \$700 000 awarded to him ...

The point the commission was making is that the onus of proof should not be placed on the veterans concerned. There is ample evidence to show that, if you were in this area at the time when those tests were conducted, there is a grave likelihood that you would be affected by them. We have the situation at present where the Department of Veterans' Affairs is working to translate the information from the electronic version of the late 1980s, when the commission was held— (*Time expired*)

Question resolved in the affirmative.

### PETITIONS

**The Clerk**—Petitions have been lodged for presentation as follows:

#### **Australian Federal Police: Complaints System**

To the Honourable President and Members of the Senate in Parliament assembled: The petition of the undersigned shows:

Complaints made by Grahame Phillip Wheeler against the unlawful actions of the Australian Federal Police (AFP) Internal Security and Audit Section (ISAD) during 'OPERATION GRAFT' were not strenuously investigated by the AFP or adequately oversighted by the Commonwealth

Ombudsman's Office, which is charged with this serious responsibility.

The Ombudsman receives complaints either directly or forwarded to him by the AFP. It is common knowledge that the Ombudsman's Office has neither sufficient resources or in some cases, the investigative skills to undertake even a moderately complex investigation.

The Australian Law Reform Commission's Report 'Assessing the AFP complaints system'

ALRC82 3.86 The Commission has considered the Ombudsman's response but maintains its view that the performance of the Ombudsman's Office in the area of AFP complaints has been inadequate. As Professor Pearce has commented, any improvement since 1991 has been marginal and in 1991 the Senate Committee assessed the performance as clearly unsatisfactory. At 3.89: The Commission does not accept that this inadequate performance is explained by lack of resources and legislative limits.

Your petitioners therefore request the Senate should support a full Senate inquiry into:

(1) The biased and inadequate AFP investigation carried out into complaints made by Grahame Phillip Wheeler, JP (C.Dec) Queensland, about the unlawful actions of the AFP during Controlled Operation, 'CARIBOU' in 1993 and 'OPERATION GRAFT' in 1994.

(2) Inquire into the Ombudsman's ineffectual role in oversighting AFP investigations generally.

As both 'controlled operations' were conceived and carried out prior to enactment of the Crimes Amendment (Controlled Operations) Act 1996, both operations, although fully approved by the AFP, would after proper investigation, be deemed unlawful.

by **Senator Ian Macdonald** (from 30 citizens)

#### **Veterans: Insurance Superannuation Industry**

To the Honourable the President and Members of the Senate in Parliament assembled:

The petition of the undersigned shows:

The practice of certain Australian Insurance Companies indefinitely delaying or refusing to pay-out veterans of the Vietnam War in respect of lump sum monies owed to them following the veterans being made Totally and Permanently Incapacitated (T&PI), by the Commonwealth Department of Veterans' Affairs, (DVA), Brisbane.

Veterans attending the Keith Payne, VC, Psychiatric Unit, Greenslopes, Queensland, have stated

that after being made T&PI by DVA, for combat related Post Traumatic Stress Disorder, (PTSD), their insurers have either simply refused to pay or have delayed indefinitely the payment of the veteran's lump sum insurance contract pay-outs, connected to their superannuation entitlements. A number of veterans, (in excess of fifteen and rising) have been identified just in the Brisbane area and are owed in excess of \$1.5M. The true number of veterans so affected is unknown.

Veterans are complaining that they have been singled out because of their disabilities, lack of resources and power base. They argue that workers from the banking sector, i.e., are paid out on PTSD claims whilst veterans' claims are ignored even though they received their injuries in the service of their country.

Vietnam Veterans fear that unless something positive is done by the Government, insurers will continue their unethical practices and in the future disadvantage veterans of East Timor.

Your petitioners therefore request the Senate should:

Support a full Senate inquiry into the Australian Insurance Superannuation industry to ascertain the extent that insurers are discriminating against T&PI veterans suffering from PTSD.

Consider the best way to protect disadvantaged veteran's from unscrupulous insurance company practices following veterans lawfully being made T&PI under the law by the Commonwealth.

by **Senator Ian Macdonald** (from 65 citizens)

Petitions received.

#### **NOTICES**

##### **Withdrawal**

**Senator CALVERT (Tasmania)** (3.36 p.m.)—Pursuant to notice given on the last day of sitting, on behalf of the Regulations and Ordinances Committee, I now withdraw business of the Senate notice of motion No. 4 standing in the name of Senator Coonan for nine sitting days after today.

##### **Presentation**

**Senator Tierney** to move, on the next day of sitting:

That the Employment, Workplace Relations, Small Business and Education Legislation Committee be authorised to hold a public meeting during the sitting of the Senate on 24 May 2001, from 4.30 pm, to take evidence for the committee's inquiry into the provisions of the Workplace Relations Amendment (Transmission

of Business) Bill 2001 and the provisions of the Workplace Relations (Registered Organisations) Bill 2001.

**Senator Chapman** to move, on the next day of sitting:

That the time for the presentation of the report of the Parliamentary Joint Committee on Corporations and Securities on the provisions of the Corporate Code of Conduct Bill 2000 be extended to 21 June 2001.

**Senator Mason** to move, on the next day of sitting:

That the time for the presentation of the report of the Finance and Public Administration Legislation Committee on the Charter of Political Honesty Bill 2000 and three related bills be extended to 27 September 2001.

**Senator Watson** to move, on the next day of sitting:

That the time for the presentation of the report of the Select Committee on Superannuation and Financial Services on its initial terms of reference be extended to 27 September 2001.

**Senator Allison** to move, on the next day of sitting:

That the Senate—

- (a) notes the resolutions agreed by the Horsham Rural City Council, the Southern Grampians Shire Council and the Warrnambool City Council on 19 March 2001:
  - (i) that Telstra immediately stop offering redundancies in rural Australia,
  - (ii) that the Government use its majority ownership of Telstra to ensure this happens,
  - (iii) that all political parties in the lead-up to the next federal election state their position on the issue of government-funded jobs in rural Australia, and
  - (iv) that Telstra reveal the financial implications of operating call centres, particularly in rural areas and what the financial implications are of Telstra's employment policies in respect to rural Australia;
- (b) calls on the Government to publicly respond to those resolutions and to require Telstra to halt the proposed closure of Telstra Regional Directory Call Centres in Hamilton, Horsham, Warrnambool, Mount Gambier, Ararat and Swan Hill; and

- (c) reminds the Government of the importance of local Telstra Call Centres to the economic benefit and prosperity of these regions.

**Senator Heffernan** to move, on the next day of sitting:

That the Senate notes that—

- (a) this year marks the 15th anniversary of the world's worst nuclear disaster at Chernobyl;
- (b) on 26 April 1986, the Ukraine suffered one of its worst disasters leaving it and neighbouring countries reeling in nuclear turmoil, health problems and human suffering;
- (c) the Australian people remember those that perished and suffered as a result of the disaster;
- (d) since 1986, thousands have died and even today innocent children, youths, adults, and the elderly continue to suffer from the after effects;
- (e) the environmental ramifications caused by the release of radiation continue to impact on the people of Ukraine; and
- (f) the World Congress of Ukrainians and the Australian Federation of Ukrainian Organisations call on Australians to acknowledge this Day of Remembrance, gazetted by the Ukrainian Government in respect of those that suffered and perished in the disaster at Chernobyl in 1986.

**Senator Conroy** to move, on the next day of sitting:

That there be laid on the table by the Minister representing the Treasurer (Senator Kemp), no later than immediately after motions to take note of answers on 24 May 2001, all documents relating to representations made since March 1996 by, or on behalf of, HIH Insurance Pty Ltd and/or all associated companies, to:

- (a) any minister or parliamentary secretary of the Howard Government; or
- (b) the office of any minister or parliamentary secretary of the Howard Government; or
- (c) any agency of the Commonwealth Government,

in relation to any of the following matters:

- (a) proposed amendments to the *Insurance Act 1973*; or



- (b) proposals relating to the enhancement of prudential regulation of the Australian insurance sector; or
- (c) proposals relating to the enhancement of prudential regulation of the Australian financial industry.

**Senator Crossin** to move, on the next day of sitting:

That the time for the presentation of the report of the Joint Standing Committee on the National Capital and External Territories on the sale of the Christmas Island resort be extended to 24 September 2001.

**Senator Tierney** to move, on the next day of sitting:

That the Senate—

- (a) notes:
  - (i) the recent announcement that the Federal Government will provide \$80 million to widen the F3 Freeway between the Hawkesbury River and Calga in New South Wales, and
  - (ii) that the F3 Freeway is one of the busiest roads in Australia, with thousands of motorists using the road every day, and this funding will widen the two lanes into three lanes each way;
- (b) welcomes this funding, which will mean quicker travel times and safer journeys for motorists who use the F3, and who are currently facing congestion and common accidents, particularly between the Hawkesbury River Bridge and Mount White;
- (c) notes that this funding is part of the Federal Government's \$1.6 billion Roads to Recovery program, which is improving roads for all Australians in both city and country areas; and
- (d) commends the Member for Robertson (Mr Lloyd) who has worked tirelessly for his electorate to secure this funding, which will have a direct benefit for people living on the Central Coast.

**Senator Brown** to move, on the next day of sitting:

That the Senate—

- (a) notes the destruction of important forests in the Otway Ranges of Victoria;
- (b) supports the repeal of the Environment Protection and Biodiversity Conservation Act because it exempts

areas covered by Regional Forest Agreements from its operation; and

- (c) calls on the Government to ensure full protection of water quality and flows, biodiversity and forest ecosystems in the Otway Ranges.

**Senator Brown** to move, on 24 May 2001:

That the Senate, on the 50th anniversary of China's military takeover of Tibet, calls on Australian individuals, agencies and companies working in Tibet to ensure that they do not:

- (a) deplete natural resources, with little or no benefit to the Tibetan people;
- (b) facilitate the erosion of Tibetan culture and traditions;
- (c) facilitate the migration and settlement of non-Tibetans into Tibet;
- (d) negatively affect the sustainability of Tibet's ecosystems;
- (e) transfer ownership of Tibetan land and natural resources to non-Tibetans;
- (f) initiate and operate projects without the participation of affected Tibetans; or
- (g) facilitate large-scale, capital-intensive and commercial projects.

## BUSINESS

### Hours of Meeting and Routine of Business

Motion (by **Senator Ian Macdonald**)—by leave—agreed to:

That the hours of meeting for Tuesday, 22 May 2001 be from 2 pm to 6 pm and 7.30 pm to adjournment, and for Thursday, 24 May 2001 be from 9.30 am to 6 pm and 7.30 pm to adjournment, and that:

- (a) the routine of business from 7.30 pm on Tuesday, 22 May 2001 shall be:
  - (i) Budget statement and documents 2001-2002, and
  - (ii) adjournment;
- (b) the routine of business from 7.30 pm on Thursday, 24 May 2001 shall be:
  - (i) Budget statement and documents—party leaders and independent senators to make responses to the statement and documents for not more than 30 minutes each, and
  - (ii) adjournment;
- (c) the question for the adjournment of the Senate on each day shall not be proposed until a

motion for the adjournment is moved by a minister; and

- (d) on Tuesday, 22 May 2001, the Senate stand adjourned at the conclusion of debate.

### COMMITTEES

#### Legal and Constitutional Legislation Committee

##### Extension of Time

Motion (by **Senator Calvert**, at the request of **Senator Payne**)—by leave—agreed to:

That the time for the presentation of the report of the Legal and Constitutional Legislation Committee on the provisions of the Customs Legislation Amendment and Repeal (International Trade Modernisation) Bill 2001 and 2 related bills be extended to 23 May 2001.

### NOTICES

#### Postponement

An item of business was postponed as follows:

General business notice of motion no. 852 standing in the name of the Leader of the Opposition in the Senate (Senator Faulkner) for today, relating to the financial interests of the Minister for the Arts and the Centenary of Federation (Mr McGauran), postponed till 19 June 2001.

### NATIONAL YOUTH WEEK

Motion (by **Senator Allison**, at the request of **Senator Stott Despoja**) agreed to:

That the Senate notes that:

- (a) National Youth Week, which runs from 1 April to 8 April 2001, is a vital opportunity to celebrate young Australians' ideas, contributions, talent and energy;
- (b) young people's contributions to society are often overlooked and undervalued;
- (c) there remain persistent barriers to young people to participate in employment, education and training;
- (d) 21.5 per cent of 15- to 19-year olds are unemployed;
- (e) young people from rural and regional Australia, and those from low socio-economic backgrounds, are seriously under represented in Australia's education system;
- (f) applications to universities in 2000 were 8 408 below 1996 levels and preliminary

data shows applications in 2001 were 10 518 (or 5.3 per cent) further below that of the 2000 figures; and

- (g) only 30 per cent of students can now access the youth allowance.

### DOCUMENTS

#### Tabling

**The DEPUTY PRESIDENT** (3.41 p.m.)—Pursuant to standing orders 38 and 166, I present documents as listed on today's *Order of Business* at item 11 which have been presented to the President, the Deputy President and the temporary chair of committees since the Senate last sat. In accordance with the terms of the standing orders, publication of the documents was authorised.

*The list read as follows—*

#### COMMITTEE REPORTS PRESENTED TO THE PRESIDENT SINCE THE LAST SITTING OF THE SENATE IN CANBERRA

1. Joint Standing Committee on Foreign Affairs, Defence and Trade – Report entitled *Rough Justice: An Investigation into Allegations of Brutality in the Army's Parachute Battalion* (presented to Temporary Chair of Committees (Senator Hogg) on 10 April 2001)
2. Joint Standing Committee on Treaties – Report no. 39: *Privileges and Immunities of the International Tribunal on the Law of the Sea and the Treaties* tabled on 27 February and 6 March 2001 (presented to the President on 18 April 2001)
3. Select Committee on Superannuation and Financial Services – Report entitled *Enforcement of the Superannuation Guarantee Charge*, together with submissions (presented to the Deputy President on 27 April 2001)
4. Select Committee on Superannuation – Submissions relating to the committee's inquiries on:
  - (a) Super Guarantee Bills – Second report;
  - (b) Super Supervisory Levy – Fifth Report; and
  - (c) Super Charges – An Issues Paper on Fees, Commissions, Charges and Disclosure in the Superannuation Industry (presented to the Deputy President on 2 May 2001)
5. Environment, Communications, Information Technology and the Arts References Com-

mittee – Report, together with transcripts of evidence and documents presented to the committee, on telecommunications and electro-magnetic emissions entitled Inquiry into Electromagnetic Radiation (presented to the Deputy President on 4 May 2001)

6. Environment, Communications, Information Technology and the Arts References Committee – Report, together with transcripts of evidence and documents presented to the committee, on the Environment and Heritage Legislation Amendment Bill (No. 2) 2000 [2001] and two related bills (presented to the Deputy President on 8 May 2001)
7. Parliamentary Joint Committee on Corporations and Securities – Report, together with transcripts of evidence and submissions received by the committee, on the provisions of: (a) the Corporations (Commonwealth Powers) Act 2001 (NSW), and (b) the Corporations Bill 2001 and the Australian Securities and Investments Commission Bill 2001 (presented to the Deputy President on 18 May 2001)

#### **GOVERNMENT DOCUMENTS PRESENTED TO THE PRESIDENT SINCE THE LAST SITTING OF THE SENATE IN CANBERRA**

1. Australian Broadcasting Authority—Co-regulatory Scheme for Internet Content Regulation—Report for the period July to December 2000 (presented to the Deputy President on 19 April 2001)
2. IIF Investments Pty Limited – Annual report 1999-2000 (presented to the Deputy President on 7 May 2001)
3. IIF(CM) Investments Pty Limited – Annual report 1999-2000 (presented to the Deputy President on 7 May 2001)
4. Australian Citizenship ... A Common Bond – Government response to the report of the Australian Citizenship Council (presented to the President on 17 May 2001)

#### **GOVERNMENT RESPONSES TO COMMITTEE REPORTS PRESENTED TO THE PRESIDENT SINCE THE LAST SITTING OF THE SENATE IN CANBERRA**

1. Rural and Regional Affairs and Transport Legislation Committee – Report on the provisions of the Australian Meat and Livestock Industry (High Quality Beef Export to the European Union) Order 2000 (presented to the President on 17 April 2001)
2. Employment, Workplace Relations, Small Business and Education References Com-

mittee – Report entitled Aspiring to excellence: Quality of vocational education and training in Australia (presented to Temporary Chair of Committees (Senator Hogg) on 16 May 2001)

#### **REPORTS OF THE AUDITOR-GENERAL PRESENTED TO THE PRESIDENT SINCE THE LAST SITTING OF THE SENATE IN CANBERRA**

1. Report no. 32 of 2000-01 – Defence Cooperation Program: Department of Defence (presented to Temporary Chair of Committees (Senator Bartlett) on 6 April 2001)
2. Report no. 33 of 2000-01 – Australian Defence Force Reserves: Department of Defence (presented to the Deputy President on 7 May 2001)
3. Report no. 34 of 2000-01 – Assessment of New Claims for the Age Pension by Centrelink – Centrelink (presented to the President on 17 May 2001)
4. Report no. 35 of 2000-01 – Family and Community Services' Oversight of Centrelink's Assessment of New Claims for the Age Pension – Department of Family and Community Services (presented to the President on 17 May 2001)
5. Report no. 36 of 2000-01 – Municipal Services for Indigenous Communities: Aboriginal and Torres Strait Islander Commission (presented to the Deputy President on 18 May 2001)

Motion (by **Senator Calvert**) agreed to:

That the following reports be printed:

- (a) Joint Standing Committee on Foreign Affairs, Defence and Trade, report entitled *Rough Justice: An Investigation into Allegations of Brutality in the Army's Parachute Battalion*;
- (b) Select Committee on Superannuation and Financial Services, report entitled *Enforcement of the Superannuation Guarantee Charge*;
- (c) Environment, Communications, Information Technology and the Arts References Committee, reports on electromagnetic radiation, and on the Environment and Heritage Legislation Amendment Bill (No. 2) 2000 and two related bills; and
- (d) Parliamentary Joint Committee on Corporations and Securities, report on the provisions of the *Corporations (Commonwealth Powers) Act 2001* (NSW) and the provi-

sions of the Corporations Bill 2001 and a related bill.

**The DEPUTY PRESIDENT**—In accordance with the usual practice and with the concurrence of the Senate, I ask that the government responses be incorporated in *Hansard*.

*The documents read as follows—*

**GOVERNMENT RESPONSE TO THE SENATE RURAL AND REGIONAL AFFAIRS AND TRANSPORT LEGISLATION COMMITTEE REPORT ON THE PROVISIONS OF THE AUSTRALIAN MEAT AND LIVESTOCK INDUSTRY (HIGH QUALITY BEEF EXPORT TO THE EUROPEAN UNION) ORDER 2000**

**Introduction**

The Australian Meat and Live-stock Industry (Export of High Quality Beef to the European Union) Order 2000 was signed on 6 June 2000 and tabled in the Parliament on 17 August 2000. On 5 October 2000 Senator Forshaw gave notice in the Senate that he intended to move that the order be disallowed. On 12 October the order was referred to the Senate Rural and Regional Affairs and Transport Legislation Committee.

The Committee received submissions and heard evidence from interested parties and presented its report to the Senate on 4 December 2000.

The Government response to the Senate Rural and Regional Affairs and Transport Legislation Committee report dated December 2000 on the Provisions of the Australian Meat and Livestock Industry (High Quality Beef Export to the European Union) Order 2000 is as follows.

**Recommendation 1.** The Committee recommends that the Australian Meat and Live-stock Industry (High Quality Beef Export to the European Union) Order 2000 not be disallowed in the Senate.

**Government Response.** Accepted.

**Recommendation 2.** The Committee recommends that the Australian Meat and Live-stock Industry (High Quality Beef Export to the European Union) Order 2001, when prepared, allocate quota based on the 1999/2000 performance year, but that future allocations continue on the basis of 100 per cent European Union (EU) shipment records.

**Government Response.** This recommendation is not accepted. It overturns the policy intent of the Minister's December 1999 decision, which is only part of the way through the agreed three year period before a review of the process. This rec-

ommendation would simply create further uncertainty in both the domestic and EU markets.

It is clear from the evidence provided to the Committee that over the past three years' trading patterns for the export of high quality beef (HQB) to the European Union (EU) have been similar. Some exporters have consistently shipped beef to the EU while, at the same time, others have consistently sold their quota for their own personal gain.

To return the tonnage in accordance with Recommendation 2 would involve a significant cost to both producers, who would miss out on their premium, and place EU-listed plants at a commercial disadvantage. Under the arrangements now in place, producers who meet the stringent EU cattle requirements are being paid premiums over and above other cattle types. Those producers who are responding to the requirements of this niche market are being rewarded accordingly. Likewise, those exporters who invest in plants and infrastructure in regional and rural Australia to meet the high compliance costs in exporting to the EU, are now benefiting by not having to purchase quota access rights at a significant financial cost.

Returning the tonnage to a majority of the Common Interest Group (CIG) members or those who have not shipped would place them at a significant commercial advantage. They would position themselves through commercial instruments to retain the quota access rights on an ongoing basis that would ensure quota premiums are not returned to producers or EU supply chain participants. Clearly this recommendation reinstates non-EU participants back in the market-place, as was the case before the Minister took his 23 December 1999 decision.

The Cattle Council of Australia (CCA), the Australian Beef Association (AB-A) and the EU accredited processing plants support the continuation of the existing EU HQB allocation arrangements.

**Recommendation 3.** The Committee recommends that where exporters choose not to reenter the EU HQB market in 2001/2002 through a decision of their own not to meet the EU accreditation standards, their uncommitted quota allocation should be available to EU accredited packer exporters and non-packer exporters currently in the market. Allocations of uncommitted quota should be on the basis of applications to the Secretary of AFFA.

**Government Response.** This recommendation is not accepted. If exporters received quota allocated under the conditions identified in Recom-

mentation 2 they would develop commercial contracts with some processors to retain the quota in their name for the future. Further, exporters are invited to apply for quota each year and only those that apply are considered in the allocation process. Exporters that decide not to re-enter the EU market would not therefore be expected to apply and any allocation they might have received would automatically be re-distributed among the remaining eligible exporters. It is quite improbable that anybody would hand valuable quota rights back or sell it for one last time when they could negotiate a deal to retain the ongoing annual quota premium for themselves.

**Recommendation 4.** The Committee recommends disadvantaged exporters that applied to AFFA for quota under the exceptional circumstances provision in 2000 should be in a position to withdraw that application. Where disadvantaged exporters do not withdraw that application and in fact receive quota under the exceptional circumstances provision, they should not be eligible for an allocation of quota based on the 1999/2000 performance year (Recommendation 2).

**Government Response.** The first part of this recommendation is accepted. Applicants are able to withdraw their application and there is nothing in the guidelines or the Order preventing them from doing so. However, the second part of the recommendation is contrary to the policy intent of the Minister's decision and the comments made under Recommendation 2 are also relevant.

**Recommendation 5.** The Committee recommends that the Australian Meat and Live-stock Industry (High Quality Beef Export to the European Union) Order 2001, when prepared, retain the new entrant provision.

**Government Response.** This recommendation is accepted. It has always been the Government's intention to retain the new entrant provision in the order, with 400 tonnes to be set aside in 2001/2002 and 2002/2003.

## CONCLUSION

The broad intent of the allocation process is supported by the majority of the industry, in particular the producers and processors that actually supply the EU market. Provisions are in place and remain available for potential new entrants to the EU HQB export market. The current policy will remain in place and future allocations will be based on shipped performance to the EU. This will give certainty to the market place and not add further pressure to an already depressed EU HQB market.

## GOVERNMENT RESPONSE TO THE REPORT OF THE SENATE EMPLOYMENT, WORKPLACE RELATIONS, SMALL BUSINESS AND EDUCATION REFERENCES COMMITTEE

### 'ASPIRING TO EXCELLENCE: REPORT INTO THE QUALITY OF VOCATIONAL EDUCATION AND TRAINING IN AUSTRALIA'

MAY 2001

## INTRODUCTION

The Government welcomes the opportunity to respond to the report of the Senate Employment, Workplace Relations, Small Business and Education References Committee, *Aspiring to Excellence: Report into the Quality of Vocational Education and Training in Australia*.

The primary issues raised by the Inquiry deal with quality assurance and the issue of national consistency. Throughout 1999 and 2000 there has been significant progress achieved in these areas and further work is under way. In its report to the ANTA Ministerial Council meeting of 17 November 2000, the ANTA Board commented that "the achievements and agreements made since June 30 this year will transform the system so that it is more consistent and user friendly."

In June 2000, the Australian National Training Authority (ANTA) Ministerial Council agreed to the proposal of the Commonwealth Minister for the establishment of a National Training Quality Council (NTQC) which has responsibility for monitoring and reporting on national quality assurance arrangements. The NTQC will also advise the ANTA Board on State/Territory registration and audit processes.

Work is progressing on addressing national consistency issues with improvements to the Australian Recognition Framework (ARF) in train and agreement to the Commonwealth Minister's proposal for work on nationally consistent legislation, with a report due to be presented to the next meeting of the ANTA Ministerial Council. In November 2000, the ANTA Ministerial Council also agreed to the progressive introduction of a national New Apprenticeships training contract and Commonwealth Minister's proposal for a national New Apprenticeships Code of Practice from early 2001 as well as the availability of a national information service.

## THE GOVERNMENT'S RESPONSE

### Recommendation 1 (paragraph 6.63)

**The Committee recommends that national VET objectives be renegotiated to include the objective of ensuring that there is equitable**

**access for all Australians to vocational education and training that enhances their capacity to participate in society and take advantage of emerging opportunities in employment and in further education and training.**

The Government supports equitable access to vocational education and training (VET) that enhances people's capacity to participate fully in society. The national VET objectives already encompass that concept. A Bridge to the Future: Australia's National Strategy for Vocational Education and Training 1998 – 2003 and its supporting paper Achieving Equitable Outcomes address the issue of equitable access to VET. The Strategy develops a conceptual framework to social justice and managing diversity and takes a strategic approach including the implementation of targeted responses to equity issues and addressing the issues of resource allocation and incentives. In addition, in June 2000, the Australian National Training Authority (ANTA) Ministerial Council agreed to Partners in a Learning Culture: Australia's National Aboriginal and Torres Strait Islander Strategy for Vocational Education and Training 2000-2005 and Bridging Pathways: The National Strategy for Increasing Opportunities for People with a Disability in Vocational Education and Training and Blueprints for their implementation. These documents provide additional strategies to provide equitable access for indigenous people and for people with disabilities. Both strategies recognise the broad role of VET in providing skills for both employment and participation in society. The Commonwealth has provided \$4 million to ANTA to support activities at the national level that are outlined in the Blueprints.

#### **Recommendation 2 (8.74)**

**The Committee recommends that:**

**(a) the Commonwealth Parliament and the Government recognise their responsibilities to develop a truly national vocational education system to meet the challenges of achieving high levels of international competitiveness that have emerged from economic restructuring and globalisation; and**

**(b) the Government acknowledge that for Australia to be competitive, it must ensure that skills acquisition is given high priority, and that further structural change is accompanied by national skills redevelopment programs for those disadvantaged in employment so that labour mobility and an even spread throughout Australian society of the benefits of economic change can be assured.**

(a) The Government has and will continue to actively pursue improvements in the national VET system, including to enhance national consistency in co-operation with the States and Territories. The ANTA Ministerial Council agreed in June 2000 to work co-operatively to achieve a fully integrated National VET System. In November 2000, the ANTA Ministerial Council gave further consideration to the issues of achieving national consistency and adopted the recommendations proposed in the report on Achieving National Consistency in the VET System, including: revising the current Australian Recognition Framework arrangements; establishing a national information web site; enhancing arrangements for consistency of Training Package recognition and implementation and revising arrangements for Training Agreements to reflect a consistent national approach. Ministers also agreed to the progressive introduction of a National Code of Good Practice for New Apprenticeships from early 2001 and agreed to the appointment of a troubleshooter for national employers to work with States, Territories and the Commonwealth to facilitate access to New Apprenticeships. Ministers also considered a report on nationally consistent legislation following work that was initiated by the Commonwealth Minister and agreed by State and Territory Ministers. Ministers resolved that the "model clauses" option (whereby the States and Territories would amend their existing VET legislation to include substantially the same clauses developed through a collaborative process) be implemented in the short term with further consideration to be given to the ANTA Board's recommendation that the "codified legislation" option (involving adoption by all States and Territories of the same nationally agreed legislation) be adopted in the longer term.

(b) The Government recognises that skills acquisition is an integral part of Australia's ability to be competitive in the global economy. A Bridge to the Future: Australia's National Strategy for Vocational Education and Training 1998 – 2003 gives skills acquisition high priority, particularly through its first and fourth objectives, equipping Australians for the world of work and increasing investment in training.

In 1999 the Minister for Education, Training and Youth Affairs moved to address the issue of skills shortages by initiating the National Industry Skills Initiative. This is a partnership with the Australian Chamber of Commerce and Industry (ACCI), the Australian Industry Group (AiG), the Business Council of Australia (BCA) and the National Farmers' Federation (NFF). Industry led working groups were established to enable consultations with the engineering, automotive and

electro technology industries. As a result an Industry Skills Forum was held in April 2000 at which the Minister announced industry action plans aimed at tackling the factors underlying skill shortages in these industries. Task forces have now been formed for these industries and will be reporting to the Minister with further updates in June 2001.

Industry led working groups have also now been established for three further industries, the building and construction, food trades and rural industries. The rural industry working group reported to the Minister on 2 March 2001 while the working groups for the construction and food trades industries are due to report to the Minister in the near future.

#### **Recommendation 3 (6.52)**

**The Committee recommends that ANTA make a clear policy statement emphasising the importance of including people with teaching or professional educational expertise and experience in all aspects and at all levels of VET decision making, planning and development processes.**

The Government believes that teaching and education expertise have been recognised in the development of national policy and decision making processes. These processes include participation by State and Territory representatives and nominees. The States and Territories nominate people whom they consider have the appropriate background and skills to make an effective contribution. This applies to the NTQC and committees and working groups responsible for national consistency and other initiatives.

The Government will draw this recommendation to the attention of the ANTA Board in respect of ANTA's processes. State and Territory policy development, planning and decision making processes are matters for the States and Territories.

#### **Recommendation 4 (paragraph 6.23)**

**The Committee recommends that:**

**(a) the membership of ANTA provide a balance between national and state and territory governments, employers, unions and VET provider interests; and**

**(b) at least one member is appointed who is a practising professional VET teacher or educator and who is able to provide the Board with advice based on extensive teaching and educational expertise and experience.**

(a) The composition of the ANTA Board is a matter for the ANTA Ministerial Council, comprising the Commonwealth and all State and Territory Ministers responsible for vocational education

and training, under the terms of the ANTA Agreement. Since the original ANTA Agreement of 1992, the Ministerial Council has nominated members to the Board who have been drawn from industry, including employer and employee organisations.

(b) The Government considers that the composition of the ANTA Board should continue to be a matter for collective decision by the ANTA Ministerial Council. The Committee's recommendation will be drawn to the attention of the Ministerial Council.

#### **Recommendation 5 (paragraph 8.84)**

**The Committee recommends that:**

**(a) the Australian Recognition Framework be replaced with a National Code for Quality in VET. The National Code should be made legally enforceable through Commonwealth legislation. The National Code should contain a statement of the rights, responsibilities and obligations of all relevant parties, and standards, procedures and evidence requirements to regulate and ensure quality in all aspects of VET, including consistency of implementation. Specifically, the National Code should incorporate:**

**principles, standards and procedures for the endorsement of National Training Packages and, where these do not exist, for the accreditation of courses, and for the consistent national implementation of Training Packages and courses (including standards to ensure consistency and parity of qualifications, and requirements relating to the inclusion of the Mayer Key Competencies);**

**requirements with which all states and territories would be expected to comply in the performance of their quality assurance responsibilities. These requirements should include a statement of mutual recognition obligations and provisions to ensure proper protection of the rights of students and apprentices and trainees;**

**legally enforceable national standards, procedures and evidence requirements for registration to provide VET services, and for performance monitoring and auditing of training providers to be applied by states and territories;**

**consistent national standards for the audit process including qualifications and other requirements to be met by auditors;**

**explicit and comprehensive standards, procedures and evidence requirements with which registered training providers must comply, in the provision of VET services. These should cover teaching and learning, recognition of prior learning, recognition**

**of current competency and assessment of vocational education and training, whether on the job, in the workplace or in an institutional setting and the preparation, monitoring and implementation of Training Plans for apprentices and trainees. The standards and evidence should relate to both the capacity of a provider to provide quality VET services and to a provider's actual performance against the standard;**

**sanctions, including fines and suspension or cancellation of registration to be applied to RTO's failing to comply with the Code;**

**arrangements for a national register of VET providers, with the providers being entered on the register only where the state or territory authority has certified that the provider has been visited and that compliance with the National Code has been established.**

**(b) ANTA commence work on establishing the National Code for Quality in VET pending the establishment of the National Qualifications and Quality Assurance Authority proposed in Recommendation 6.**

The intent of this recommendation is being addressed through the ongoing work to revise the ARF which commenced with the work on risk management initiated by the ANTA CEOs committee in September 1999.

In accordance with the resolutions of the ANTA Ministerial Council of 17 November 2000, the ARF arrangements are currently being strengthened to include:

- Standards for Registered Training Organisations (RTOs); and
- Standards and agreed practices for undertaking audit and registration of training organisations and accreditation of courses.

The Ministerial Council agreed the following in relation to the ARF Standards for RTOs:

- quality assurance mechanisms be made more explicit;
- principles from the current ARF Arrangements in relation to registration, mutual recognition and assessment be incorporated as auditable standards;
- a requirement be included that personnel undertaking assessments on behalf of an RTO should hold the following assessment competencies for the Assessment and Workplace Training Training Package or equivalent (noting that the competencies need not necessarily be held by one person):
  - BSZ401A Plan Assessment
  - BSZ402A Conduct Assessment
  - BSZ403A Review Assessment, and

- the relevant vocational competencies at least to the level being assessed;
- delivery standards be incorporated into the ARF requiring personnel delivering training to be competent or under the direct supervision of competent personnel. (Competence for this purpose is defined as having all the competencies in the Certificate IV from the Training Package for Assessment and Workplace Training, or having demonstrated equivalent competencies, and vocational competencies at least to the level of those being delivered);
- a strengthened requirement be made in relation to the development of learning strategies for Training Packages or accredited courses including evidence of the integration of on and off the job training and assessment;
- greater rigour be introduced in the definition, approval, recording and monitoring of RTO partnership and contracting arrangements; and
- a requirement be included that RPL processes are readily accessible and structured to minimise the time and cost to clients, and that RPL occurs before training commences.

In relation to the development of consistent audit practices and processes, the Ministerial Council agreed that there will be:

- a nationally consistent range of sanctions including reduction in the scope of registration, suspension of registration, cancellation of registration, the imposition of specific conditions in relation to the registration such as the suspension of operations at a site or sites;
- arrangements in relation to the assurance of quality where an RTO has multiple sites, including sanctions for non-compliance;
- a comprehensive and nationally consistent approach to the targeting and frequency of RTO audits based on a fully developed risk management approach and which will include:
  - a full initial audit assessment preceding registration and for newly established RTOs, a compliance audit occurring at least within 12 months of initial registration;
  - compliance audits for targeted RTOs, within the registration period, undertaken in response to identified risk factors, and/or a program of strategic industry audits; and
  - a full reassessment audit of the RTO when seeking re-registration; and
  - a five year period of registration of training organisations.

The Ministerial Council also agreed that the ARF Standards and outcomes of the audit processes related to those standards will form the basis of the legal enforcement of mutual recognition, in-



cluding registration of training organisations, sanctions and the recognition of accredited courses and nationally recognised Australian Qualifications Framework (AQF) qualifications and Statements of Attainment.

It is expected that the revised ARF documents and transition arrangements will be considered by the Ministerial Council in June 2001.

The revised ARF will be more than a quality code, as it will set out a framework within which quality assurance is to operate. However, it would be consistent with recent reforms, including the establishment of the NTQC, for the name of the ARF to be adjusted to make clear its central role in the assurance of quality standards within the VET system. The Commonwealth will therefore be recommending to the Ministerial Council, when that body considers the proposed enhancements to the ARF, that it be renamed the Australian Quality Training Framework.

The question of Commonwealth legislation is dealt with in the response to recommendation 6.

#### **Recommendation 6 (paragraph 8.100)**

**The Committee recommends that:**

(a) a National Qualifications and Quality Assurance Authority (NQQAA) be established as an independent statutory body by the Commonwealth under new legislation separate from but modelled on the ANTA legislation and the Education Services for Overseas Students Bill 2000, underpinned by an Agreement similar to the ANTA Agreement. The Commonwealth legislation should empower the NQQAA to :

- (i) establish the National Code for Quality in VET;
- (ii) apply and administer the National Code and the standards and other requirements therein, including those relating to national consistency;
- (iii) register VET providers in accordance with National Code standards and procedures;
- (iv) exercise compliance and audit powers, including the application of sanctions;
- (v) report and make recommendations to ANTA MINCO on the states and territories Annual Quality Assurance Plans (see Recommendation 8);
- (vi) develop or assume responsibility for further developing and administering the system or arrangements for tracking, recording and reporting on reasons for and circumstances surrounding withdrawals, cancellations, recommencements or other

events which involve an apprentice or trainee leaving an employer prior to completion (see also Recommendation 18);

- (vii) develop or assume responsibility for further developing and administering national implementation plans for National Training Packages, with particular attention paid to achieving national consistency in regard to nominal hours, sample training programs, and identification of current and new resources to deliver training;
  - (viii) develop or assume responsibility for further developing and administering the national register of VET providers recommended in Recommendation 5;
  - (ix) take on the role of the national professional teaching standards and registration body recommended in Recommendation 27; and
  - (x) report annually to the Commonwealth Parliament on the operation of the National Code for Quality in VET and all aspects relating to it.
- (b) the Commonwealth legislation provide for legal enforceability of the National Code, and provisions for safeguarding the independence of the auditors (including from state training authorities);
- (c) the Commonwealth legislation enable the National Qualifications and Quality Assurance Authority's registration, compliance, audit and sanction powers to be delegated to the states and territories. Under these arrangements the states and territories should continue to have first-line responsibility for quality assurance of VET delivery, including responsibility for provider registration and audit and for undertaking investigations into providers whose integrity or quality has been called into question. Where providers are found not to meet the National Code requirements, the states and territories would have delegated powers to apply sanctions that include fines and suspension or cancellation of registration. If a state or territory fails to investigate in a timely or adequate manner, the NQQAA would retain powers to initiate its own investigation and apply sanctions;
- (d) the membership of the NQQAA provide a balance between national and state and territory governments, employers, unions and VET provider interests. The NQQAA should have deliberative and compliance powers as set out in other parts of this Recommendation, as well

**as a role in advising ANTA MINCO and, as set out in (a) x. above, an obligation to report annually to the Commonwealth Parliament on the operation of the National Code for Quality in VET and all aspects relating to it;**

**(e) the NQQA have all the powers and functions of the present National Training Quality Council; and**

**(f) the National Qualifications and Quality Assurance Authority be funded by the Commonwealth.**

The Government considers that establishment of a National Qualifications and Quality Assurance Authority is unnecessary in light of the responsibilities of the NTQC. The ANTA Ministerial Council has given the NTQC, which is a committee of ANTA under the ANTA Act 1992, primary responsibility for monitoring and reporting on national quality assurance arrangements.

The NTQC has assumed the functions of the former National Training Framework Committee (NTFC) and, in particular has responsibility for providing information and advice to the ANTA Board on the operation of the ARF in each State and Territory, including independent advice on State/Territory registration, audit and related processes and related Commonwealth processes. The ANTA Ministerial Council has agreed that the NTQC access appropriate technical expertise and support in delivering this role.

The Government does not consider that it would be appropriate or helpful at this time to separate national quality assurance from ANTA's broader roles in the national VET system.

The establishment of a new Commonwealth statutory body to undertake quality assurance in VET would effectively create two bodies of equal status dealing with overlapping responsibilities. This would be wasteful in resource terms as well as adding unnecessarily to the bureaucracy in a regulatory system which is already perceived by industry as being overly complex.

At its 17 November 2000 meeting, the ANTA Ministerial Council considered the issue of nationally consistent legislation for VET. It noted that changes to the existing legislative framework for VET are required and agreed to the implementation of "model clauses" in the short term with further consideration to be given to the adoption of codified legislation in the longer term. Under the "model clauses" approach, each State and Territory would amend its existing VET legislation to include the same, or substantially the same, set of clauses to give effect to agreed national standards for the VET system.

The Government expects that the States and Territories will deliver on the commitments they have given through the Ministerial Council. Progress on this nationally collaborative approach will be monitored carefully by the Ministerial Council. If the States and Territories do not meet the commitments that they have given, it may be necessary to revisit the issue of Commonwealth legislation.

#### **Recommendation 7 (paragraph 8.101)**

**The committee recommends that ANTA continue to have the following core roles:**

**progressive development of the National Strategy for VET as necessary;**

**provision of advice to MINCO on annual VET plans;**

**provision of advice to MINCO, in the context of the National Strategy, on the principles to be applied in the allocation of funding between states and territories and the release of Commonwealth funds;**

**provision of information and advice to MINCO to assist MINCO to identify and plan for future growth requirements, including social, labour market and demographic growth, and requirements arising from major changes in factors affecting demand;**

**policy review, evaluation and research on national policies agreed by ministers from time to time;**

**advising MINCO on the development of key performance measures and reporting objectives;**

**ensuring agreed national data are generated;**

**coordinating major national initiatives agreed by ministers from time to time;**

**administration of arrangements for payment of Commonwealth funds to the states and territories; and**

**annual reports to ANTA MINCO.**

These roles are largely specified in the ANTA Agreement for 2001 to 2003 that the Commonwealth has proposed to the States.

#### **Recommendation 8 (paragraph 7.52)**

**The Committee recommends that:**

**(a) the new ANTA Agreement include an agreement by the Commonwealth to meet, in each year of the new Agreement, its share of funding for growth in vocational education and training. In the absence of agreement on the likely rate of growth and the cost associated with that growth, growth funding should be tied to actual growth and the cost associated with that growth in successfully completed modules in the previous twelve month period.**

Commonwealth funds to ANTA (capital and recurrent) can be adjusted each year by the percentage change in Assessable enrolment-successfully completed Annual Hours Curriculum recorded for the previous year. This was 171,983,920 in 1998 and 183,838,731 in 1999 – an increase of 7 per cent. Applying 7 per cent to Commonwealth funds for the year 2000 (\$920m) is \$65m. This approach overcomes the need to base growth funding on estimates of growth and automatically rewards states and territories both for growth and for improving success rates;

(b) the payment of Commonwealth growth funding to states and territories be subject to each state and territory agreeing to rigorously implement enhanced standards for registration, performance monitoring and auditing of providers. This commitment should include each state and territory preparing and submitting to ANTA MINCO, along with Annual VET Plans, an annual Quality Assurance Plan that sets out a program and targets for registration, performance, monitoring and auditing of providers, and reports on progress against the previous year's plan; and

(c) ANTA report and make recommendations to MINCO on the states' and territories' Quality Assurance Plans, including whether progress against the previous year's plan is satisfactory. Growth funds should be paid by ANTA to a state or territory only if the state or territory's Quality Assurance Plan has been considered and accepted by the Ministerial Council. Responsibility for this function should pass to the national Qualifications and Quality Assurance Authority when it is established.

Funding arrangements under the proposed ANTA Agreement for 2001-2003 specify that funding for growth should be on the basis of shared responsibility between the Commonwealth and the States and Territories. The Agreement that the Commonwealth has proposed to the States and Territories includes strengthened accountability arrangements in relation to the implementation of quality assurance under the Australian Recognition Framework, including in respect of auditing.

#### **Recommendation 9 (paragraph 9.121)**

**The Committee recommends that:**

(a) the Commonwealth and ANTA work together to revitalise and strengthen the role of Training Plans so that they play a more strategic and effective role in planning and delivering training for individual apprentices and trainees, and in providing a means of more closely monitoring progress towards the out-

comes defined by the Training Agreement. Training Plans should become auditable documents linked to the registration of Training Agreements and the payment of government incentives and payments. As a minimum, Training Plans should contain the following:

details of the RTO, employer and apprentice or trainee;

the Training Package being used and the qualification(s) to be awarded;

the competencies to be achieved (in the most detailed form available) and the courses, modules, units or other training to be successfully completed in order to acquire the qualification;

whether recognition of current competencies and/or credit transfer has been requested or provided and a list of competencies for which recognition of current competencies or credit transfer has been granted;

a statement of the proportion of structured training to be provided off the job;

a statement of the proportion of training which is enterprise-specific;

the need for any additional literacy, numeracy or other support and how this will be provided;

indicative monitoring dates;

details of arrangements for assessments including indicative assessment milestones; and

negotiated arrangements for reporting back to the employer and their trainee or apprentice.

(b) fully completed Training Plans, signed by the employer, the apprentice or trainee and the Registered Training Provider providing or supervising the training be included with Training Agreements when they are submitted for approval and registration. Training Agreements should not be approved or registered by state or territory authorities unless accompanied by an acceptable Training Plan.

(c) Commonwealth financial incentives not be paid to employers unless an approved Training Plan is in place and evidence of progress or compliance with the Training Plan is provided.

(a) As part of the ongoing work to improve national consistency, and building on previous work on a 'model' Training Agreement, ANTA is working with the States and Territories and the Commonwealth to develop a new national New Apprenticeships training contract. It is expected that this will be finalised in 2001, following consultations to address varying current State and Territory requirements related to the timing, content and inclusion of a training plan.

In addition, as agreed by the ANTA Ministerial Council, ANTA has worked with the Commonwealth, States and Territories and industry to develop a National Code of Good Practice. The Code has been implemented from January 2001. The code explains in plain English the obligations of employers and New Apprentices under a training contract, including a requirement to participate in the development of a training plan.

(b) Approval and registration of training agreements is the responsibility of State and Territory Training Authorities. The Commonwealth will draw the attention of ANTA's National Consistency Advisory Committee to the Committee's recommendation.

(c) The Government considers that the current requirements, whereby Commonwealth New Apprenticeships Incentives cannot be paid unless the employer, the New Apprentice and the Registered Training Organisation declare that training has commenced according to the New Apprenticeships Training Plan, are adequate.

#### **Recommendation 10 (paragraph 9.145)**

**The Commonwealth strengthen and more rigorously monitor and enforce measures to avoid real or potential conflicts of interest between organisations operating as New Apprenticeships Centres and/or Group Training Companies and/or VET providers. As a minimum, where real or potential conflicts of interest exist, the same staff within an organisation should not be allowed to carry out multiple roles.**

DETYA requires New Apprenticeships Centres to be transparent and rigorous in their management of conflict of interest. All New Apprenticeships Centres must have a detailed plan of the controls and arrangements to manage potential and actual conflicts of interest. New Apprenticeships Centres are required to make public their strategies for managing conflict of interest. Monitoring of compliance with Conflict of Interest Management plans is undertaken as part of the contract management process.

Breaches of the plan will constitute a breach of contract and will be dealt with through the formal contract process.

In general, the Government agrees with the Committee that it is good practice that the same staff in a New Apprenticeships Centre should not carry out multiple roles where real or potential conflicts of interest exist. Separation of duties is common practice already and the attention of New Apprenticeships Centres will be drawn to the issue in the light of the Committee's comments. However, it would not be appropriate for

the Commonwealth to require total separation of staff of New Apprenticeships Centres in all circumstances, since for some New Apprenticeships Centres staff, particularly those in minor administrative roles, it could be impractical, inefficient and unnecessary to separate functions in the manner suggested.

#### **Recommendation 11 (paragraph 8.127)**

**The Committee recommends that:**

**(a) national implementation plans for National Training Packages be developed, with particular attention paid to achieving national consistency in regard to nominal hours, sample training programs, and identification of current and new resources to deliver training; and**

**(b) ANTA commence work on establishing the national implementation plans for National Training Packages pending the establishment of the National Qualifications and Quality Assurance Authority proposed in Recommendation 6.**

ANTA has for several years supported the development of implementation guides through the Victorian Office of Post Compulsory Education Training and Employment which have been made available to all States and Territories. Building on this, the ANTA Ministerial Council at its 17 November 2000 meeting agreed that ANTA, in conjunction with States and Territories, will develop national implementation guides for use with each Training Package (endorsed or re-endorsed from July 2001) and publish them on the ANTA website.

ANTA is currently undertaking a business re-engineering project to improve Training Package processes. It is expected that this project will result in better synchronisation of endorsement and implementation activities to ensure prompt availability of Training Packages.

In relation to variations in the assignment of nominal hour values to units of competency and/or qualifications, the ANTA MINCO meeting of 17 November 2000 agreed that:

(a) in consultation with States, Territories and the Commonwealth, ANTA is to clarify working definitions and purposes for which nominal hours are assigned to Training Packages;

(b) in light of (a) above, if necessary, a process will be introduced that is developed in consultation with States, Territories and the Commonwealth, for ongoing moderation of variations in nominal hours and that this process be completed by December 2001;

(c) pending the work undertaken in (a) and (b) above, ANTA will introduce into the State and

Territory evaluation forum for each Training Package, a discussion of implementation including moderation of potential discrepancies in the assignment of nominal hours to Training Packages; and

(d) the NTQC undertake a review of the packaging rules for qualifications in Training Packages to identify if and where these rules contribute to nominal hours inconsistencies and to address as necessary by March 2001; and

(e) significant variations of nominal hour values assigned in existing Training Package implementation guides, will be moderated by December 2000 (this work is still under way).

#### **Recommendation 12 (paragraph 7.96)**

**The Committee recommends that:**

(a) training for individual apprentices and trainees must include a sound foundation of portable, industry-wide competencies and qualifications; and

(b) ANTA and Training Package guidelines and advice on customisation or tailoring of training to meet enterprise-specific needs be underpinned by a clear policy statement that enterprise-specific training is the responsibility of the enterprise. Training may be tailored to meet enterprise-specific needs, but there must be a balance between industry-wide and enterprise-specific training, and the portability of skills and maximising the use and integrity of the system of portable national qualifications must be paramount.

(a) Training Packages have been developed for this purpose. Most include core and elective units of competency to provide flexibility while ensuring that foundation skills are covered. New advice to Training Package developers which recommends this approach, with exemplars, is now included in the Training Package Developers Handbook, published on the ANTA website.

(b) Contextualisation (not "customisation", which is the term that applies to accredited courses) is a delivery issue and Registered Training Organisations are able to contextualise training which complies with the standards in the Training Package to meet client needs. Advice on contextualisation is found in each Training Package and is now included in the Training Package Developers Handbook.

ANTA's continuous improvement cycle provides for a review of each Training Package after a set period (usually 2- 3 years). During this process, the qualifications and the packaging arrangements are reviewed and revised to address changing requirements.

#### **Recommendation 13 (paragraph 8.168)**

**The Committee also recommends that:**

(a) Training Packages not provide so much flexibility in the selection of units for a particular qualification that the qualification has insufficient commonality of outcome to provide the industry and the employee with a truly consistent and portable qualification. Customisation policies must clearly protect the integrity and portability of the qualification;

(b) in implementing the recommendations for the National Code for Quality in VET (Recommendation 5 and 6), particular attention be paid to ensuring that Registered Training Organisations actually deliver and assess the broad skills and competencies specified in the training package qualifications; and

(c) endorsed Enterprise Training Package qualifications which do not achieve at least 85 per cent commonality with portable industry qualifications not be eligible for User Choice or other public funding.

Recommendation (a) reflects current policy. Policies on Training Packages have been developed within the ANTA Ministerial Council framework based on collective agreement by the Commonwealth and States and Territories. The NTQC has representatives from industry, the States and Territories and the Commonwealth, and administers Training Package policies. The packaging rules for Training Packages balance flexibility with the requirement to maintain the integrity of the qualifications (including industry skills and portability).

The thrust of Recommendation (b) is being addressed through the revisions to the ARF arrangements.

Recommendation (c) is not supported. Current policy on the development of Enterprise Training Packages aims to protect the integrity and portability of the qualifications.

Enterprise Training Packages are subject to the equivalent quality requirements and endorsement processes as publicly funded Training Packages. Submission to the National Training Quality Council (NTQC) for endorsement must be via a national Industry Training Advisory Body or Recognised Body (if the Enterprise does not have existing recognition as a standards body). All requirements for involvement of stakeholders, consultation, validation and compliance with technical specifications apply.

Enterprise Training Packages are required, where relevant, to incorporate endorsed industry standards.

**Recommendation 14 (paragraph 9.107)**

**The Committee recommends that no Commonwealth funds be made available for fully on the job apprenticeships or traineeships, and that, as provided for in the following recommendation, Training Plans must stipulate the proportion of training to be delivered off the job.**

As the Committee's Report notes there has been much confusion over the term 'on the job training'. There is wide variation of experiences in on the job training and the Government is concerned that a full prohibition on fully on the job training may limit unnecessarily the provision of the most appropriate training in some circumstances. The Committee adopted the terms 'workplace training' and 'on the job training' to distinguish between training that is delivered primarily off the job at the workplace and that which is experienced by an apprentice or trainee through the performance of normal work duties. The report also refers to the further distinction between training that is delivered primarily off the job but which is reinforced in a workplace context and structured workplace learning "whereby competence is acquired ... through the performance of normal work duties". To further quote the report "This may include: the structuring of experience-led learning opportunities in the workplace through such means as job rotation, sequencing of the learner's activities, increasing the variety and complexity of work tasks; and □ training on the job through coaching, mentoring, work shadowing, supervision and job instruction."

The Committee strongly supports training which "is competently provided in a real work context, that is, either on the job or in the workplace", and notes that submissions it received indicate that support for the concept of structured workplace training is strong. However, the Committee notes that "fully on the job traineeships (without the direct involvement of an RTO) were first introduced under the Working Nation initiatives as National Training Wage Traineeships in the early 1990's.

These "fully on the job" training products are being phased out as a consequence of the introduction of Training Packages based on New Apprenticeship pathways. The Government considers that these arrangements provide for an appropriate combination of on and off the job training.

**Recommendation 15 (paragraph 8.145)**

**The Committee recommends that:**

**(a) ANTA's National Training Quality Council raise the standards for the specification of underlying knowledge and skills in National**

**Training Packages and ensure these are applied consistently;**

**(b) National Training Packages not receive endorsement until underpinning knowledge and skills are specified in accordance with the strengthened requirements; and**

**(c) responsibility for this task and all other powers and functions associated with National Training Packages that currently rest with the National Training Quality Council pass to the National Qualifications and Quality Assurance Authority (Recommendation 6) when established.**

Work on the matters raised in (a) and (b) is under way.

ANTA has undertaken a national strategic evaluation to investigate the nature and sufficiency of underpinning knowledge in competencies within Training Packages and its results are being considered by the NTQC.

Recommendation (c) is covered by the response to recommendation 6.

**Recommendation 16 (paragraph 8.156)**

**The Committee recommends that:**

**(a) ANTA's National Training Quality Council pursue initiatives to clarify and improve the specification of Key Competencies in National Training Packages, including the development of standards to be met in relation to their specification; and**

**(b) in accordance with Recommendation 15, responsibility for further development and enforcement of standards relating to the specification of Key Competencies in Training Packages pass to the National Qualifications and Quality Assurance Authority when established.**

The matters outlined in Recommendation 16 (a) are being addressed.

Current NTQC policy is that the Key Competencies should be embedded within Training Package competency standards.

The revised ANTA Guidelines for Training Package developers, the Training Package Development Handbook will contain advice on how to make the Key Competencies explicit in Training Packages.

Recommendation (b) is covered by the response to recommendation 6.

**Recommendation 17 (paragraph 8.139)**

**The Committee recommends that:**

**(a) ANTA takes steps to strengthen National Training Package Support Materials so that**

they provide specific guidance on implementation, particularly in regard to appropriate learning strategies, teaching programs and courses and resource materials. These should be developed with both work based and institutional delivery in mind;

(b) Support Materials be available when National Training Packages are released; and

(c) responsibility for the development of National Training Package Support Materials pass to the National Qualifications and Quality Assurance Authority when established.

The thrust of recommendation (a) to strengthen Support Materials for Training Packages is supported but the Government considers that the range and nature of Support Materials funded by ANTA and the Department of Education, Training and Youth Affairs (DETYA), should continue to be determined in consultation with industry stakeholders and a range of RTO end-users. Industry-specific and generic materials are currently being developed for endorsed Training Packages and those under development and review. Innovative and flexible learning strategies, assessment resources and professional development materials will support a variety of institutional and work-based pathways with particular emphasis on New Apprenticeships. A quality assurance process, subject to continual improvement, has been implemented.

Recommendation (b) is supported but the Government notes that some Support Materials may be identified after a Training Package's initial release.

Recommendation (c) is covered by the response to recommendation 6.

#### **Recommendation 18 (paragraph 5.70)**

**The Committee recommends that:**

(a) **systems and arrangements for tracking individual apprentice and trainee movements or transactions (ie withdrawal, cancellation, recommencement, or any other event that involves an apprentice or trainee leaving an employer prior to completion) be strengthened, including by the establishment of systems and arrangements whereby:**

(i) **apprentices and trainees whose contractual status changes (because of withdrawal, cancellation, recommencement or any other event that involves an apprentice or trainee leaving an employer prior to completion), and their employers, are interviewed in person or by phone about the circumstances surrounding the change; and**

(ii) **records of such changes and the reasons for the changes are maintained in a form that will allow results to be compiled in a timely manner in a national database to assist training policy analysis and development.**

(b) **ANTA and the Commonwealth jointly convene a working group to investigate and make recommendations to ANTA MINCO on possible arrangements to ensure that apprentice and trainee movements or transactions, and the reasons for these changes, are more effectively tracked, recorded and reported. The investigation should consider the roles and responsibilities of employers, apprentices and trainees, registered training organisations, New Apprenticeship Centres and state training authority agents such as Field Officers, to determine where initial or primary responsibility for tracking apprentice and trainee movements or transactions, contacting apprentices and trainees and their employers, and maintaining records of and reporting on changes could most effectively rest; and**

(c) **responsibility for administering the systems and arrangements for monitoring and reporting on apprentice and trainee movements or transactions pass to the National Qualifications and Quality Assurance Authority when established. (Paragraph 5.70)**

(a) Administration of Training Agreements is a State and Territory responsibility. The National Centre for Vocational Education Research Ltd (NCVER) collates State and Territory data on withdrawal, cancellation, and recommencement events that involve a New Apprentice leaving an employer prior to completion. However these records depend on the accuracy of State Training Authority (STA) records. Work is currently under way through the NCVER to improve data collection and recording of completions. In addition ANTA has commissioned work through the NCVER to further examine Apprentice and Trainee Completions and Non – Completions. Targeted research and evaluation on this issue is more cost-effective than the creation of a national database to record all reasons for changes in New Apprentices' status.

(b) New Apprenticeships Centres have as part of their contractual obligations, a requirement to undertake a minimum of two contact visits with the employer and New Apprentice during the period of the New Apprenticeship. These contacts are designed to allow for the identification of any issues that may impact on the potential for successful completion of the New Apprenticeship. New Apprenticeships Centres are required to refer any issues raised to the relevant

State/Territory training authority for appropriate action.

(c) The response is covered in the response to recommendation 6.

**Recommendation 19 (paragraph 5.66)**

**The Committee recommends that ANTA commission independent national research into the relationship between the nature and availability of both educational and social welfare support systems for apprentices/trainees, and apprentice/trainee movements or non-completion, either through withdrawal, cancellation, transfer to another employer, or other event.**

The Government believes that there has already been significant research undertaken in this area and does not see the need to commission further work at this stage. In 1999, DETYA commissioned an action learning research project to investigate support structures for New Apprentices to assist them to complete their training. Several 'Support Models' were developed, following a literature search and focus group research, and trialed in four sites across Australia. The project found that the 'industry support' model and the 'community support' model were successful when the organisations involved had integrated better monitoring and support strategies into their business processes. It is expected that some of the resources developed through this project will be available in the second half of 2001.

The National Centre for Vocational Education Research Ltd (NCVER) has recently undertaken a number of research projects into non-completion of New Apprenticeships through the National Research and Evaluation Committee (NREC).

**Recommendation 20 (paragraph 9.123)**

**The Committee recommends that:**

**(a) as apprentices and trainees do not have access to unfair dismissal arrangements, the Commonwealth, through ANTA MINCO, prevail upon the states and territories to provide greater protection through regulations and other arrangements that prevent employers terminating apprenticeship and traineeship contracts without the approval of the state training authority; and**

**(b) access by apprentices and trainees to an independent state appeals tribunal or process be established on a tripartite basis.**

At the ANTA Ministerial Council meeting in November 2000, Ministers agreed, at the instigation of the Commonwealth, to the progressive introduction of a New Apprenticeships Training Contract and Code of Good Practice in 2001 (the

Code was finalised and distributed in March 2001). In addition, the issue could be examined further along with the work being undertaken through the nationally consistent legislation project.

**Recommendation 21 (paragraph 9.179)**

**The Committee recommends that Commonwealth financial incentives not be available to employers who have a persistent pattern or a high incidence of withdrawal, cancellation, transfer or other event which involves an apprentice or trainee leaving the employer prior to completion, unless the reasons for leaving can be demonstrated to be attributable to genuine voluntary choice on the part of the apprentice or trainee. Provision should be made for employers to requalify for Commonwealth financial incentives after demonstrating satisfactory training performance over a period of twelve months.**

Non-completions arise from a wide variety of circumstances as reported in the DETYA Traineeship Non-Completions Report, which covers young people commencing traineeships up to the first quarter of 1996. The Government sees no present need to take action of the kind proposed in this recommendation.

Approval of training agreements and the monitoring of a New Apprenticeship, in terms of both employment and training, is a State or Territory government responsibility. STAs may refuse to register training agreements involving employers who have a persistent pattern or a high incidence of withdrawal, cancellation, transfer or other event that involves a New Apprentice leaving the employer prior to completion. Where DETYA, through standard monitoring procedures or other avenues, becomes aware of a potential problem with an employer of New Apprentices, the appropriate STA is notified of the situation. In addition, where there is appropriate evidence DETYA will also investigate the matter.

As noted in the response to Recommendation 9, in November 2000, Ministers agreed on the implementation of a National Code of Good Practice for New Apprenticeships.

The Code will be an important tool that explains in plain English the obligations of employers and New Apprentices under a Training Contract and could also be used by New Apprenticeships Centres and Registered Training Organisations in promoting New Apprenticeships.

**Recommendation 22 (paragraph 7.145)**

**The Committee recommends that ANTA and DETYA continue to pursue options for collecting data on employer training activity and**



**expenditure and for establishing a benchmark that can be used to assess changes in employer investment over time.**

In 2000, the Australian Bureau of Statistics (ABS) examined the feasibility of conducting another Training Expenditure Survey. It found that a survey of this scope was no longer possible as employers did not have the requisite record keeping systems.

DETYA is participating in work with ANTA to investigate alternative ways of obtaining quantitative information about employers' investment in training.

**Recommendation 23 (paragraph 7.156)**

**The Committee recommends that:**

**(a) an independent review of employer investment in training be undertaken. The review should take account of both employer contributions, in all forms, to training, and returns or benefits received by employers through the combination of all incentives (both state and Commonwealth) such as grants, tax concessions, subsidies for the employment of apprentices and trainees, workers' compensation arrangements et cetera. The review should investigate measures which could be introduced to lift the level of enterprise investment in vocational education and training which leads to national qualifications, including:**

**(i) options to encourage and support cooperative schemes at the industry level which work toward this objective;**

**(ii) incentives which could be introduced to encourage firms to make additional investment;**

**(iii) the establishment of a target of a minimum investment by each enterprise equivalent to (say) 3 per cent of payroll to be spent on training (exclusive of the wages of those being trained) and the marketing and monitoring of this target;**

**(iv) measures to ensure that minimum levels of investment in training leading to national qualifications by individual enterprises are a condition of the letting of government tenders, infrastructure projects and contracts;**

**(v) the benefits which would flow from the costs of, extending the research and development tax concession arrangements to include investment in vocational education and training which leads to national qualifications where the employer spends more than (say) 3 per cent of payroll on training; and**

**(vi) changes to the Commonwealth New Apprenticeships Financial Incentives Program**

**including the feasibility and likely effectiveness of varying the rate in different industry sectors to encourage training in industries that suffer skill shortages.**

**(b) ANTA MINCO approve the terms of reference for the review following advice from the Commonwealth and ANTA CEOs.**

The Government does not see any present need for an independent review or a mandatory training expenditure scheme. The National Centre for Vocational Education Research (NCVER) is undertaking a large amount of work in this area. The National Research and Evaluation Strategy for 2001-2003 and the previous strategy (1997-2000) were developed in consultation with stakeholders in the VET Sector. The economic and social implications of vocational education and training, encompassing return on investment in training to enterprises and individuals, has been identified as a priority area for VET research under the Strategy.

**Recommendation 24 (paragraph 9.160)**

**The Committee recommends that pending the independent review, recommended in Recommendation 23, of both industry investment in training and benefits derived by industry from the range of incentives and subsidies, DETYA re-examine the withdrawal of completion payments from 'not for profit' Group Training Companies.**

The non-payment of a completion payment to not for profit GTCs reflects their special tax free status. The 1997/98 Budget change to incentives was designed to ensure that no employer was worse off when the CRAFT taxation exemption on incentives was removed from 1 January 1998. The re-introduced completion payment, when taken with other standard incentive payments, maintained a net total value of the incentives in the hands of employers who were subject to taxation. The significant role of GTC's in recommencing out of trade New Apprentices has been recognised by payment of a completion incentive for recommenced Certificate III or IV New Apprentices. The Government has no present plans to re-examine this issue.

**Recommendation 25 (paragraph 9.168)**

**The Committee recommends that the Commonwealth not implement changed eligibility criteria for its New Apprenticeships Financial Incentives Program without formally advising and receiving the views of ANTA MINCO on the intended changes.**

The Commonwealth has consulted with the States and Territories on possible incentives policy changes where this has been practical. For instance, State and Territory representatives have been invited to join the reference group for the current review of the Disabled Apprentice Wage Support (DAWS) element of the New Apprenticeships Incentives Programme. In return the Government hopes that in future the States and Territories will also provide the Commonwealth with the opportunity to consult on changes that States and Territories are planning to introduce to their incentives programmes.

At its November 2000 meeting, ANTA MINCO requested the ANTA Board to provide a report to its first meeting in 2001 on the potential to improve coherence and compatibility in the area of subsidies and incentives.

**Recommendation 26 (paragraph 7.85)**

**The Committee recommends that a moratorium be placed on User Choice pending an independent national investigation of the impact of competition policies and User Choice on the viability of TAFE. The investigation should consider inconsistencies and legal impediments in its implementation and, based on experience to date, determine whether it has been demonstrated that User Choice has delivered net benefits to stakeholders.**

The Government does not support this recommendation. The National Evaluation of User Choice, completed in 1999, found that User Choice is having a positive effect. This view is confirmed in the Victorian Review of the Quality of Training in Victoria's Apprenticeship and Traineeship System, May 2000, which states that "some negative impacts [of User Choice] .... have been outweighed by the positive effects in terms of encouraging providers, particularly TAFE Institutes, to get closer to their clients and develop more flexible and innovative approaches to training delivery."

Commonwealth, State and Territory governments are, however, aware that further improvement is required, particularly in the area of national consistency. To this end, on 17 November 2000 the ANTA Ministerial Council endorsed a range of measures to address inconsistencies in the imple-

mentation of User Choice across jurisdictions. These include:

- the States and Territories, the Commonwealth and ANTA compare the availability of public funding for each Training Package qualification as a New Apprenticeship pathway in the jurisdictions in order to identify where greater consistency in the availability of this funding across jurisdictions can be achieved, without compromising State and Territory decision making on resourcing issues as agreed by Ministers in May 1997;
- that information regarding the following aspects of User Choice be published on the User Choice and incentives information service;
- the criteria used by States and Territories to determine whether public funding will be available for each New Apprenticeship;
- the availability of public funding for each qualification as a New Apprenticeship pathway;
- the criteria used by States and Territories to determine which training provider can be chosen by clients to deliver their New Apprenticeship
- the training providers who the client can choose to deliver their New Apprenticeship.
- amendments be made to User Choice policy principles to take account of State and Territory decisions regarding the resourcing of New Apprenticeships and the management of risks associated with Registered Training Organisations; and
- development of administrative protocols for User Choice which incorporate best practice in procurement, contract management and customer service.

Ministers also agreed that the ANTA Board will report back to the first meeting of MINCO in 2001 on the effectiveness of these measures to improve the implementation and consistency of User Choice.

**Recommendation 27 (paragraph 8.210)**

**The Committee recommends that:**

**(a) a national professional teaching standards and registration body be established with responsibility, authority and resources to develop and maintain standards of professional practice for VET teachers and trainers. The national body should work closely with state governments, industry and peak teaching organisations. The national body should:**

**establish national standards of professional practice which take into account what teachers should be expected to know and be able to do in order to facilitate student learning;**

**certify levels of entry into the profession, criteria for re-registration and recognition of advanced standing in the profession for full-time, part-time and casual teachers;**

**accredit programs of initial teacher training and establish the professional development framework for the maintenance of the professional expertise of all teachers;**

**make recommendations to ANTA MINCO on priorities for national professional development programs;**

**assist teachers and trainers to improve their skills; and**

**manage a register of teachers and trainers who meet and maintain professional standards and are thereby eligible for employment by public and private training providers.**

**(b) the national professional teaching standards and registration body be empowered to delegate aspects of its authority, and such tasks as it sees fit, to appropriate agencies or teacher associations;**

**(c) teachers' and trainers' registration fees be levied as an offset to costs; and**

**(d) the National Qualifications and Quality Assurance Authority recommended in this report (Recommendation 6) take on the role of the national professional teaching standards and registration body.**

The recommendation is not supported.

States and Territories are responsible for their own training systems, including administration of TAFE institutes and employment of TAFE teachers.

As part of the ongoing work to revise the ARF, the ANTA Ministerial Council agreed at its 17 November 2000 meeting that, a requirement be included that personnel undertaking assessments on behalf of an RTO should hold the following assessment competencies for the Assessment and Workplace Training Training Package or equivalent (noting that competencies need not necessarily be held by one person):

- BSZ401A Plan Assessment
- BSZ402 Conduct Assessment
- BSZ403 Review Assessment, and

The relevant vocational competencies at least to the level being assessed;

The ANTA Ministerial Council also agreed that delivery standards be incorporated into the ARF requiring personnel delivering training to be competent or under the direct supervision of competent personnel. (Competence for this purpose is defined as having all the competencies in the Certificate IV from the Training Package for Assessment and Workplace Training, or having

demonstrated equivalent competencies, and vocational competencies at least to the level of those being delivered).

There are also national staff development initiatives funded by the Commonwealth through ANTA to equip VET practitioners with the skills necessary to deliver training in different and innovative ways in order to meet client needs. These include:

- Framing the Future which aims to increase the skills of VET practitioners who are involved in implementing the National Training Framework. This initiative funds work-based learning projects around Australia to assist practitioners to understand and use Training Packages;
- LearnScope which provides funds for work-based learning in RTOs to assist VET professionals to develop the skills, knowledge and attitudes required to apply new learning technologies for flexible learning and delivery;
- Flexible Learning Fellowships which promote the implementation of more responsive and innovative flexible learning among RTOs. The Fellowships are awarded to RTO senior and middle level managers.
- Flexible Learning Leaders which aims to develop a nation-wide group of VET practitioners able to lead Australian VET in flexible learning pedagogy and the technical skills in application of information technologies to flexible learning.

The Commonwealth through ANTA has funded a project to trial a profession development strategy to build the capability of VET practitioners in using Training Packages. The project will involve the development of Support Materials by pilot groups across Australia as a way to enhance the skills of participants to construct effective learning and assessment pathways. The pilot groups will focus on Key Competencies, working with youth, cultural diversity, VET delivery in Adult and Community Education and assessment.

#### **Recommendation 28 (paragraph 9.210)**

**The Committee recommends that:**

**(a) the Commonwealth investigate how Commonwealth and state and territory funding for Registered Training Organisations could be used to encourage effective and accessible mutual recognition of prior learning or current competencies; and**

**(b) where employers demonstrate a preparedness to fund training for existing employees to gain nationally recognised qualifications, the Commonwealth contribute to the cost of recognition of prior learning or recognition of current competencies for those employees.**

The Government agrees that more work is needed on recognition of prior learning (RPL). It is expected that ANTA will be progressing work in this area, through ANTA National Project funding, commencing in 2001. The objectives of the project are: to articulate national policy which supports access to RPL in the VET sector in the context of the NTF and revised ARF standards; to inform RPL decision making by RTOs and prospective students; and to increase access to RPL through the development of cost effective approaches. In November 2000, the ANTA Ministerial Council agreed that revised Australian Recognition Framework (ARF) standards for Registered Training Organisations (RTOs) including a requirement "that RPL processes are readily accessible and structured to minimise the time and cost to clients, and that RPL occurs before training commences."

The Government has no plans to produce a specific scheme to fund recognition of prior learning or recognition of current competencies for employees.

**The Australian Democrats Senator's Additional Comments' (recommendation 1.2)**

**The Australian Democrats recommend the immediate review of fees and charges levied by publicly-funded training providers with a view to their abolition, reduction or subsidisation.**

The is a matter for the States and Territories, however improving access and removing the barriers to participation in education and training is a key objective of the Government and is reflected in A Bridge to the Future: Australia's National Strategy for Vocational Education and Training 1998-2003 and its supporting paper Achieving Equitable Outcomes.

**The Australian Democrats Senator's 'Additional Comments' (recommendation 1.3.1)**

**The Australian Democrats view the high level of funding of Work for the Dole as an unacceptable diversion of much needed resources away from appropriate training, such as that provided by the VET sector, and recommend that the funding for Work for the Dole be immediately reviewed in this context.**

The Government does not support this recommendation.

Although Work for the Dole is not a training programme, it is highly effective in strengthening people's job prospects. Of job seekers who complete their placements, the proportion proceeding to employment or study three months later is around 36 per cent, with around 11 per cent proceeding to education or training. This is encouraging given that around half of the participants in

Work for the Dole have been on unemployment benefits for 2 years or more.

In terms of net impact, about 30 per cent of Work for the Dole participants were no longer on benefits three months after leaving the programme, compared to only 17 per cent of a control group of similar job seekers who did not participate, an improvement of 13 percentage points or 76 per cent. These results compare very favourably with previous training programmes under Working Nation which achieved off-benefit net impacts of 2 percentage points or less.

A recent Net Impact Study undertaken by the Department of Employment, Workplace Relations and Small Business in August 2000 revealed that a clear majority of job seekers reported an improvement in their self esteem, motivation to find work and chances of getting a job. In particular, 83 per cent of job seekers reported an increased desire to find a job as a result of their participation in a Work for the Dole project.

Another recent survey-based report commissioned by the Department of Employment, Workplace Relations and Small Business explored general attitudes to Work for the Dole and Mutual Obligation. When asked about Work for the Dole, 89 per cent of the general community were supportive of the programme. 80 per cent of unemployed people surveyed also supported the Mutual Obligation requirement as it motivated them to work and enabled them to give something back to the community.

**The Australian Democrats Senator's 'Additional Comments' (recommendation 1.3.2)**

**The Australian Democrats support the replacement of the discriminatory, age-based junior rates of pay with a competency-based wage structure. This envisages payment of differential rates of pay according to skill level and acquisition. Young people must be offered training to develop skills and receive appropriate remuneration through wage increases as their competency increases.**

The Government opposes the abolition of the current system of junior rates in awards.

It has long been the Government position that the preservation and extension of junior rates is essential to maintain and improve the competitiveness of young people in the labour market. Far from disadvantaging junior employees, junior wage rates actually assist young people to gain employment. Junior rates help young people to gain a foothold in the labour market and to acquire necessary workforce experience.

In 1999 the Australian Industrial Relations Commission (AIRC) Junior Rates Inquiry independ-

ently and thoroughly examined the consequences for youth employment of abolishing junior rates. The Commission determined that there is an undisputable relationship between junior rates, their potential abolition and the employment prospects of young people. The Inquiry also found that there is no feasible non-discriminatory alternative to junior rates.

The Australian Democrats put to the Junior Rates Inquiry their position that age-based junior rates of pay should be replaced with a competency-based wage structure. This, and other suggested competency-based alternatives, were rejected by the AIRC. The Inquiry was critical of the practicality and desirability of competency-based wages as an alternative to junior rates. The development of competency-based classifications for entry level work was regarded as not even the "best of the bunch" of non-discriminatory options available.

The Government supports the provision of training opportunities for young people, and has implemented a range of initiatives. Under the Government's New Apprenticeships scheme, a wide variety of flexible apprenticeships and traineeships are available to young people and employers who wish to use them. The Government also included provisions in the Workplace Relations Act 1996 that require the AIRC when making awards to have regard to the need to support training arrangements through appropriate trainee wage provisions. This is designed to ensure that awards include trainee wages as well as junior rates. But the choice of which to use should remain with young people and employers. Young people and employers should not be forced to enter a formal training scheme if they do not want to. Young people and employers who choose junior employment without formal training should not be prevented from doing so by the workplace relations system. Individual young people and employers are in a far better position than the workplace relations system to decide whether formal training as part of employment is in their interests.

#### GLOSSARY OF ACRONYMS

ANTA	Australian National Training Authority
NCVER	National Centre for Vocational Education Research Ltd
NTQC	National Training Quality Council
ARF	Australian Recognition Framework
ACCI	Australian Chamber of Commerce and Industry
AiG	Australian Industry Group

BCA	Business Council of Australia
RTO	Registered Training Organisation
RPL	Recognition of Prior Learning
NAC	New Apprenticeships Centre
NQQA	National Qualifications and Quality Assurance Authority
STA	State Training Authority
NREC	National Research and Evaluation Committee
DETYA	Department of Education, Training and Youth Affairs
CEOs	Chief Executive Officers
GTC	Group Training Company
NTF	National Training Framework
VET	Vocational Education and Training
AIRC	Australian Industrial Relations Commission
ABS	Australian Bureau of Statistics

#### BIODIESEL FUEL

**The DEPUTY PRESIDENT**—I present a response from the Minister for the Environment and Heritage, Senator Hill, to a resolution of the Senate of 8 March 2001 concerning biodiesel fuel.

#### AUSTRALIAN WOMEN IN AGRICULTURE

**The DEPUTY PRESIDENT**—I present a response from the Minister for Transport and Regional Services, Mr Anderson, to a resolution of the Senate of 8 March 2001 concerning Australian women in agriculture.

#### SURVEY OF SENATORS' SATISFACTION WITH DEPARTMENTAL SERVICES 2001

**The DEPUTY PRESIDENT**—For the information of the Senate, I present a report of the *Survey of Senators' Satisfaction with Departmental Services 2001*.

#### CENTENARY OF THE FIRST MEETINGS OF THE HOUSES OF THE COMMONWEALTH PARLIAMENT

**The DEPUTY PRESIDENT**—I present a letter from the presiding officers of the houses of the parliament of the United Kingdom, the Rt Hon. Lord Irvine of Lairg and the Rt Hon. Michael Martin MP, relating to the centenary of the first meetings of the houses of the Commonwealth parliament.

## DELEGATION REPORTS

### Australian Parliamentary Delegation to the 46th Commonwealth Parliamentary Conference

**The DEPUTY PRESIDENT**—I present the report of the Australian Parliamentary Delegation to the 46th Commonwealth Parliamentary Conference, United Kingdom, September 2000.

#### BUDGET 2000-01

#### Consideration by Legislation Committees

##### Additional Information

**Senator CALVERT (Tasmania)** (3.45 p.m.)—On behalf of the respective chairs, I present additional information relating to hearings on the budget and additional estimates for 2000-01 received by the Employment, Workplace Relations, Small Business and Education Legislation Committee, the Finance and Public Administration Legislation Committee and the Rural and Regional Affairs and Transport Legislation Committee. There are four volumes in total.

#### COMMITTEES

##### Public Works Committee

##### Report

**Senator CALVERT (Tasmania)** (3.45 p.m.)—On behalf of Senator Ferguson and the Parliamentary Standing Committee on Public Works—of which I am a member—I present report No. 5 of 2001 entitled *Site filling, stabilisation and construction of infrastructure at the Defence site at Ermington, New South Wales*, and I seek leave to move a motion in relation to the report.

Leave granted.

**Senator CALVERT**—I move:

That the Senate take note of the report.

I seek leave to incorporate my tabling statement in *Hansard*.

Leave granted.

*The statement read as follows—*

Defence Site at Ermington

Madam President, the report I have tabled concerns the proposed site filling, stabilisation and construction of infrastructure for the Defence site at Ermington, Sydney, New South Wales.

The proposed works are to take place on the site of a former Royal Australian Navy naval stores

depot on the northern shore of the Parramatta River at Ermington. The site is vacant and surplus to Defence requirements. Defence therefore intends to sell the site.

Madam President, the proposed works are intended to optimise the revenue return from the future sale of the site. A range of site preparation works are intended to reduce uncertainties which may have been perceived by prospective purchasers and thereby increase the range of sale options.

Once the site preparation works have been completed, it is expected that the site will be used as a residential development.

The estimated cost of the proposed work is \$31.6 million. The work involves an extensive site filling, stabilisation and construction of infrastructure program, the main elements of which include:

- stripping topsoils and regrading the exposed surface to prevent ponding and enhance the flow of surface water;
- installing vertical prefabricated band drains from the prepared ground level to varying levels below ground; and
- forming a fill platform above the one in a hundred years flood level.
- They also include:
- constructing an access lane off Silverwater Road for construction traffic;
- installation of sewer pipe reticulation; stormwater drainage works, water supply pipe;
- construction of roads;
- construction of landscaping and water quality control works;
- installation of power, gas and communications reticulation; and
- reconstruction of a seawall near the southern boundary of the site.

The estimated cost of \$31.6 million also covers design, site establishment and environmental controls, excavation, treatment, backfilling and compaction of fill, seawall protection works and management of ground water. It should be noted that the estimated cost includes a contingency for both the filling and stabilisation costs and infrastructure costs.

Madam President, in all of its reports, the Committee gives specific attention to environmental and heritage issues. In the case of the Ermington project, the Committee was advised by the Department of Defence that the consultants engaged to undertake a flora and fauna assessment of the site of the proposed development had found no endangered species listed under either the Commonwealth's Endangered Species Act or the New

South Wales Threatened Species Conservation Act. The assessment also found that the majority of the vegetation on the site consisted of species introduced to the area.

With respect to heritage issues, no buildings or structures of heritage importance remained on the site.

Madam President, the Committee is strongly of the view that—in projects such as this one at Ermington—it is essential that the Department of Defence involve the wider community in the works process.

The Committee is very supportive of the Community Reference Group process undertaken prior to the commencement of the works at Ermington. The Group showed an impressive level of commitment in devising and utilising a program of participation and partnering from the outset.

Evidence to the Committee from the Residents Committee has provided a snapshot of how a meaningful relationship developed between a proactive, interested community and the land-owner, in this case the Department of Defence.

The Committee is of the opinion that an ongoing community involvement, such as that proposed with respect to the Ermington works, will lend greater legitimacy to an agency's actions and facilitate the implementation of projects. In turn, such consultation should also minimise disturbance to the community.

Madam President, on the basis of evidence—both public and in camera—presented as part of the Inquiry process, the Committee concluded that the proposed site works will reduce uncertainties perceived by prospective purchasers and will increase the range of sale options available to the Department of Defence. Additionally, the Committee is of the view that the proposed works represent value for money and have the potential to maximise the revenue return to the Commonwealth from a future sale of the site.

Further, on the basis of evidence presented to the Inquiry, the Committee concluded that the proposed works have the potential to provide long term benefits to the Ermington community and the Parramatta region.

The Committee has therefore recommended that the proposed site filling, stabilisation and construction of infrastructure proceed.

In conclusion, I would like to thank the Department of Defence, and in particular Mr Bernard Blackley and Mr Mathew Beggs for their assistance during the Inquiry.

Once again I would also like to thank Ian Ireland from the Parliamentary Library. Ian was seconded

to the Committee's secretariat last year and has assisted the Committee with other inquiries. We thank him for the valuable advice and the assistance that he has provided us in the conduct of this Inquiry and the preparation of the report.

I commend the Report to the Senate.

Question resolved in the affirmative.

### **Employment, Workplace Relations, Small Business and Education References Committee**

#### **Report: Government Response**

**Senator CARR (Victoria)** (3.46 p.m.)—I seek leave to return to item 11, 'Tabling of documents', and the government responses to committee reports presented to the President since the last sitting of the Senate in Canberra.

Leave granted.

**Senator CARR**—I seek leave to move a motion in relation to the government response to the report of the Senate Workplace Relations, Small Business and Education Committee, *Aspiring to excellence*, which was tabled in November last year.

Leave granted.

**Senator CARR**—I move:

That the Senate take note of the document.

I draw to the Senate's attention that this is a government response to a committee report which was, as I said, tabled in November of last year. It is a report that arose from 150 submissions from Australians all across this country. It is a report which represents not just the views of a handful of opposition senators; it is in fact a coalescence of the informed views of dozens of vocational education professionals, industry people, government officials and individuals. It represents the views of people who are in the vocational education system—students, teachers and various people—and who genuinely know what is happening within vocational education in this country at the moment. These are the people who have the experience and who know what works and what does not. In a sense, it is those people who really ought to be able to claim credit for this report, because it is very much their report.

So I was somewhat disappointed to receive the government's response to the

committee's report, which essentially sought to wipe off the totality of this experience and this informed opinion with a series of rather trite responses to a whole measure of quite serious propositions that have been put to the government. When the government rejects the recommendations out of hand, it is also rejecting out of hand the very valuable insights of hundreds of people across this country who were prepared to put their views to the Senate and consider in a very careful and serious way the options that should be presented to develop a much stronger vocational education system in this country.

Remember, it is a system that caters for 1.8 million Australians. Vocational education stands at a critical point in its history. We have seen quite clearly that it has been asked to pay a very high price in terms of the quality of the programs that have been provided as a direct result of this government's policies, which have been to essentially starve it of funding since 1996. It has been instrumental in introducing and developing a policy of growth through efficiencies. We have seen a whole series of measures taken by this government which allow the rorting of the system by, unfortunately, too large a number of private providers. We have seen a series of slapdash measures that have been adopted and resorted to in order to produce a system, in which ever increasing numbers of people are enrolled, without the necessary commitment to quality in terms of the products that are produced by the system itself.

*Aspiring to excellence* provided a considered analysis of the deficiencies and some of the strengths of the current system. The consequence of this government's policies is clearly identified in terms of a decline in quality, as I have already mentioned. This was measured in the Schofield reports and various other reports by state governments across this country. The report also drew attention to the quite extraordinary levels of skill shortages that are now developing within this country as a result of the failure

of this government to concentrate on what is really needed in terms of the future demands of industry and of society. We saw, through this report, the need to develop a national code of quality for the system which was underpinned by a legally enforceable regulatory regime—an enforceable set of standards and procedures together with various performance measures to ensure that we were genuinely getting value for money and that people were not being ripped off by the unscrupulous—to ensure that there is the maintenance of quality and standards which is appropriate to meet the needs of this country for the future.

We have seen in the government's response that they say employers and businesses are entitled to benefit from operating within an international framework and that that is the whole purpose of the modern economy. They say that one ought to be able to go out into the world and trade without restriction. They do not say that workers are entitled to ensure that they, too, have the opportunity to operate within a national scheme which is able to be measured internationally—and competitively internationally—and is of high quality and that the qualifications people earn are in fact respected and accepted right across the country, no matter where people live. Quite clearly, the present system does not allow that to occur. We ought to be looking for a system that actually ensures that we do not have the skill shortages that we currently have and that we do have quality qualifications that genuinely mean something.

The third issue that the report dealt with was the question of the government's failure to meet its funding obligations and to provide genuine leadership to ensure that it did develop partnerships with workers, industry and state governments to ensure there were proper processes in place so that real needs were actually met through our vocational education system.

What we have seen in this government's response is quite clearly a neglectful, patronising and evasive approach being taken by this minister. We have seen quite clearly the government's view about what it is not interested in. We see that it is not interested



in ensuring that vocational education professionals are properly represented on the various boards and authorities within the system and that education is given due weight within the system, rather than just a reliance on training. We see that the government is not interested in protecting the interests of students. We see that it is not interested in protecting or minimising the levels of wastage through undertaking proper research into non-completion rates. What we also see is that the government is not interested in guaranteed outcomes in regard to a national system or a quality assurance system within vocational education. We also see that the government is not interested in ensuring that proper leadership is shown and that the appropriate relationships are developed with the state governments, with business and with organisations representing working people in this country.

We note from this government's response essentially that they have once again missed out on an opportunity to come forward with real policy initiatives. We see a neglectful and patronising style being adopted by the government. They say, 'Anything that is worth considering, we are already doing. Whatever is not working, we are not particularly interested in fixing.' As I say, you can read through these recommendations one after another. What you note is that where they are required to take action, they say, of course, 'We've got a report into that.' They say, 'We do acknowledge that there are weaknesses in the arrangements, but we are looking into that.' There is no commitment here to address those fundamental problems that have been so widely identified across the system.

On the issue of growth funding, which is probably the most fundamental of all the problems facing the system at the moment, we note that the government's response is a cop-out. We see reports in the paper that there are proposals by this government to provide additional funding for the vocational education system this year, despite the fact that now six months have passed since the end of the last funding agreement. As we go month by month, quite clearly a deep-seated

crisis is developing within our TAFE colleges across this country.

The government have so far offered \$75 million in growth funding. Of course, they present it as, in reality, \$480 million. As usual, Dr Kemp's tricky and dishonest approach is taken on these questions. What we do not see is any real commitment being made to measure what is genuinely needed in terms of the growth of the system. We hope that perhaps tonight there is an opportunity—in fact, there is one opportunity left—for the government to come forward with some measures that will genuinely come to terms with the growth in the system. You simply cannot have compound growth rates, as we have seen in recent times, without additional resources to support them.

In recent years we have seen growth rates approaching six per cent but what we have seen from the government, on the other hand, is a reduction in Commonwealth funding. When you take out the normal indexation that applies for prices and the rest of it, in real terms this government is providing less money for our TAFE colleges than it has provided in the past. The situation now is that—and for five years the Labor Party has been saying this is needed—growth has to be funded properly. We must move forward to a quality assurance regime that is genuinely national in scope and legally enforceable. This government response is recognition by this government that it is basically not interested. It is not interested in serious reform in vocational education and training. It is not interested in genuinely meeting the needs of the Australian people, be they through business or in terms of citizens as workers. It is certainly not interested in the needs of citizens. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

#### **Rural and Regional Affairs and Transport Legislation Committee**

##### **Report: Government Response**

**Senator FORSHAW (New South Wales)**  
(3.57 p.m.)—by leave—I move:

That the Senate take note of the document.

I wish to speak about the government response to the report of the Rural and Re-

gional Affairs and Transport Legislation Committee on high quality beef exports to the European Union. I do not intend to take long or to use up the full amount of time allocated to me, and I will seek leave to continue my remarks at the end of these few comments. Firstly, I want to express the opposition's strong disappointment with the government's response to the Senate Rural and Regional Affairs and Transport Legislation Committee report. This report was handed down in December 2000. The report considered an order made by the Minister for Agriculture, Fisheries and Forestry, Mr Truss, in December 1999 when he changed the system of allocation of export quotas for beef into the European Union market.

The committee had the opportunity through the estimates proceedings last year, on a couple of occasions, as well as through its formal inquiry into the minister's order, to examine in some detail the circumstances surrounding the minister's decision. What came to light was the ineptitude, the lack of attention to detail and, generally, the gross incompetence of the current minister and former ministers, particularly Ministers Vaile and Anderson, in regard to this whole issue.

The committee brought down a unanimous report. The committee is chaired by Senator Crane, and I notice Senator Calvert is present in the chamber. As an active member of that committee, I am sure that Senator Calvert will recall that the committee was presented with evidence that, firstly, showed there was an unfair retrospective application of the order. The commercial interests of certain companies involved in the beef industry were affected through a retrospective application of changes to the way in which the export quotas would be allocated.

Secondly, what became evident to the committee through the various proceedings and, as I have said, through the estimates hearings as well was that there was certainly some evidence to suggest that some companies were in a position to have advance knowledge of the government's proposed changes in regard to this system of allocating European Union beef quotas. As a result, there may well have been an advantage gained by some companies over others. We

on the committee, in this unanimous report—I again stress 'this unanimous report'—were concerned about these two issues: that is, the issue of retrospectivity and the issue of potential commercial advantage. We made five recommendations to the government to deal with those two issues as well as the future system that should operate with respect to allocating beef quotas. It is unfortunate, therefore, as I have said, given that it was a unanimous report and that they were unanimous recommendations, that the minister has completely rejected those recommendations that would have addressed these very serious issues that the committee highlighted in its report.

I have to ask the question—and it will be interesting to hear the views of Senator Crane and other government members of the committee—why has this been allowed to happen? I compliment government members on the committee on their work on this issue, as on a number of issues affecting agriculture and our rural export industries. We have worked towards unanimity on issues where that can be achieved. On this occasion, government members on the committee as well as opposition members—and Senator Woodley as well—were concerned about the maladministration of this change in the department and particularly by the minister. It is therefore unfortunate that this minister once again has ignored the recommendations of members of his own party who, I dare to say, know more about the issues than he does.

Finally, I would have thought that, by now, whoever drafted the final government response that has been tabled had paid sufficient attention to detail and learned how to spell my name correctly—but maybe that is symptomatic of the careless attitude that has been adopted in regard to this matter generally. I seek leave to continue my remarks at a later stage.

Leave granted; debate adjourned.

### Membership

**The ACTING DEPUTY PRESIDENT (Senator Chapman)**—The President has received a letter from a party leader seeking

variation to the membership of certain committees.

Motion (by **Senator Tambling**)—by leave—agreed to:

That senators be discharged from and appointed to committees as follows:

Community Affairs Legislation Committee—

Discharged: Senator Stott Despoja as a participating member

Community Affairs References Committee—

Substitute member: Senator Lees to replace Senator Bartlett for matters relating to health

Employment, Workplace Relations, Small Business and Education Legislation and References Committees—

Substitute member: Senator Lees to replace Senator Stott Despoja for matters relating to employment and training

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

Discharged: Senator Stott Despoja as a substitute member

Participating member: Senator Stott Despoja for matters relating to information technology

Substitute member: Senator Greig to replace Senator Bartlett for matters relating to information technology

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

Participating member: Senator Greig for matters relating to information technology

Finance and Public Administration References Committee—

Discharged: Senator Stott Despoja as a participating member

Participating member: Senator Greig for the committee's inquiry into the Government's information technology outsourcing initiative.

#### ASSENT TO LAWS

Messages from His Excellency the Governor-General were reported informing the Senate that he had assented to the following laws:

Appropriation (Parliamentary Departments) Bill (No. 2) 2000-2001

Appropriation Bill (No. 3) 2000-2001

Appropriation Bill (No. 4) 2000-2001

Crimes Amendment (Forensic Procedures) Bill 2001

Broadcasting Legislation Amendment Bill 2001

Law and Justice Legislation Amendment (Application of Criminal Code) Bill 2001

Taxation Laws Amendment (Excise Arrangements) Bill 2000

Customs Tariff Amendment Bill (No. 4) 2000

Remuneration Tribunal Amendment Bill 2000

Petroleum (Submerged Lands) Legislation Amendment Bill (No. 3) 2000

Petroleum (Submerged Lands) (Registration Fees) Amendment Bill 2000

Pig Industry Bill 2000

Treasury Legislation Amendment (Application of Criminal Code) Bill 2001

Coal Industry Repeal Bill 2000

Migration Legislation Amendment (Integrity of Regional Migration Schemes) Bill 2000

Electoral and Referendum Amendment Bill (No. 1) 2001

Foreign Affairs and Trade Legislation Amendment (Application of Criminal Code) Bill 2000

Lake Eyre Basin Intergovernmental Agreement Bill 2001

Crimes Amendment (Age Determination) Bill 2001

Family and Community Services and Veterans' Affairs Legislation Amendment (Debt Recovery) Bill 2000

Excise Tariff Amendment Bill (No. 1) 2001

Customs Tariff Amendment Bill (No. 2) 2001

#### **SEX DISCRIMINATION AMENDMENT BILL (No. 1) 2000**

##### **First Reading**

Bill received from the House of Representatives.

Motion (by **Senator Tambling**) agreed to:

That this bill may proceed without formalities and be now read a first time.

Bill read a first time.

### Second Reading

**Senator TAMBLING** (Northern Territory—Parliamentary Secretary to the Minister for Health and Aged Care) (4.06 p.m.)—I table a revised explanatory memorandum relating to the bill and move:

That this bill be now read a second time.

I seek leave to have the second reading speech incorporated in *Hansard*.

Leave granted.

*The speech read as follows—*

The Sex Discrimination Amendment Bill (No. 1) 2001 remedies a problem with the operation of the Sex Discrimination Act 1984 identified by the Federal Court in its decision in *McBain v the State of Victoria*.

In that case the Court held that Victorian legislation restricting access to assisted reproductive technology (ART) treatment to women who were married and living with their husband on a genuine domestic basis, or living with a man in a de facto relationship was inconsistent with the Commonwealth Sex Discrimination Act, and as a consequence, was invalid under Section 109 of the Constitution.

It is the Government's view that it was not contemplated that the Sex Discrimination Act would prevent the States legislating to restrict access to ART procedures to women who are married or living in de facto relationships.

The Sex Discrimination Amendment Bill (No. 1) 2001 will amend the Sex Discrimination Act to ensure that States and Territories can legislate to limit access to assisted reproductive technology services to married couples (or married couples who are not living separately and apart from their spouse) and de facto couples, if the State or Territory wishes to do so. The amendments will not, however, permit States and Territories to discriminate between married and de facto couples. Nor will they permit States and Territories to impose an additional criterion of a specified period of cohabitation for de facto couples.

The Commonwealth has limited constitutional power to legislate in this field. It is consistent with the States' responsibilities in relation to the regulation of the provision of medical care and treatment that they be permitted to legislate in the area of ART as they consider appropriate.

This issue primarily involves the right of a child within our society to have the reasonable expectation, other things being equal, of the care and affection of both a mother and a father.

The amendment deals with ART services. ART services are defined to mean services using technology to assist in non-coital fertilisation.

The main forms of ART include in vitro fertilisation (IVF), artificial insemination, gamete, zygote and embryo transfers.

IVF involves a range of procedures aimed at achieving pregnancy where there are issues of infertility. IVF actually means that ova are fertilised outside of a woman's body to allow the fertilised ova (embryos) to be implanted at some later stage.

Artificial insemination involves the transferral of sperm into the reproductive tract of a woman to achieve pregnancy. Fertilisation occurs within the woman's body.

Artificial insemination is used to achieve pregnancy in women who are fertile, but do not have male partners and who do not wish to become pregnant by traditional coital means; by couples where the male partner is infertile (donor insemination); and in some cases where the woman may not be classified as "infertile" in the strict sense but nevertheless has been unable to become pregnant by coital means.

Artificial insemination is by far the most commonly used procedure by single and lesbian women to achieve pregnancy in the absence of female infertility.

IVF is generally only utilised by single and lesbian women if pregnancy has not been able to be achieved through artificial insemination.

The Bill will commence upon Royal Assent.

When the Bill commences, any provisions of the Victorian and South Australian Acts that have previously been ruled inconsistent with the Sex Discrimination Act and which are no longer inconsistent with that Act will revive. The amendment will also ensure the validity of the existing Western Australian legislation to the extent that it is not inconsistent with the Sex Discrimination Act as amended. However, the Bill will not preserve State or Territory laws to the extent that they prescribe a required length of cohabitation before a person can access ART services as this is inconsistent with the definition of "de facto spouse" in the Sex Discrimination Act.

If a State or Territory chooses not to legislate in this area, the Sex Discrimination Act will continue to apply.

The Government is acting to ensure that States and Territories have the power to enact legislation to limit the availability of assisted reproductive technologies to married women and those living in a de facto relationship with a male partner.

In doing so the Government is doing its part to protect the rights of children to have the reasonable expectation, other things being equal, of the care and protection of both their mother and father.

Debate (on motion by **Senator Denman**) adjourned.

#### **AUSTRALIA NEW ZEALAND FOOD AUTHORITY AMENDMENT BILL 2001**

Consideration resumed from 4 April.

##### **In Committee**

The bill.

**Senator TAMBLING** (Northern Territory—Parliamentary Secretary to the Minister for Health and Aged Care) (4.07 p.m.)—I table a supplementary explanatory memorandum relating to the government amendment to be moved to this bill. The memorandum was circulated in the chamber on 22 May 2001.

**The CHAIRMAN**—There are a number of amendments to this bill and I understand that a running sheet is in the process of being drawn up and will be here shortly. I suggest that there might be some general comments that people wish to make about the bill.

**Senator TAMBLING**—In considering the amendments to the Australia New Zealand Food Authority Act, I ask the Senate to remember its antecedents: a lengthy consideration by all of the state and territory governments of processes to provide for a better, more integrated and more effective system of food regulation; secondly, building on the cooperation of all Australian jurisdictions and New Zealand to build a national and binational system of food standards in an area which is the constitutional responsibilities of the Australian states and territories; and, thirdly, a recognition across portfolios of all governments that communication and collaboration amongst government agencies and all their stakeholders is required for a comprehensive paddock-to-plate approach to national food safety standards.

I would also like to point out that the opposition parties have been extremely guarded about their amendments. We received them just before this session. Considering the time involved so far in the process and the recent recess of the parliament, it is a pity that these

amendments have been so late in coming forward. Considering how much the Labor Party value transparent processes and full consultation, I would say that they suffer from ‘do as I say and not as I do’ syndrome.

I would like to initially respond to questions that were asked earlier in this debate by Senator O’Brien in relation to maximum residue limits. I will refer to those as MRLs. Senator O’Brien first asked what the government plans to do to fix the problem of having two sets of MRLs that sometimes contain discrepancies. The senator is correct in identifying that the National Registration Authority for Agricultural and Veterinary Chemicals, the NRA, and the Australia New Zealand Food Authority, ANZFA, are responsible for maintaining the MRL standard and the Food Standards Code respectively and that both these gazetted standards establish MRLs. The NRA and ANZFA have worked closely to harmonise their processes for determining MRLs. For example, the agencies last year signed a memorandum of understanding establishing an agreed protocol for the assessment of dietary intakes of agvet chemical residues. The agencies are required, however, to work within the bounds of their legislation. At present, it is only after an agvet chemical has been registered for use that ANZFA begins its process to have an MRL promulgated in the Food Standards Code.

The main cause of discrepancies between the two sets of MRLs is the time taken for the Australia New Zealand Food Standards Council to become the Australia and New Zealand Food Regulation Ministerial Council and for that council to agree to enter an MRL in the Food Standards Codes once an MRL is entered into the MRL standard and a chemical is registered for use. The ANZFA Act prescribes consultation requirements that must be followed before any variation can be made to the Food Standards Code. These requirements must also be followed for MRLs.

I note that the amendments proposed by Labor to require all ministers to respond in relation to all standards and variations before they can be gazetted could lengthen the delay in rectifying any discrepancies. The limited

number of discrepancies that exist between the two standards tend to exist on a rolling basis, with those corrected by decisions taken by the ministerial council being replaced as new registrations or permits are granted.

The Department of Agriculture, Fisheries and Forestry—through AFFA—and the Department of Health and Aged Care, together with the NRA and ANZFA, are currently investigating the best ways of harmonising the MRL setting processes. With legislative amendment the probable outcome of this exercise, it is important that the issues be properly considered and sustainable processes established.

Senator O'Brien stated that one quarter of discrepancies between the MRL standard and the Food Standards Code relate to temporary MRLs associated with permits issued by the NRA. In establishing a temporary MRL, the NRA must satisfy the same legislative criteria as it would in establishing any other MRL, including that the use of a chemical in accordance with the permit would not be likely to have an effect that is harmful to humans. After issuing the permit, the NRA provides information to ANZFA to enable an MRL to be included in the Food Standards Code. As with chemical registrations, the discrepancy will only exist until the Australia New Zealand Food Standards Council has agreed to an MRL being promulgated in the Food Standards Code. Although discrepancies are generally short lived and do not compromise consumer safety, ideally they would not occur at all. This is an issue we have already identified as needing to be resolved.

Senator O'Brien also asked what would happen if there was a case against a person, an organisation or an entity for the possible misuse of an agvet chemical in the form of a residue above the MRL established in the MRL standards but below that established in the Food Standards Code. If a residue was found at a limit below that established in the Food Standards Code but exceeds the level in the MRL standard, generally this would indicate the misuse of the agvet chemical. However, there may also be situations where the NRA has reviewed an agvet chemical and

decided it can be used in a way that is still efficacious but results in lower residues. MRLs in the MRL standard reflect the most recent assessment of agvet chemicals undertaken in Australia. Following a review with such an outcome, the NRA will amend the MRL standard as appropriate and suggest to ANZFA that the MRL in the Food Standards Code also be lowered. Until the ANZFA processes have been finalised and the Australia New Zealand Food Standards Council has agreed to the lower MRL, the higher level will remain in the Food Standards Code.

Some jurisdictions reference the MRL standard for control-of-use purposes, and others the Food Standards Code. In the situation Senator O'Brien described, it would be up to the agency responsible for regulating control of use in the jurisdictions to follow up the matter. Senator O'Brien noted that the discrepancies between the MRL standard and the Food Standards Code may have implications for farmers implementing quality control programs. In these cases, it is more likely that agvet chemicals with MRLs that are higher in the MRL standard than in the Food Standards Code will cause concern. In these cases, use of an agvet chemical in accordance with its registered label or permit may result in residues above the MRL established in the Food Standards Code. This outcome supports the need for the four agencies to conclude their investigations and to recommend corrective actions to harmonise or to rationalise MRL setting processes in Australia.

Senator O'Brien also asked me a number of questions relating to Australia's data submissions re MRLs to Codex. Are Australia's data submissions re MRLs to Codex based on MRLs from the MRL standard or the Food Standards Code? What is the official MRL standard Australia uses in dealing with Codex? If this is the Food Standards Code, how do we explain the difference between the two standards that we apply domestically? Are there situations where the data is submitted to Codex, presumably including national registered users as defined by the NRA, but the actual MRL is determined by the Australia New Zealand Food Authority? Can that situation occur under the current



system? If that is the case, what does the government plan to do about it?

I would like to respond to these questions as follows. As Senator O'Brien is aware, Codex works with a mandate to protect the health of consumers and ensuring fair practices in food trade. I have been advised by Agriculture, Fisheries and Forestry Australia, AFFA, that Australia submits data to two FAO and WHO expert committees—the Joint Meeting on Pesticide Residues, the JMPR; and the Joint Expert Committee on Food Additives, JECFA—without formal reference to either the MRL standard or the Food Standards Code. These committees use the raw data submitted to draw their own expert conclusions on proposed MRLs. AFFA has also advised me that Australia does not have an official standard in dealing with Codex. In debate on MRLs in Codex meetings, interjections from the Australian delegation are aimed at ensuring that the standards set by Codex take into account the needs of consumers and producers in Australia as well as other member governments.

Data is provided by JMPR and JECFA without reference to the MRL setting in Australia. Australia would be submitting data only where a national registered use existed. I point out that Australia is an active contributor to Codex and its related activities. These include the JMPR, the JECFA and the Codex Committee on Residues of Veterinary Drugs in Food, all of which consider maximum limits for residues of agvet chemicals. Australia is also actively involved in the Codex committee on analysis and sampling, which is closely linked with the residue considerations. All in all, I believe Australia is very well regarded for its technical and administrative competence in Codex fora.

**Senator FORSHAW (New South Wales)** (4.18 p.m.)—I wish to make a couple of comments in response to the earlier remarks of the parliamentary secretary regarding the opposition's amendments. Senator Tambling expressed his disappointment that the government had only just become aware of the opposition's amendments. I think the parliamentary secretary doth protest too much, to quote the bard. Firstly, the parliamentary secretary would be aware that the issues cov-

ered in the opposition's amendments are the very issues that we raised in the committee report on the [Australia New Zealand Food Authority Amendment Bill 2001](#), which was tabled in April this year. In that report of the Senate Community Affairs Legislation Committee, the opposition detailed a range of areas of concern in this legislation and that we intended to move amendments to address those deficiencies in the legislation when it came before the parliament. That is the first point. The government has been on notice since the hearings of the committee, and the report, of the issues of concern to the opposition.

Secondly, I am advised that representatives of the opposition—particularly my colleague Mr Griffin in the other chamber, who is the opposition parliamentary secretary to the shadow minister for health—have been in fairly regular contact with the government on the issues to be addressed in our amendments. That is the normal course of events, as the parliamentary secretary knows, particularly when we are endeavouring to convince the government and other parties of the necessity to amend the legislation in order to improve it. So Senator Tambling is wrong again. Whilst he may not have seen the actual text of the amendments, he and the government have been made well aware of the position that has been adopted by the opposition and which is now contained within our circulated amendments.

The third point I wish to make is that I recall—and no doubt Senator Tambling took the lead from my remarks back in April—that it was the opposition who complained about the undue haste with which the government was seeking to bring this legislation on and have it dealt with. Indeed, my recollection is that the legislation committee met on a Thursday afternoon by leave of the Senate to consider this very important bill—a bill that changes the structure of the Australia New Zealand Food Authority—and we had to provide a report to the Senate virtually within 24 hours. That was the time given to the opposition to prepare its minority or dissenting report on this most vital piece of legislation.

We met the government's timetable on that occasion. We expressed our concerns about it, but we did whatever we could to meet the government's timetable. So I want to place it firmly on the record that the opposition is not terribly impressed when the parliamentary secretary comes in here on the first day of these sittings and starts to complain about the opposition's—on his allegation—failure to advise the government of what its amendments are. The government has been on notice for some time about our amendments, and I think we should now get on with the debate in the committee stage.

**Senator GREIG (Western Australia)** (4.23 p.m.)—I rise on behalf of Senator Natasha Stott Despoja, who is this evening in the budget lockup and who was keen to see through the passage of this legislation. The **Australia New Zealand Food Authority Amendment Bill 2001** amends the Australia New Zealand Food Authority Act 1991 to implement arrangements for a new food regulation system. This system is set out in the intergovernmental Food Regulation Agreement, agreed to by members of the Council of Australian Governments, COAG, on 3 November 2000. The new food regulatory system was developed by a senior officials working group of COAG and was formed in response to the Food Regulation Review Committee, chaired by Dr Blair. One of the important findings of the Blair review—and one argued by the food industry—was that the current system is perceived as inefficient, not least of all because of inconsistencies in the regulatory approaches of the states, territories and local governments.

This bill establishes a new statutory body, Food Standards Australia New Zealand, FSANZ, which is based on the existing ANZFA. The bill separates the new responsibility for policy direction, which will be the domain of a new ministerial council, and the setting of food standards, which will be the responsibility of FSANZ. The Democrats acknowledge that this bill goes some way to addressing problems in the current regulatory environment identified in the Blair review. However, while it is important to eliminate unnecessary impediments to business, the core purpose of food regulation is and must

be health and public safety. Senators will be well aware that inadequate government response to bovine spongiform encephalopathy, or BSE—mad cow disease, as we perhaps better know it—in Europe has significantly heightened public concern as to the robustness of food regulation. Public concern in Australia is also apparent in relation to genetically modified foods and food labelling requirements.

The government asserts that the new system provided for in this bill strengthens the focus on public health and safety. The Democrats believe this assertion is not without its merit in some respects. However, as outlined in our supplementary report to the committee inquiry and in Senator Stott Despoja's speech in the second reading debate, we believe the bill is flawed and cannot be supported in its current form. Accordingly, we intend to move a number of amendments today to ensure the primacy of public health and safety is upheld in the new system. In brief, our amendments go to, firstly, strengthening the basis of risk analysis; secondly, requiring public notification of variations or new standards; thirdly, changing the proposed structure and representation of the new board to better reflect the primacy of public health and safety; fourthly, refining procedures for appointment of the board members, such that merit is the governing principle; and, fifthly, making transparent any academic and/or research associations or interests of board members. The Democrats are aware that the opposition also has a raft of amendments which it intends to move. I would indicate at the outset that there is some considerable overlapping between the Democrats' and the opposition's amendments on these particular issues and we are supportive of the opposition's amendments.

Mr Temporary Chairman, I note on the running sheet that, in terms of amendments to be moved, we now have, with your consent, Democrat amendments Nos 1 and 2 as they appear on sheet 2198. My understanding is that those amendments are consequential amendments dependent upon a later Democrat amendment—I think No. 16—so I seek leave to move amendments Nos 1 and 2 later.



Leave granted.

**Senator FORSHAW (New South Wales)** (4.28 p.m.)—I understand that Senator Greig sought leave to deal with Democrat amendments Nos 1 and 2 later.

**Senator Greig**—Yes.

**Senator FORSHAW**—The opposition's intention is to support those amendments.

**The TEMPORARY CHAIRMAN (Senator Chapman)**—Senator Greig made the point that he believed that Democrat amendments Nos 1 and 2 were consequential on Democrat amendment No. 16 and that it would therefore be appropriate to deal with amendments Nos 1 and 2 after amendment No. 16 has been dealt with.

**Senator BROWN (Tasmania)** (4.29 p.m.)—This piece of legislation will also be amended by important amendments that the Greens will put forward if the committee adopts them. We are particularly concerned that the legislation be at arms-length from the industry that profits from the development and sale of food to the Australian and New Zealand communities. We are also particularly concerned that—and I say this through contact with the New Zealand Greens—there be parity in the process by which this legislation goes through a review by the parliaments of both nations, in the defence of consumer best practice and best outcomes.

I would flag that the nature of the amendments, which are not yet on the running sheet, is that, insofar as the council is concerned, the Greens would want put into the legislation that it ought to be the health ministers of the several states on both sides of the Tasman who are on the council. We are concerned that, with the way things are going—certainly in this country—we will see ministers going onto that council representing industry, not the health interests, the consumers' interests. We think that this should be made explicit insofar as the passage of the legislation is concerned.

You will note that the amendment we are moving would effectively withdraw the suggested membership of the board from industry. Time and again under this government we are seeing those who have a profit mo-

tive, a direct gain, going onto boards that are there are to look after the public interest. It should not be that way. We want to see that board made up of health and food experts, consumer representatives and advocates from the community and, of course, representatives from the relevant government departments, but we do not believe it is a place for industry representatives. They already have a huge impact on the body politic. As you know, Mr Temporary Chairman Chapman, industry representatives are very powerful lobbyists in a way that consumer advocates cannot be. They donate to political parties in a way that consumer organisations and the public cannot, and very often the public is unaware of the impact that has on outcomes of the political process. So we believe it is extremely good practice to ensure that those who have a pecuniary interest are not represented on boards that are looking after the public interest.

I will be watching the passage of this legislation and, consequent to questions I was asking about the Reserve Bank board earlier in the day, if the board is to contain industry representatives, they should declare all pecuniary interests on the public record. That would be a very poor second best. I believe that, if industry representatives are going to sit on boards such as this, they should sever their ties from the industry that pays them their livelihoods and therefore presents a conflict of interest when they go onto a board such as this.

Finally, when the report is presented, I will be moving an amendment that will ensure that the New Zealand parliament is fully acquainted with this legislation as well. This is the Australia New Zealand Food Authority that we are dealing with; it involves both sides of the Tasman. The Greens in New Zealand—and there are seven of them in the New Zealand parliament—are concerned that there is no parallel legislation going through that parliament. They are concerned to see that that does occur. I am also concerned to see that it occurs and that we put a rider on the presentation of the report that the bill awaits the presentation of parallel legislation in the New Zealand parliament before we pass it here.

**Senator FORSHAW (New South Wales)**  
(4.34 p.m.)—by leave—I move opposition amendments Nos 4, 1, 2 and 39:

- (4) Schedule 1, page 8 (after line 14), after item 37, insert:

**37A After section 10**

Insert:

**10AA Council may issue policy principles**

- (1) The Council may issue policy principles in relation to the development of food standards.
  - (2) Before issuing a policy principle, the Council must be satisfied that the principle is consistent with the objectives set out in subsection 10(1).
  - (3) Policy principles are disallowable instruments for the purposes of section 46A of the *Acts Interpretation Act 1901*.
- (1) Schedule 1, item 36, page 8 (line 8), omit “guidelines”, substitute “principles”.
- (2) Schedule 1, item 37, page 8 (lines 12 to 14), omit “guidelines” (wherever occurring), substitute “principles”.
- (39) Schedule 1, item 171, page 45 (line 14), omit “guidelines”, substitute “principles”.

I will respond to the remarks of Senator Brown at a later stage, when we come to his amendments. We believe these amendments will improve the legislation, particularly as they will allow for policy principles developed by the ministerial council to be scrutinised by the Senate. Our approach with these amendments is similar to that which occurred in respect of the gene technology legislation, passed late last year. In this case, the amendments will also ensure that the Senate and the Australian public have a role in scrutinising policy principles developed by the ministerial council. In the instance where it is evident that these principles conflict with the objectives and the spirit of the objectives of the Australia New Zealand Food Authority, the Senate will have the power to disallow them. That is particularly the case, importantly, in the overriding objective of this organisation, which is the protection of the health and safety of the public.

As senators would be aware, most disallowable instruments come into effect immediately and are then open to parliamentary scrutiny. They cease to have effect if they are

disallowed—that is, there is no hiatus in the operation of the law. This also means that the scrutiny of disallowable instruments is, in practice, flexible enough to deal with urgent cases, so this process will not compromise any policy principles related to urgent matters that affect public health and safety.

The reasons for our proposed amendments are twofold. Firstly, they address the very real public concern about the expansion of the ministerial council to include ministers with portfolio responsibilities outside the health area. This concern has been stimulated by events recently, and over recent years, in the United Kingdom and in other European countries in relation to the handling of the BSE disaster. Some in our community do not trust that ministers who come to the table representing interests other than health—such as industry, trade and agriculture—will be able to develop a policy framework that puts the protection of human health and safety ahead of the particular interests that they ordinarily represent. It is important that that is not only done but seen to be done, because, as we are all aware, public confidence in food safety regulation is paramount.

It is our understanding at the moment that all the lead ministers on the ministerial council, including the Commonwealth minister, represent health portfolios. Unfortunately, there is no legislative or other guarantee that this will be the case in the future. In fact, it is quite possible that, some years down the track, we could see all of the lead ministers, from the various state jurisdictions as well as the Commonwealth, representing other portfolio responsibilities—trade, small business, agriculture—rather than the primary area of health. As the establishment of the ministerial council is a matter of an agreement between the states and the federal government, we cannot have any direct influence on that agreement. Nevertheless, we believe that our amendments will provide a safety net to ensure the primary focus remains on health.

This public perception about conflict of interest may just be that: a perception. But, as I said earlier, public confidence in what is done as well as in what is seen to be done is vitally important. If our agriculture and trade sectors are to operate successfully, Australia

lians must have complete trust in their food safety regulator and those who steer its direction. As I am constantly reminded as a member of the Senate Rural and Regional Affairs and Transport Legislation Committee, there is probably nothing more important to our agricultural industries than ensuring that the product we produce, export and consume is safe and, hopefully, healthy. Perceptions are important and, of course, that was a matter of great debate and concern in respect of the gene technology legislation.

The second reason for our amendments is that there is currently no direct, or even indirect, means of public input into the policy-making process of the ministerial council. That contrasts with the situation under the gene technology legislation. Under the government's proposal, the ministerial council will develop policy with the assistance and guidance of the Food Regulation Standing Committee. That committee is comprised entirely of bureaucrats. While the Food Regulation Agreement and legislation allude to the establishment of a mechanism for the provision of stakeholder advice to the council, the standing committee and the board, the proposal remains woolly, to say the least, and proposes that a majority of industry and non-health interests be represented. Our proposed amendments in relation to policy principles will address these concerns.

Given the confidence of the Howard government and the states that the expanded ministerial council and the lack of legislative guarantee that health ministers will remain lead ministers will not compromise the FSANZ's objective of protecting public health and safety, I cannot see any reason why there should be an issue with the additional proposed safeguard that we are putting forward in our amendments. If all of the ministerial council's policy decisions are going to be in line with the objectives of Food Standards Australia New Zealand, there will be no need for the Senate to disallow any of the principles that are developed and enunciated. Nevertheless, we believe that the ultimate safeguard should be there. Since, as I have already stated, the process that we are proposing will not interfere with the operation of the law until and if the prin-

ciples are disallowed by the Senate, there can be no concern about causing undue delay to the implementation of decisions of the ministerial council.

Finally, the Howard government considered that this very process was appropriate for the Office of the Gene Technology Regulator, and that office shares with Food Standards Australia New Zealand the overriding objective of protecting public health and safety. We submit that, if it is good enough for a provision for disallowance to be implemented with respect to gene technology, it is also appropriate that it be inserted as an amendment to this legislation with respect to the Australia New Zealand Food Authority.

**Senator GREIG (Western Australia)** (4.44 p.m.)—This group of amendments would, I suggest, remain the core sticking point for the government. The purpose of these amendments is to ensure scrutiny of the ministerial council's policy guidelines. The reason this scrutiny is required is that the IGA did not make the health ministers the lead ministers on the council. As we heard in the Senate inquiry, there is considerable concern that the council could be dominated by agriculture or trade ministers. We acknowledge that, in the first instance, jurisdictions have nominated health ministers as their lead ministers, but we stress that this is merely contingent and makes no claim on future arrangements. Given the significance of FSANZ for ensuring health and public safety, we Democrats are not satisfied that these arrangements are appropriate. Therefore, we regard the opposition's amendments as a workable safety net.

While we appreciate New Zealand's concern that the Senate should be in a position to disallow policy guidelines, we do not believe that this mechanism represents any danger to FSANZ, provided they act in accordance with the objectives of the act. Our position is quite clear on this. If the IGA reconsiders its position and makes the health ministers from all jurisdictions the lead ministers, we would then be happy to withdraw support for these amendments and not press them when they came back to this House, if that were to be the case. I would like to put on record that

we Democrats have been less than impressed by the scaremongering on this issue by the health department. While it is unusual for us to highlight the actions of a department as distinct from the government, we feel that it is warranted in this case. On that basis, we would support amendments Nos 4, 1, 2 and 39 as presented by the opposition.

**Senator HARRIS (Queensland)** (4.46 p.m.)—I rise to speak briefly on opposition amendments Nos 4, 1, 2 and 39. Pauline Hanson's One Nation agrees with the principles set out in amendments Nos 1, 2 and 39 to amend the act where it refers to 'guidelines' by substituting 'principles'. However, we have problems with the opposition's proposed amendment No. 4. Amendment No. 4 sets out to make those issues disallowable instruments for the purpose of the Acts Interpretation Act 1901.

I do not disagree with the process of federal legislation that has regulations produced under the head of power of that act, provided that the act refers to the Commonwealth legislation and is specifically restricted to the responsibilities of the federal government. But where a piece of federal legislation within its content allows the states to have an input into that legislation and where the states take up that opportunity and put forward their recommendations under that legislation, I do not believe that the Senate should have a right of veto over those regulations or, in this case, over the council making policy principles. We only have to look at the situation that we are in in relation to the Native Title Act. This federal legislation allows the states to put forward their own legislation which complements the federal legislation.

I believe it is the right of state governments, which have been elected by the constituency of that state, to be able to put forward legislation and wrong for this Senate to have a right of veto over that legislation put forward by the states. This is what the opposition's amendments are directed towards. The legislation will allow, in this case, the council—and the minister or the opposition can correct me if I am wrong—which is made up of representatives of those states, to put forward policy principles or guidelines. I

believe it would be wrong for the Senate to have a right of veto over those decisions. I convey to the opposition that, if amendments Nos 1, 2 and 39 were put forward separately from amendment No. 4, I would support them. I would not support amendment No. 4. However, if it is the wish of the chamber for those amendments to remain together, I have no other option than to vote against them.

**Senator TAMBLING (Northern Territory—Parliamentary Secretary to the Minister for Health and Aged Care)** (4.51 p.m.)—I have listened carefully to the debate of Senator Forshaw, Senator Greig and Senator Harris on this issue relating to disallowable instruments. However, I must indicate that the government strongly opposes all of these amendments. New Zealand and a number of Australian states have indicated their strong opposition to them. Both current and new food regulatory arrangements rely upon the agreement and goodwill of all jurisdictions.

To make any of the new policy instruments—when I refer to policy instruments, I also mean what are defined as 'principles' and 'guidelines'—to be developed by the national and multijurisdictional food regulation ministerial council and disallowable by only one jurisdiction represented on this council—in this case the Commonwealth—flies in the face of the cooperative nature of these new arrangements. It flies in the face of the agreement between the government of Australia and the government of New Zealand establishing a system for the development of a joint food standards treaty. It flies in the face of the Australian Constitution which gives power for settling food standards to the states and territories. The inter-governmental agreement gives ministers of all states and territories and the Commonwealth their rightful responsibility to set policies.

The Labor amendment, in essence, says the Senate does not trust the popularly elected governments of states and territories, New Zealand and the Commonwealth to develop a policy framework for the creation of the standards that are then developed and enforced under state, territory and New Zealand law, not Commonwealth law. I am surprised that Senator Forshaw would take the



stance that he has indicated on behalf of federal Labor here. Queensland government is Labor; New South Wales government is Labor; Victorian government is Labor; Tasmanian government is Labor; Western Australian government is Labor. Yet for some strange and peculiar reason—

**Senator Forshaw**—Federal government will be Labor.

**Senator TAMBLING**—It would be very interesting to see what line you would take in government on this particular issue, Senator Forshaw. I bait you on that issue. It is also very well known that the New Zealand government is currently a Labour administration. I am sure the New Zealand government has made known to the federal Australian Labor Party its views on this particular matter.

I note that the amendment bill does provide for these policies of ministers to be made fully public. I would also point out that the gene technology arrangements, on which these amendments—the detail of which I note we were only made aware of at 2 o'clock this afternoon—seem to be based, are fundamentally different from the food regulatory arrangements in important respects. Let me point out three: firstly, the Gene Technology Act does not affect another sovereign nation. The inclusion of this amendment would disenfranchise the governments not only of Australian states and territories but also of New Zealand. Secondly, while the Gene Technology Act is more a matter for Commonwealth responsibility, Australian food safety is a constitutional responsibility of the states and territories. Thirdly, under the gene technology arrangements, the Gene Technology Ministerial Council may make both policy principles and policy guidelines.

The Labor amendments have attempted to reflect these arrangements with minimal consultation with states and territories in the legislation so that the Australia and New Zealand Food Regulation Ministerial Council, despite the intergovernmental agreement making clear that it is to make only policy guidelines that are non-disallowable, can now make disallowable policy principles. The passage of these amendments would be ignorant of these important distinctions. It

would be ignorant of the Food Regulation Agreement 2000. If ever put into operation, by itself it would likely lead to the disintegration of the system. I am therefore very surprised that these amendments would be proposed by the opposition.

**Senator BROWN (Tasmania)** (4.56 p.m.)—I support the amendments. We are giving a delegated authority from several state governments and the national governments of Australia and New Zealand the ability to draw up food standards and then saying that they cannot be vetted by the national parliaments of both countries. I do not go along with that. That is what we are elected here for. These amendments need to be supported.

I am a little surprised by my friend in One Nation. One of the things we see at the other end of this spectrum is so much power being delegated by this parliament to organisations like the World Bank and the World Trade Organisation and so on, yet here we have a domestic equivalent where delegated authorities take over the proper power of the elected parliament. That is not what the Greens stand for. We believe that the parliament should be ultimately able to determine the public interest because the public has the right through the ballot box to determine the parliament. It is as simple as that. Democratic principles say that these amendments ought to be upheld.

I noted that the minister spoke about trust, that we ought to be trusting the delegated authority. I say it the other way round: this delegated authority, if it is making good judgments in the public interest, ought to be trusting the Senate to be seeing that wisdom and passing it in the interests of the people. But the Senate is a place where the public can have an input if they think things are going off the rails. Democracy is fragile, but I support it to the nth degree. A review by the national parliament of the outcome of an authority like this—and I believe the same should pertain in New Zealand and so do the Greens—ought to be a very reasonable and basic democratic principle. I am surprised that the Liberals, who are very keen on the rights of the public to be protected through the democratic system, do not see that. How-

ever, be that as it is, I am supporting these amendments.

**Senator FORSHAW (New South Wales)** (4.58 p.m.)—I want to respond to Senator Harris's points regarding our amendments. I do not see any need to separate the question, Senator Harris. I note that the Democrats and the Greens will be supporting our amendments, so I think that makes it clear what the outcome will be. If you want to insist upon it, I will leave it in the hands of the chair. I think you have indicated the position you support on the *Hansard* record. You can support some of the amendments but not one of them. I think that has been recorded. I do not see any need for us to separate out and divide on more than one occasion on the amendments.

Question put:

That the amendments (**Senator Forshaw's**) be agreed to.

The Committee divided. [5.04 p.m.]

(The Chairman—Senator S.M. West)

Ayes.....	34
Noes.....	<u>30</u>
Majority.....	4

#### AYES

Allison, L.F.	Bishop, T.M.
Bolkus, N.	Bourne, V.W.
Brown, B.J.	Buckland, G.
Campbell, G.	Carr, K.J.
Collins, J.M.A.	Conroy, S.M.
Cooney, B.C.	Crossin, P.M.
Crowley, R.A.	Denman, K.J. *
Evans, C.V.	Faulkner, J.P.
Forshaw, M.G.	Gibbs, B.
Greig, B.	Hogg, J.J.
Hutchins, S.P.	Lees, M.H.
Ludwig, J.W.	Lundy, K.A.
McKiernan, J.P.	McLucas, J.E.
Murphy, S.M.	Murray, A.J.M.
O'Brien, K.W.K.	Ray, R.F.
Ridgeway, A.D.	Sherry, N.J.
West, S.M.	Woodley, J.

#### NOES

Abetz, E.	Alston, R.K.R.
Brandis, G.H.	Campbell, I.G.
Chapman, H.G.P.	Coonan, H.L.
Crane, A.W.	Eggleston, A.
Ellison, C.M.	Ferguson, A.B.
Ferris, J.M.	Harris, L.

Heffernan, W.	Herron, J.J.
Knowles, S.C.	Macdonald, I.
Macdonald, J.A.L.	Mason, B.J.
McGauran, J.J.J. *	Minchin, N.H.
Newman, J.M.	Patterson, K.C.
Payne, M.A.	Reid, M.E.
Tambling, G.E.	Tchen, T.
Tierney, J.W.	Troeth, J.M.
Vanstone, A.E.	Watson, J.O.W.

#### PAIRS

Bartlett, A.J.J.	Kemp, C.R.
Cook, P.F.S.	Calvert, P.H.
Mackay, S.M.	Gibson, B.F.
Schacht, C.C.	Lightfoot, P.R.
Stott Despoja, N.	Boswell, R.L.D.

\* denotes teller

Question so resolved in the affirmative.

**Senator GREIG (Western Australia)**

(5.07 p.m.)—I move Democrat amendment (3) on sheet 2198:

(3) Schedule 1, item 37, page 8 (after line 14), at the end of the item, add:

(4) In giving effect to paragraph (2)(a), the Authority must take all reasonable steps to ensure that where there are threats of serious or irreversible harm to human health or public safety, a lack of full scientific knowledge should not be used as a reason for postponing measure to prevent harm to human health or public safety.

We believe the intent of the amendment is quite clear: it seeks to ensure a lack of full scientific knowledge cannot be used as a justification for postponing measures to prevent harm to health and public safety. However, I am aware that the opposition's amendment (3) also deals with risk analysis, so my comments are directed at both amendments. The opposition's proposed amendment is based on paragraph 6 of article 5 of the WTO agreement on sanitary and phytosanitary measures, which states:

In cases where relevant scientific evidence is insufficient, a Member may provisionally adopt sanitary or phytosanitary measures on the basis of available pertinent information ...

The article stipulates that, when a member adopts such provisional measures, they are obliged to seek to obtain the additional information necessary for a more objective assessment of risk and review 'within a rea-

sonable period of time'. It must be acknowledged that this is not the precautionary principle—or a precautionary measure, for that matter. The precautionary principle, which is reflected in our amendment, states that lack of full scientific certainty should not be used as a reason for postponing measures to protect public health and safety and the environment. We therefore believe that this Democrat amendment is stronger than that proposed subsequently by the opposition—at least as it appears on the running sheet—and thus warrants support from the chamber.

**Senator FORSHAW (New South Wales)** (5.10 p.m.)—As Senator Greig has acknowledged, the opposition have our own amendment, amendment (3), which we will be moving next. On that basis, we will not be supporting the Democrats amendment now. I will go through the reasons why we believe our amendment is appropriate when it comes on.

**Senator BROWN (Tasmania)** (5.11 p.m.)—I would prefer to hear that now. I take it, from what Senator Greig has said and from a look at these amendments, that the Democrats amendment is clearer and stronger. It just says that you cannot resort to a lack of knowledge to expose people to a food risk, and I support that.

**Senator TAMBLING (Northern Territory—Parliamentary Secretary to the Minister for Health and Aged Care)** (5.11 p.m.)—In speaking to the amendment proposed by the Democrats, I would like to point out that I have already outlined the government's objections to the use of the precautionary principle or the precautionary approach in the previous second reading Senate debate on this matter. The inclusion of the precautionary principle in either a general form or some new formulation is not necessary to ensure that precaution is exercised in the standard development process. The objectives in the ANZFA Act already provide for this cautionary approach and all ANZFA assessments are based on such caution.

The use of language around a precautionary principle or precautionary approach as suggested by the Democrats would set the precedent for other countries to use these amendments to impose unsubstantiated trade

barriers on Australia. Thus, while it has the potential to do significant trading harm to Australia in terms of public health and safety, it achieves nothing over what the current system already delivers. We would certainly be opposed to the amendment.

Amendment not agreed to.

**Senator GREIG (Western Australia)** (5.12 p.m.)—I ask that it be indicated clearly in *Hansard* that that vote attracted support from only the Democrats and the Greens.

**Senator FORSHAW (New South Wales)** (5.13 p.m.)—I move opposition amendment (3):

- (3) Schedule 1, item 37, page 8 (after line 14), at the end of the item, add:
    - (4) Where the Authority considers that the best available scientific evidence referred to in paragraph (2)(a) is insufficient, the Authority may provisionally adopt sanitary or phytosanitary measures on the basis of available pertinent scientific information. In such cases, the Authority must take all reasonable steps to obtain the information necessary for a more objective risk analysis and a review of the sanitary and phytosanitary measures, to be undertaken within a reasonable period of time.
    - (5) For the purposes of this section, a *sanitary or phytosanitary measure* means any measure applied:
      - (a) to protect animal or plant life or health from risks arising from the entry, establishment or spread of pests, diseases, disease-carrying organisms or disease-causing organisms; or
      - (b) to protect human or animal life or health from risks arising from additives, contaminants, toxins or disease-causing organisms in foods, beverages or feedstuffs; or
      - (c) to protect human life or health from risks arising from diseases carried by animals, plants or products thereof, or from the entry, establishment or spread of pests; or
      - (d) to prevent or limit other damage from the entry, establishment or spread of pests;
- and includes:

- (e) any relevant law, decree, regulation, requirement or procedure, including end product criteria; and
- (f) processes and production methods; and
- (g) testing, inspection, certification and approval procedures; and
- (h) quarantine treatments including relevant requirements associated with the transport of animals or plants, or with the materials necessary for their survival during transport; and
- (i) provisions on relevant statistical methods, sampling procedures and methods of risk assessment; and
- (j) packaging and labelling requirements directly related to food safety.

We believe this is a more appropriate amendment to deal with the issue that Senator Greig addressed in his comments on Democrat amendment (3). During the Community Affairs Legislation Committee hearings, a number of organisations—in particular, the Australian Consumers Association, the Public Health Association and the Dieticians Association of Australia—called for the precautionary principle to be included in the Australia New Zealand Food Authority Act through amendments to the ANZFA Amendment Bill 2001. That request has been supported publicly by various other organisations as well as groups such as Gene Ethics.

Senator Greig's amendment, which has just been rejected by the Senate, was based on the Rio declaration wording. Whilst we in the opposition have strong support for that declaration and that principle, we have particular concerns about merely reflecting it in the way that the Democrats sought to do in their amendment. Indeed, our track record on this issue is a good one in that it was the Labor opposition that sought to amend the original gene technology legislation last year to include reference to the precautionary principle. So we certainly support the need for precaution in matters concerning health and safety of humans and the environment. We want to ensure that such safeguards are enshrined in our legislation but we want to do so in a way that is internationally acceptable and unambiguous.

We are cognisant of the fact that the precautionary principle itself, as elucidated in the Rio declaration, is very complex and essentially environment focused. We do not wish to see that principle therefore lose its currency or be devalued by being amended without due consideration to fit differing situations. Whilst the European Union has stated that a version of the precautionary principle must be taken into consideration in decisions relating to environmental and health issues, it is unclear what wording will apply and how this will or must be implemented by individual countries or whether it must be included in their legislation.

To date, we have been unable to find the precautionary principle itself, as worded in the Rio declaration, in any other international legislation relating specifically to food safety. Whilst the proposed European food agency has a food specific version, it is not yet operational and this version, as it applies to food safety, remains untested. Versions of the precautionary principle are, however, included in two international documents that cover food matters. They are: firstly, the bio-safety protocol, which has not been ratified by Australia and which deals with the international movement of live modified organisms; and, secondly, the World Trade Organisation's sanitary and phytosanitary measures agreement, commonly referred to as the SPS agreement.

According to advice provided to us, ANZFA—the Australia New Zealand Food Authority—recently applied SPS article 5.7 to address potential hazards in relation to human health posed by BSE. The application of precaution in risk management in the context of food safety was also discussed at the 15th session of the Codex Alimentarius Committee on General Principles in April 2000, and further discussion was proposed for the 16th session in April this year. Unfortunately, while the official minutes of that meeting have not been posted as yet, it is understood that the preliminary talks to finalise wording for the 16th session this year broke down and no consensus was reached. The issue is not expected to be reconsidered for a further 18 months.



Given that an acceptable food safety related form of the precautionary principle, as elucidated in the Rio declaration and the Gene Technology Act, has not been enacted in international or national legislation that we are aware of, and that the WTO's SPS agreement—to which Australia is a signatory—is specific to issues of food safety and supports a precautionary approach, the opposition therefore proposes an amendment based on the wording from article 5.7 of the SPS agreement to be added to section 10 of the ANZFA Act 1991. That is the impact of our amendment No. 3. This internationally accepted wording allows that, where there is scientific uncertainty in relation to protecting human health and safety, the authority can take legislative or regulatory measures to restrict or prevent an application until such time as additional information is available on which to make a final decision. In doing so, though, Australia must be able to show that such measures are not put in place as a means of unfairly restricting trade—that is, that they are not purely protectionist measures.

In summary, given that, firstly, Food Standards Australia New Zealand, like the Gene Technology Regulator, has the protection of human health and safety as its overriding objective; secondly, there will be overlaps between the Office of the Gene Technology Regulator and Food Standards Australia New Zealand, particularly in relation to genetically modified food; thirdly, there is a need to ensure consistency between our domestic regulators; fourthly, the Gene Technology Act includes an appropriate version of the precautionary principle; fifthly, the wording put forward in this amendment reflects an international WTO agreement to which Australia is a signatory; and, sixthly, ANZFA in the past has used its powers under that agreement to protect human health and safety, we would put forward that there should be no reason whatsoever for the government or the Senate not to support our amendment No 3. Our amendment will certainly strengthen the health and safety objectives of Food Standards Australia New Zealand, and do it in an appropriate way.

**Senator BROWN (Tasmania)** (5.21 p.m.)—‘Let us take our directions from the World Trade Organisation, not world's best practice.’ That is what we have just heard. It is a pity that we do not have an opposition that is able to rise to world's best practice and say, ‘Well, the Europeans are moving in this direction, let's beat them to it, along with New Zealand. Let's set the standard and implement the precautionary principle.’ Instead of that, let us go to what the World Trade Organisation has set down. When you read the weasel words involved, it says that if there is not enough information the authority can add or subtract whatever information is available to whatever decision it wants to make on this and that the absence of information is not to be an impediment to allow on to the market a foodstuff about which there are concerns. The precautionary principle says that you should find out first; you should make sure that it is safe before you do that. This says that if there is doubt about it and you do not have good enough information, you can go right ahead and put it on to the market. You can look at the information that is available and check it, but go right ahead. That is nothing like the precautionary principle.

There is the argument, and no doubt the government has the same position, that this might harm trade. But the Europeans are at least moving towards taking a lead, yet again, in a matter of public health and safety and the environment that will set the standard. Where a country does that, it is advantaged because its standards in relation to the production of foodstuffs and the marketing of them are higher than elsewhere. The argument being used here is that those higher standards will be used to block Australian foodstuffs going on to markets elsewhere.

It is an attractive argument for those who want to see business at all costs and the consumer left to beware. But it is an argument that falls down if you are looking at implementing public safety as the primary rationale for this legislation. Here we see business opportunity being substituted as the primary rationale, and that is why the Democrat amendment should have been adopted and why Labor should have supported that

amendment. It is not something that the government is going to feel far more comfortable with.

**Senator HARRIS (Queensland)** (5.24 p.m.)—I move the following amendment to Labor's amendment No. 3 on sheet 2197:

Subsection (4), after "insufficient," insert "or there is no scientific knowledge,".

In seeking to amend Labor's amendment, my amendment picks up the fundamental difference in the Democrat's original amendment (3) on sheet 2198. The Democrat amendment was clearer and more succinct than the Labor amendment. The Democrat amendment refers specifically to the lack of scientific evidence. Labor's amendment refers to when the authority considers the best available evidence referred to it. It does not cover the situation where we do not have scientific evidence. My amendment takes the best of the Democrat and opposition amendments and firms it up in respect of where there is no scientific knowledge. I commend the amendment to the committee.

**Senator TAMBLING (Northern Territory—Parliamentary Secretary to the Minister for Health and Aged Care)** (5.27 p.m.)—Referring to the Labor amendment, the government could accept that amendment to include the words 'ANZFA already applies this clause to its work and FSANZ would continue to do so.' New Zealand would also accept this approach. Our primary objective is to avoid the introduction of possible unsubstantiated trade barriers.

The definition of sanitary or phytosanitary measures proposed by the ALP, however, goes beyond food safety measures and picks up on some quarantine control arrangements. For example, if you look at the detail of the proposed amendment, (5)(a) does not mention humans, it mentions plants and animals, and (5)(d) refers to the spread of pests, which is not an ANZFA responsibility. While not opposing these amendments in the Senate, I flag that it would be our intention to review the scope of these amendments in the House of Representatives to ensure that this area focuses only on food safety and does not stray into other irrelevant areas.

**Senator BROWN (Tasmania)** (5.29 p.m.)—Here we go: we will water it down further and ultimately have a form of words that is totally acceptable to the food industry because it does nothing, in terms of implementing a precautionary principle, to ensure that the health and safety of the consuming public is at the forefront.

The question about the precautionary principle can be tested. It basically says, 'Go and get the information to make sure that something is safe, if you don't know.' The problem with this amendment is that it does not do this, and even Senator Harris's amendment still does not say that you have to go and find out. The word 'may', of course, comes into this: the authority may, if it wants to, take sanitary or phytosanitary measures on the basis of available pertinent scientific information; and, of course, it may not—just as well. That is the classic 'Leave it to the authorities—take it out of the hands of the parliament, which should be explicit about these things, and give it to the authorities. Let's use the words that the World Trade Organisation prefers, because big business prefers them.' I am not going to support that. However, as usual, we are left with whether we would accept something that is better than nothing. The government is going to support the opposition in this matter. I do not see any point in supporting something as weak as this when the Democrats had the proper amendment, if we were thinking primarily about public health and safety.

**Senator GREIG (Western Australia)** (5.31 p.m.)—Procedurally, I am not quite sure whether we address Senator Harris's amendment to the amendment.

**The TEMPORARY CHAIRMAN (Senator Hogg)**—I will put Senator Harris's amendment first, and then, whether that is accepted or disposed of, we will proceed with the main amendment.

**Senator FORSHAW (New South Wales)** (5.32 p.m.)—I indicate to Senator Harris that we will not be supporting his amendment. Firstly, the words that we have used are consistent with the SPS agreement, and we do not intend to import some additional words in this situation. Secondly, it is covered in any event. As I understood the words that

were proposed by Senator Harris, he used the term 'no scientific evidence', whereas the Democrats' proposed amendments use the term 'a lack of full scientific knowledge'. The wording in the opposition's amendment is 'the best available scientific evidence'. One could interpret that to mean that if there were no scientific evidence or if there were a lack of full scientific knowledge, the best available scientific evidence would include both of those situations in any event. We will not be supporting your proposed amendment; we would urge the Senate to support our amendment.

**Senator TAMBLING** (Northern Territory—Parliamentary Secretary to the Minister for Health and Aged Care) (5.33 p.m.)—I indicate that the government will not be supporting Senator Harris's amendment, for much the same reasons as those put forward by Senator Forshaw, and restate, with regard to the Labor amendment, our intention to review the scope of the amendment in the other place.

**Senator HARRIS** (Queensland) (5.33 p.m.)—Could I make just one comment in reference to Senator Forshaw's comment that he hopes that his amendment, in that it refers to the best available scientific evidence, also covers the situation where there is no scientific evidence. We could very clearly, for the chamber's benefit, refer to issues relating to gene technology where, in actuality, there is no scientific knowledge relating to the transfer of genes from specifically planted broadacre crops into adjacent native crops. There is a clear situation in relation to the Gene Technology Bill, where it is not a case of the best available scientific evidence—there is no scientific evidence. My intent in moving the amendment is not to take away in any way, shape or form from the opposition's amendment, but to remove any doubt and not have to rely on hope, and clearly specify that, if there is no scientific evidence, the authority is required to assess that issue.

**Senator FORSHAW** (New South Wales) (5.35 p.m.)—Could I also respond to the comments of the parliamentary secretary in respect of our amendment and the definition of sanitary and phytosanitary measures. That definition reflects the wording of the SPS

agreement, and that is why we have included it in our amendment at paragraphs (5)(a) to (j). There are references to animal or plant life because that is the precise wording from the SPS agreement. We think it is appropriate that, if you are going to make these references in the legislation, you do it appropriately and fully—you do not just pick the eyes out of those international agreements to suit one particular aspect.

The other point I make in response to Senator Brown is that I know that a lot of things happen in the World Trade Organisation that we do not all agree with, but the SPS agreement is one of the better agreements that exist. We are not always happy with everything that occurs in that regard such as what transpired in the salmon issue in Tasmania and what is occurring now with respect to New Zealand's application to export apples to Australia. These are not necessarily health related issues, but they relate to the health of the industry itself and the need, we believe, for continued quarantine measures in that regard. Australia has the opportunity, through the WTO and the negotiations on the SPS agreement, to continue to push to strengthen that agreement where it is appropriate. I am sure that when the time comes around again—I believe that it is a few years away—for that agreement to be reconsidered under a Labor government, we will be in there endeavouring to strengthen it even further.

**Senator BROWN** (Tasmania) (5.38 p.m.)—That will be remarkable. We will get the opportunity, if we are good, to be able to take part in a review of the World Trade Organisation rules which have abolished our own sovereignty when it comes to looking after such things as salmon and apples! What a remarkable statement. That is why—

**Senator Forshaw**—It was precisely because of the SPS that we achieved what we did.

**Senator BROWN**—We are so grateful that Labor got SPS in there, which gives us an opportunity to feed into the world trade authority amendments further—

**Senator Forshaw**—It protected your own interests.

**Senator BROWN**—No, you are wrong, Senator Forshaw. That is the point of what I am saying. Our industry was protected before Labor and Liberal got together and put through the WTO legislation which the Greens fought, clause by clause, in this place in 1996. Now you are in the position and Labor is going to be in the position—

**Senator Forshaw**—We got a result.

**Senator BROWN**—You got a result all right. Labor transferred national sovereignty to the World Trade Organisation. You did get that result.

**Senator Forshaw**—In Tasmania you actually achieved that result in conjunction with us.

**The TEMPORARY CHAIRMAN (Senator Hogg)**—Senator Forshaw, if you want to participate in the debate wait until Senator Brown has finished and then you can have your right of reply.

**Senator Forshaw**—I just want to save time.

**The TEMPORARY CHAIRMAN**—No, do not save time. Senator Brown, you are entitled to be heard.

**Senator BROWN**—Thank you, Chair. I was quite enjoying what Senator Forshaw had to say because he is hoist on his own petard, and I think that is the appropriate way to put it, because Labor and Liberal, the coalition, transferred authority ultimately over such matters as food standards to the vagaries of international trade set down by a World Trade Organisation—this is importing and exporting. We had total say on that before the World Trade Organisation came along—

**Senator O'Brien**—We had a total say on exporting?

**Senator BROWN**—The country did—

**The TEMPORARY CHAIRMAN**—Senator Brown, address the chair, and if others wish to comment on your comments they will have the opportunity.

**Senator BROWN**—I am just trying to bring some reality to the members of the Labor Party who are interjecting but I will try to ignore them, Chair. I think that your direction is good there, Chair.

**The TEMPORARY CHAIRMAN**—That is very good of you, Senator Brown!

**Senator Forshaw**—You should have gone to New Zealand.

**Senator BROWN**—We should have gone to New Zealand with the committee, he says, to look at the business of whether apple imports should be allowed into Australian because of the horrendous threat of fire blight. The real question here though is not that Australia can say that we will not do it. The question now is: how fragile is our ability to do that? Under the World Trade Organisation we may not be able to. And why not? Because Labor and Liberal transferred the authority from this parliament to a bureaucracy in Switzerland. That is where we stand. That is why the matter is contentious and difficult.

Here we are with a you-beaut arrangement, Senator Forshaw tells us, which is going to lead to us saying that, where there is not best scientific evidence available, under this amendment, the authority may provisionally adopt some measures on the basis of pertinent scientific information, or it may not; and in such cases the authority must take all reasonable steps to obtain the information necessary for a more objective risk analysis. It has to get that information—it does not have to act on it—to do a risk analysis and a review of the sanitary and phytosanitary measures. It has to get the information for that review to be undertaken within a reasonable period of time. If you look at this, what it has to get is the information necessary for some future review to be done within a period of time. It does not have to act upon that information if it does not want to. And why does it not want to? Because these weasel words are part of the international arrangements that successive Australian governments are falling into. They allow big business to get around very clear strictures which should be laid down by Australian parliaments in particular when it comes to consumer protection.

What we should have here is the precautionary principle and what we are not getting here is the precautionary principle because Labor and the government do not want it. The argument now is that we do not want to

go down that path because the World Trade Organisation does not like it either. When you read that, the next thing you read is that the multinational corporations do not want the precautionary principle anywhere. Is that not true? Senator Forshaw might be able to cite some multinational corporation that said, 'We want the precautionary principle because we are principled. We want to take necessary precautions when it comes to whatever it is we are selling into the market.' Let us have a newsbreaker here and let us hear from Senator Forshaw where that company exists and where that company has said that. I do not know of such a company.

**Senator GREIG (Western Australia)** (5.43 p.m.)—I think that I am the only one who has not spoken yet on Senator Harris's amendment so with your indulgence perhaps—

**The TEMPORARY CHAIRMAN (Senator Hogg)**—You do not need indulgence. You are entitled to speak.

**Senator GREIG**—I have always enjoyed indulgence, Chair.

**The TEMPORARY CHAIRMAN**—Not with me. You are entitled to speak and that is it.

**Senator GREIG**—In relation to Senator Harris's amendment to the opposition amendment, I welcome and understand the intent of what Senator Harris is attempting but my reading of it is that technically it would be tautology and perhaps unnecessarily clutter the legislation. I understand the pressures and resources of smaller and newer parties and Independents in particular, but it is difficult when amendments arise from the floor and are circulated at last minute notice. I do have concerns about what would effectively be changing definitions—terminologies—that already have some international uniformity. I think there is merit in adhering to international uniformity in that regard. On that basis I would not support Senator Harris's proposed amendment.

**The TEMPORARY CHAIRMAN**—The question is that the amendment moved by Senator Harris to the amendment moved by Senator Forshaw be agreed to.

Question resolved in the negative.

**The TEMPORARY CHAIRMAN (Senator Hogg)**—The question is that Senator Forshaw's amendment be agreed to.

**Senator GREIG (Western Australia)** (5.45 p.m.)—I indicated the Democrats' position on this amendment in relation to the precautionary principle when I spoke to the Democrats' similar amendment. Nevertheless, I believe that the SPS wording in this amendment will clarify Food Safety ANZ's ability to implement emergency measures and to develop standards within its general powers to identify any potential risks to human health. In such circumstances, this creates an obligation for Food Safety ANZ to undertake further monitoring and revision of the identified risk as evidence becomes available. While this is not the precautionary principle, it is a strengthening of Food Safety ANZ's objective which, when coupled with the authority's primary objective to promote public health and safety, should be seen as an undertaking to increase proactive protective measures against increasing incidents of food safety issues, particularly overseas food borne pathogen, and should be interpreted and implemented as such.

The SPS wording has been tested in Australian food regulation through ANZFA's emergency measures, announced on 5 January this year, to restrict beef imports from approximately 30 European countries. The action did not extend to an ideally precautionary approach; however, the recognised unknown scientific certainty of the risk of dairy products from countries with native cases of BSE was not acted upon, even when it was announced that the scientific studies undertaken by the Phillips inquiry into BSE in the UK were flawed—as was the case with resultant findings that deemed that individuals consuming milk or milk products from an infected animal are at negligible risk of the human variant of the disease.

A precautionary approach would recognise that it will be another three years before the outcome of the redesigned scientific experiments assessing risk of the infected milk will be known, and that the community should be protected until the extent of the risk is resolved. This is the preferable approach—to guarantee the safety and quality



of our food supply, ensuring clean and green produce for Australians and a clean and green advantage for our exports. Our beef industry in particular is already reaping the rewards of this in export markets that are more and more willing to pay premiums for world's best produce.

We should be aiming for a guaranteed world's best practice food supply and safety system instead of a lowest common denominator approach through harmonisation and compliance with Codex Alimentarius negotiations and standards based on free trade concerns rather than on the highest achievable protection for our health and our environment. I do think it is disappointing that the opposition supported the precautionary principle in relation to the environment in the *Gene Technology Bill 2000* but are not prepared to go that far with respect to food and public health. However, the Democrats will support this amendment as we believe it strengthens to some degree the provisions in the bill.

Amendment agreed to.

**Senator FORSHAW (New South Wales)** (5.49 p.m.)—by leave—I move the following amendments on sheet 2197:

- (5) Schedule 1, item 38, page 9 (line 18), omit "*reject*", substitute "*amend or reject*".
- (6) Schedule 1, item 38, page 9 (line 19), omit "*reject*", substitute "*amend or reject*".
- (7) Schedule 1, item 38, page 9 (after line 20), before the last dot point, insert:

If the Council amends the draft, the amended draft comes into effect in accordance with a *Gazette* notice.

- (11) Schedule 1, item 81, page 20 (line 22), omit "*reject*", substitute "*amend or reject*".
- (13) Schedule 1, item 81, page 20 (line 31), omit "*reject*", substitute "*amend or reject*".
- (14) Schedule 1, item 81, page 20 (after line 31), after paragraph (1)(c), insert:
  - (ca) amend the draft; or
- (15) Schedule 1, item 81, page 20 (after line 32), after subsection (1), insert:

- (1A) Before amending the draft standard or variation, the Council must give the Authority an opportunity to submit to the Council a draft of the text of the amendment.

- (1B) As soon as practicable after the Council decides to amend a draft standard or variation, the Council must give the Authority a copy of the amended draft standard or variation.

- (20) Schedule 1, item 81, page 22 (line 22), omit "*reject*", substitute "*amend or reject*".

- (21) Schedule 1, item 81, page 22 (line 24), omit "*rejected*", substitute "*amended or rejected*".

- (22) Schedule 1, item 81, page 22 (after line 27), after subsection (3), insert:

*Standard or variation amended by the Council at the second review*

- (3A) If:

- (a) the Authority notifies the Council under subsection 22(6) that the Authority has:

- (i) made a decision under paragraph 22(b)(a) to re-affirm the Authority's approval of a draft standard or variation; or

- (ii) made a decision under paragraph 22(6)(b) to re-affirm the Authority's approval of a draft standard or variation, subject to amendments; and

- (b) the Council informs the Authority that the Council has amended the draft;

then, as soon as practicable, the Authority must comply with the publication requirements set out in subsection (4) in relation to the draft as so amended.

These amendments relate to the power of the ministerial council to amend proposals and applications put before it. It became very obvious during the Senate committee inquiry that consumers do not wish to see the ministerial council of the ANZ Food Authority lose its power to amend proposals and applications that are put before it by the Food Safety Australia New Zealand board. These powers enabled the state health ministers to prevent attempts by the Howard government to water down requirements for labelling of genetically modified foods at the behest of the powerful industry lobby. We believe that

the action by the state health ministers through the powers of the ministerial council to prevent that situation from occurring was appropriate. We wish to see that power remain.

During the inquiry concern was expressed that this power was being removed. Indeed, it was also clear that there was confusion within the government and the department about the impact of the government's proposed amendments to this bill. Mr David Borthwick, from the Department of Health and Aged Care, who was also a member of the senior officers working group, when referring to the removal of the ministerial council's power to amend applications and proposals, said at page 31 of *Hansard*:

The intention—

that is, of the legislation—

is to reject or amend. I remember the discussion of senior officials on this point.

If it was only a power to reject then you are left in limbo. What applies then? Nothing applies.

So the intention was at the end of the day, that the ministerial council had the power to put up an amendment and say: this is the standard.

In my speech in the second reading debate, I read out those remarks of Mr Borthwick. We support the comments Mr Borthwick made at the inquiry.

It is a pity the government does not support those sentiments, because the legislation that is before the parliament does not reflect what Mr Borthwick stated was the intention of the senior officers working group and was not the intention of the department or the government. In fact, what is currently provided in this bill is for the ministerial council to have the power only to amend standards that have been developed as a matter of urgency, not standards in general. So the result—to use the words of Mr Borthwick again—is that the ministerial council is left in limbo. So what applies then? As Mr Borthwick so succinctly put it, 'Nothing applies.'

Interestingly, it was not just Mr Borthwick who seemed to have been mistaken about the government's intention on this matter. The Australian Food and Grocery Council came before the Senate committee and questioned

the need for the Senate committee to even be inquiring into the provisions of this bill. I recall the debate during the inquiry, and the suggestion was that the Senate committee was wasting its time looking into the provisions of this bill. Mr Hooke was under a misapprehension also. He apparently was under the impression that the ministerial council's power to amend all applications would be maintained. That was certainly the tenor of his evidence to the committee. He insisted during his evidence to the committee that there was no proposal in this bill to remove that power to amend. Surprise, surprise! Mr Hooke found out—as indeed I think all before the committee found out—that that was what had happened as a result of the government's proposals in this bill. On that test alone, it was very fortuitous, a valuable piece of work and a valuable exercise of the Senate committee's time to have had that public hearing and to have provided an opportunity for the committee and others to pick up the fact that we were not under any misunderstanding or misapprehension and that, indeed, the government was, through these amendments in this bill to the head legislation, removing the power of the ministerial council to amend applications.

We propose to reinstate the ministerial council's power to amend all applications and proposals at the time of the second review where it deems it appropriate to do so. I am sure the government will agree with the views of its senior bureaucrat and the views of the Senate committee and will support our amendments.

**Senator TAMBLING** (Northern Territory—Parliamentary Secretary to the Minister for Health and Aged Care) (5.57 p.m.)—The *Australia New Zealand Food Authority Amendment Bill 2001* reflects the intent of the Food Regulation Agreement, which was to enable ministers to either approve or reject a draft standard or variation after Foods Standards Australia New Zealand has conducted a second review. This was to provide for a sensible balance between ministerial responsibility and accountability through a transparent policy setting and an evidence based setting by the FSANZ board. I think there are issues of expectation here that

sometimes go beyond what was originally intended. We will certainly be taking note of those cautiously. The opposition's proposed amendments are contrary to the Food Regulation Agreement. However, following consultation with the states and territories, and despite the logic underpinning the IGA, we could accept these amendments in the interests of achieving the benefits of the new system.

**Senator GREIG (Western Australia)** (5.58 p.m.)—I think Senator Forshaw was quite right in saying that the effect of his amendment was something which the government had indicated—at least during the committee hearings—it would nonetheless produce. If I have heard the parliamentary secretary correctly, the government will now support this.

**Senator Forshaw**—Yes.

**Senator GREIG**—The Democrats will also support that, principally because, as Senator Forshaw stated, at the committee hearing we were led to believe that a government amendment would be forthcoming to allow for the power to amend and to reject. That until a few minutes ago had not been the case. The opposition's amendments go some way to addressing that and therefore attract our support.

Amendments agreed to.

Progress reported.

**Sitting suspended from 6.00 p.m. to 7.30 p.m.**

#### **BUDGET 2001-02**

##### **Statement and Documents**

**Senator KEMP (Victoria—Assistant Treasurer)** (7.30 p.m.)—I table the following documents:

Budget papers—

No. 1—Budget Strategy and Outlook 2001-02.

No. 2—Budget Measures 2001-02.

No. 3—Federal Financial Relations 2001-02.

No. 4—Agency Resourcing 2001-02.

Ministerial statements—

Australia's Overseas Aid Program—Statement by the Minister for Foreign Affairs (Mr Downer), dated 22 May 2001.

Our path together—Statement by the Minister for Reconciliation and Aboriginal and Torres Strait Islander Affairs (Mr Ruddock), dated 22 May 2001.

Regional Australia – Partners in Growth—Statement by the Minister for Transport and Regional Services (Mr Anderson) and the Minister for Regional Services, Territories and Local Government (Senator Ian Macdonald), dated 22 May 2001.

Investing in our natural and cultural heritage – The Commonwealth's environment expenditure 2001-02—Statement by the Minister for the Environment and Heritage (Senator Hill), dated 22 May 2001.

Women's budget statement 2001-2002—Statement by the Minister for Family and Community Services (Senator Vanstone), dated 22 May 2001.

Safeguarding our rural resources—Statement by the Minister for Agriculture, Fisheries and Forestry (Mr Truss), dated 22 May 2001.

I seek leave to make a statement relating to the 2001-02 budget.

Leave granted.

**Senator KEMP**—Tonight the Treasurer is delivering in another place his Budget Speech for 2001-02.

This Budget will build a stronger Australia. It begins the largest defence modernisation and upgrade program in over 25 years. It strengthens our borders in the fight against plant and animal disease. It overhauls the operation of our social welfare system. It invests in our health system, in our natural environment and in our most important resource of all—our people.

And this Budget will strengthen our economy. Most of all it will cut taxes. Tax cuts will bring benefits to business, investors, the young and to older Australians.

This Budget will cut taxes next year by over \$5 billion.

And the Budget the Treasurer is presenting tonight is in surplus for the fifth consecutive year—a cash surplus of \$1.5 billion.

Over the last 5 years we have worked hard to secure the nation's finances, first to get the Government to live within its means and then to pay back Labor's debt. At the end of this budget year we will have repaid nearly \$60 billion of Labor's \$80 billion debt spree.



As we pay off those debts—as we get the debt monkey off our back—we save on interest payments. Today the Government's interest bill is \$4 billion per annum less than it was under Labor. That \$4 billion of savings can be invested in better things like health and education.

Madam President, last year's Budget cut income tax for every Australian taxpayer. It abolished wholesale sales tax and replaced it with GST. Every last dollar of GST has been paid to the State Governments. GST now funds the salaries of their policemen on the beat. It pays the salaries of all the teachers in all the classrooms of all the state education systems.

If we had not cut income tax last July a worker on average earnings would be paying a top tax rate of 43 cents per dollar today. Tax reform brought that down by a third. Today that worker on average earnings has a top tax rate no higher than 30 cents per dollar.

And tax reform cut tax on transport. Without tax reform Australia's 75,000 truckies would be paying 27 cents a litre more tax on their diesel pushing up the cost of all transport.

Without tax reform individuals would be paying twice as much tax on their capital gains as they are required to pay today.

#### **Further Tax Cuts**

And tax reform means that from 1 July taxes can be cut further.

On 1 July this year the company tax rate will be reduced again this time from 34 to 30 per cent. This will cut tax for business by around \$2 billion per year.

On 1 July this year Financial Institutions Duty (FID) will be abolished. This will benefit the 12 million Australians who are currently taxed when they deposit money in their bank accounts and taxed when they make payments on their credit card and taxed when they make their mortgage payments. The abolition of Financial Institutions Duty will save those individuals and other taxpayers about \$1.2 billion per year.

From 1 July this year state stamp duties on listed shares and other quoted securities will

be abolished. They will be abolished because The New Tax System pays the money to the States to abolish them. This will save around \$675 million per year for the 5.7 million Australians who hold shares and the 7 million Australians who have superannuation funds invested in shares.

On 1 July this year low income Australians who own shares that pay franked dividends can get a lower tax rate. They can claim a refund of the tax paid on the shares which is over and above their own personal tax. This will save them over \$500 million per year in tax.

On 1 July this year The Simplified Tax System will commence and allow eligible small businesses to do their tax accounting on a cash basis with simpler depreciation and trading stock rules. It will reduce tax payable by small business by over \$1 billion in the first three years.

And tonight, the Treasurer is announcing further measures that will reduce taxes for business.

From midnight tonight registered business will be able to claim full input tax credits on the purchase of motor vehicles. This was to be introduced from 1 July 2002, with an entitlement to half credits from 1 July 2001.

But the Government has decided to pull this forward—a tax cut of over \$600 million in 2001-02. This measure is taking effect from midnight tonight because the economy can benefit from it—it will stimulate investment—and because the Budget can afford it.

As an example, a business that buys a \$35,000 car tomorrow will pay \$3,200 less in tax than it would today. A business that buys a large interstate trucking rig with a value of \$330,000 would save \$30,000 in tax.

The Budget also provides other tax measures of benefit to business. New capital gains tax concessions will be introduced for listed investment companies.

#### **Tax Cuts for Older Australians**

Madam President, tonight the Treasurer is announcing measures to further cut income tax for older Australians.

Before the Liberal/National Parties were elected in 1996, older Australians who had

saved for their retirement and who did not receive a pension began to pay income tax once their income passed the tax free threshold of \$5,400. They paid more income tax than pensioners even when they had the same income.

We thought that wasn't fair. So one of the first things this Government did in 1996 was to put the self-funded retiree on an equal tax footing with pensioners. It raised the tax free threshold for older Australians to \$11,185. A qualifying self-funded retiree did not pay income tax on his or her income below that amount.

With the introduction of the New Tax System these thresholds were increased. But tonight, the Treasurer is announcing that the Government will go much further still. We will lift the low income aged persons rebate with effect for the current financial year—that is backdated to 1 July 2000.

The increase the Treasurer is announcing tonight will mean that in the current financial year qualifying single self-funded retirees and age pensioners will have an effective tax free threshold of \$20,000. That is they will pay no income tax unless their income (including pension) exceeds that amount.

The effective tax free threshold for a couple on equal income will be lifted to \$32,612. Qualifying couples will pay no income tax until their combined income exceeds that amount.

In addition the Medicare levy threshold for senior Australians will be lifted from its 1999-2000 rate of \$13,550 to \$20,000 so a senior Australian pays no tax and no Medicare levy until he or she earns above that amount.

The combined effect of these measures and tax reform means that a senior Australian on an income of \$20,000 in 1999-2000 paid tax of \$2,688.25. This year they will pay nothing. Senior couples on \$20,000 each in 1999-2000 paid tax of \$6,140. This year they will pay tax of \$2,179.50, a combined tax cut of \$3,960.50 or over \$75 per week.

Because these measures are to apply to the current financial year, eligible senior Australians will receive the benefit of these tax cuts

by way of a tax refund as soon as they lodge this year's income tax return.

### **Acknowledging Older Australians**

Madam President, the tax cuts the Treasurer has announced will benefit self-funded retirees and age pensioners who have additional income.

The Treasurer is now announcing a benefit for those on the full or part age pension. The Government has previously legislated to fix the age pension at 25 per cent of Male Total Average Weekly Earnings, and on 1 July last year it increased it 4 per cent and is maintaining it 2 per cent higher in real terms. But tonight the Treasurer is announcing an additional payment for all those who receive income support and are over age pension age including service pensioners.

The Government will pay each person who receives a pension or part pension—this covers qualifying people with incomes up to \$29,263 for a single and \$48,880 for a couple—a non-taxable lump sum of \$300. After the Treasurer has finished this Budget speech the legislation to make this payment will be introduced into the House of Representatives. If the payment is to be made with the fortnightly pension payment next month it needs to pass the Parliament by Thursday. Any delay by the Opposition will mean the payment cannot be made next month. There are 2.2 million people eligible for this payment.

The Government is making this payment because the economy can benefit from it, the Budget can afford it this financial year and, most of all, our older Australians deserve it.

Madam President, on 1 January 1999 the Government dramatically widened eligibility for the Commonwealth Seniors Health Card. The card enables holders to purchase pharmaceuticals on the Pharmaceutical Benefits Scheme for \$3.50 instead of the general rate of \$21.90. After 52 prescriptions all other scripts in a calendar year are free. From 1 January 1999 the income limit for eligibility for the card was raised from \$21,000 to \$40,000. Tonight the Treasurer is announcing that on 1 July 2001 it will be lifted further with an income test of \$50,000 for singles and \$80,000 for couples. This is expected to

extend the card to an additional 50,000 older Australians.

Further, older Australians who hold the Commonwealth Seniors Health Card will be extended the same concessions as pensioners on telephone costs. They will be entitled to a Telephone Allowance of \$17.20 per quarter as from September. The Commonwealth will also open negotiations with the States with a view to extending other pensioner concessions to Health Card holders over time.

For the first time the Government will also introduce twice a year indexation for those on Commonwealth superannuation pensions in line with the Consumer Price Index from 1 January 2002. This will assist those on such pensions to keep up with the cost of living.

Assistance will be provided to Australians seeking to maintain their superannuation savings in the years immediately prior to their retirement. Accordingly, superannuation assets are to be exempted from means tests for people aged between 55 years and the age pension age. This means they can receive income support without first expending part of their superannuation.

In recognition of the unique circumstances of their captivity, the Government will make a one-off payment of \$25,000 to former Australian Prisoners of War of the Japanese, and to civilian internees and detainees of the Japanese. For those who are no longer alive, payments will be made to their surviving spouses.

Compensation in similar amounts has been made by the Governments in Britain, Canada and New Zealand to their Prisoners of War. The Parliament will be asked to appropriate this sum before 30 June. No amount of compensation will ever make up for the pain and the loss these diggers suffered. But our nation should make a statement of recognition and thanks.

#### **Australians Working Together**

This Government has begun a whole new approach to welfare and work. We have introduced mutual obligation: the obligation of the community to help those not in work and the obligation of those not in work to contribute to the community.

This has led to the very successful Work for the Dole program, where eligible people on benefits put back into the community and receive the chance to do useful work which will improve their skills and help them re-enter the workforce.

In this Budget the Government is making a substantial investment of \$1.7 billion over 4 years to improve the way our income support system works. The object is to help those of working age move from welfare to work and to give them assistance to do so.

Even though employment opportunities have improved in the last 5 years, we don't want people to be left behind. We don't want people to drop out of looking for work and we don't want the system to discourage participation in the workforce. The package of measures contained in Australians Working Together balances these objectives. It has major new incentives to take up work and reasonable requirements for people to take the opportunities on offer.

The new assistance includes over \$700 million to help people find jobs—more places for Job Search Training and more places in Work for the Dole. Training Credits of \$800 will be introduced for people who do Work for the Dole and community work. They can use these credits to pay for training which will qualify them for better jobs. Importantly \$147 million more assistance will be provided for people over 50 who are out of work and want to re-enter the workforce.

A new Working Credit initiative will be introduced to allow those out of work the right to accumulate up to \$1000 of earnings without losing income support. This removes a disincentive to take intermittent jobs or short term work which could open the door for them to get long term employment.

New requirements will be introduced to standardise arrangements for all job seekers aged up to 49. From July 2002, those not in work will receive Job Search Training after three months unemployment at the latest, and will be required after six months to do community work, study, or some other activity which for those aged up to 39 can be Work for the Dole. Parents on income support will be helped to prepare for a return to the

workforce as their children approach teenage years through annual interviews with Personal Advisers. From July 2003 parents whose youngest child is in high school will be required to do the equivalent of one day a week of community work, part-time paid work, study, or training if they are receiving parenting payment.

*Australians Working Together* will deliver the right balance of assistance, incentives and obligations to help all Australians move forward. It will be a major overhaul of our income support system.

### **Strengthening Australia's Health System**

This Budget aims to improve the health and medical care of Australian families. With an additional \$900 million we are enhancing Medicare, increasing health services in rural and regional Australia and introducing 5 initiatives to treat common health problems that affect Australian families.

The Government is committed to maintaining and improving Medicare for the benefit of all Australians. In this Budget the Government is increasing rebates for GP services, in particular for longer consultations which will assist the treatment of complex and chronic conditions.

Second, the Government is taking direct practical measures to boost health services in rural and regional Australia by:

- Providing \$104 million over four years to assist GPs in rural Australia to employ practice nurses. Practice nurses support GPs by providing a range of medical services, managing chronic disease treatment, doing health assessments, and providing clinical support on minor surgery.
- Funding 100 Rural Nursing scholarships of \$10,000 per annum to educate rural students at a rural campus. Rural students are more likely to end up serving patients in rural and regional areas. An additional ten scholarships will be provided for indigenous students or Aboriginal health workers to undertake nursing education.

Third, this Budget introduces 5 initiatives to address health problems which affect Australian families. It targets treatments for asthma, mental health, diabetes, cervical cancer and alcohol education and rehabilitation.

- Asthma affects over two million Australians, including one in four primary school children and one in seven teenagers. The Government will establish a 3 stage program for GPs to intervene early to diagnose asthma, develop a care plan and review that plan with the patient. If we treat asthma early we can minimise the risk of hospitalisation for sufferers, particularly our children.
- The Government will allocate \$120 million over four years to improve the quality of care given by general practitioners to those suffering a mental illness which will help them and the families who suffer with them. This funding will be used to educate and train GPs on mental health issues and will provide support for GPs to deliver quality mental health care.
- Amongst Australians over 25, 3 in 100 have diabetes and know it, 3 have it and don't know it and another 16 are likely to develop it later in life. This Budget introduces an Integrated National Diabetes Program which will provide incentive payments to GPs to improve the diagnosis and management of people with diabetes.
- A new program will be introduced to increase screening for cervical cancer among high risk women. General practices which reach overall screening targets will receive additional funding. And this is designed to identify problems early and reduce risks before it is too late.
- The Government will also provide \$115 million over four years for a new Alcohol Education and Rehabilitation Foundation to help prevent alcohol and other substance misuse. Alcohol abuse is a problem that causes suffering in many families and the Government's new measures are designed to address it.

### **Building Australia's Resources**

In January this year the Government released an Innovation Action Plan for the future called *Backing Australia's Ability*.

It is a plan to build Australia's human resources, to support university research infrastructure, to invest in major national research facilities and finance the establishment of world class centres of excellence in biotechnology, and information and communications technology.

Backing Australia's Ability will encourage R&D and commercialisation of new ideas. Backing Australia's ability added 5500 targeted university places over 4 years and tonight the Treasurer is announcing that the government will in addition, fund up to 1800

undergraduate student places in regional higher education institutions from 2002. This will increase access and participation in higher education in regional Australia.

In November last year, the Government announced additional funding of \$1.6 billion over five years to rebuild Australia's road network. The majority of the funding (\$1.2 billion) is being distributed to local councils to build local roads. The remainder is being spent on the National Highway and Roads of National importance such as the Scoresby Freeway in outer Melbourne. This investment in roads is building Australia's infrastructure.

In December 2000, the Government announced an assistance package of \$216 million over two years for farmers and businesses in the flood-ravaged cropping zones of New South Wales and southern Queensland. The package helps those people get back on their feet. As a preventative measure, the government is providing an additional \$31 million over four years to implement flood mitigation works to reduce the risk and damage caused by floods.

#### **Safeguarding Australia's Natural Environment**

It is vital that we conserve our environment and natural resources.

Environmental degradation poses a long-term threat to our quality of life, the quality of future water supplies, and the fragile environment we share as Australians.

This Government established Australia's first Natural Heritage Trust of \$1 billion. Tonight, the Treasurer is announcing that the Government will invest a new \$1 billion to extend the Natural Heritage Trust by five years to 2006-07.

This Trust is the largest ever Government investment in Australia's natural environment.

It provides a long-term, integrated and comprehensive approach to the conservation of Australia's land, vegetation, biodiversity, coasts and oceans.

This new investment builds on the \$700 million provided over seven years for the *National Action Plan for Salinity and Water*

*Quality* announced in October 2000. The National Action Plan is the first comprehensive strategy to address salinity and water quality problems in Australia. To work this plan will require cooperation between all levels of government.

#### **Protecting Australian Agriculture**

Madam President, we have seen the damage caused in other countries by the outbreak of foot and mouth disease.

Australia's farmers are the best in the world. We must help them to stay that way. We must protect our country from the risk of plant and animal disease.

Tonight the Treasurer is announcing a dramatic upgrade in the Australian Quarantine and Inspection Service, the Australian Customs Service, Australia Post and airports to strengthen Australia's quarantine protection against foot and mouth disease and other risks to our environment and agriculture. An additional \$593 million over five years will be used to increase the inspection of mail and cargo entering Australia. We will increase the inspection of passengers and their baggage so that all passengers from all countries that could bring this disease have their baggage inspected. We will work to minimise undue delays for passengers arriving in Australia but we think these steps are necessary.

To meet these necessary costs, the Government has decided to increase the Passenger Movement Charge by \$8 to \$38 and continue the policy of full cost recovery for Australian Quarantine and Inspection Service and Australian Customs Service programs involving cargo and seaports.

#### **Building Australia's Defence**

Protecting our borders against plant and animal disease is important. One of the principal responsibilities of any national government is the defence of the nation and national security.

In his last Budget the Treasurer reported on the outcome of Australia's contribution to peace and security for the people of East Timor. With that experience behind us, and an appreciation of how quickly events can unfold and the uncertainty in our immediate region, the Government commissioned the

most specific and detailed defence plan put together in the last 3 decades.

After reviewing that plan, we have budgeted for the largest and most comprehensive investment in our defence capabilities for any Australian government in peacetime. Additional funds totalling \$27.6 billion are planned over the next 10 years in addition to previous budgeted funding. This will allow major capital investment projects including the purchase of Airborne Early Warning and Control aircraft, the upgrading of the Collins class submarines to high level capability and an increase in the capacity of land forces through the maintenance of six battalion groups.

### **Economic Outlook**

The Australian economy is forecast to strengthen in the year ahead, with a rebound in growth to around 3¼ per cent in 2001-02 reflecting sound fundamentals and ongoing benefits of reform.

Following a very sharp downturn in the second half of 2000 residential construction, aided by the First Home Owners Scheme and low interest rates, is expected to contribute strongly to growth in 2001-02. Growth will be supported by household consumption, business investment and net exports.

The average unemployment rate is forecast at 7 per cent in 2001-02 which is around current levels. Unemployment has substantially fallen under the 5 years of Liberal-National Government, with over 820,000 jobs created over our term in office.

In addition, inflation is expected to decline as the one off increase in the price level caused by tax changes washes out of the index. The current account deficit as a percentage of GDP will remain well below its average level of the last decade.

Australia's growth performance over the second half of the 1990s has been exceptionally strong. And our policy of economic responsibility, budget balance and debt repayment has kept interest rates low.

High interest rates turn the dream of homeownership into a nightmare. Nothing helps Australian families more than cutting their largest bill, their monthly mortgage payment.

When the Government was elected the home mortgage interest rate was 10.5 per cent. Today it is 6.8 per cent. A family on an average mortgage of \$100,000 has had their interest payments cut by over \$300 a month.

A return of failed policy which brought the high interest rates of the past would be paid by every family, every month, on every mortgage payment.

### **Concluding Comments**

The first Commonwealth budget was delivered by Sir George Turner 100 years ago. He said on that occasion:

... While we should spend all that is reasonably necessary for the purpose of defending and developing our country we must see, at all events in the early stages of our career, that there is no extravagance ...

It was good advice then. It is good advice today. We are still in the early stages of our career as a nation. We are still building in defence, in welfare reform, in tax reform, in innovation, in agriculture, building health care to help our families. We are looking after those who spent their lives in the building of the last century. This budget sets out a program to build a stronger Australia over the next.

I commend this budget to the House. I seek leave to move a motion in relation to the budget statement and documents.

Leave granted.

**Senator KEMP**—I move:

That the Senate take note of the statement and documents.

Debate (on motion by **Senator O'Brien**) adjourned.

### **Particulars of Proposed Expenditure for 2001-02**

**Senator KEMP** (**Victoria—Assistant Treasurer**) (8.04 p.m.)—I table the following documents:

Particulars of proposed expenditure for the service of the year ending on 30 June 2002 [Appropriation Bill (No. 1) 2001-2002]

Particulars of certain proposed expenditure in respect of the year ending on 30 June 2002 [Appropriation Bill (No. 2) 2001-2002]

Particulars of proposed expenditure in relation to the parliamentary departments in respect of the

year ending on 30 June 2002 [Appropriation (Parliamentary Departments) Bill (No. 1) 2001-2002].

**Senator KEMP**—I seek leave to move a motion to refer the particulars documents to legislation committees.

Leave granted.

**Senator KEMP**—I move:

That—

- (1) the particulars documents be referred to legislation committees for examination and report in accordance with the provisions of the order of the Senate of 1 December 2000 relating to estimates hearings; and
- (2) legislation committees consider the proposed expenditure in accordance with the allocation of departments to committees agreed to on 11 November 1998, as varied on 8 February 2001.

Question resolved in the affirmative.

#### **Estimates of Proposed Expenditure for 2001-02: Parliamentary Departments**

**The PRESIDENT**—I table the following documents:

The portfolio budget statements for 2001-02 for the following parliamentary departments:

Senate.

Joint House.

Parliamentary Library.

Parliamentary Reporting Staff.

#### **Estimates of Proposed Expenditure for 2001-02: Portfolios and Executive Departments**

**Senator KEMP** (Victoria—Assistant Treasurer) (8.06 p.m.)—I table the following documents:

Estimates of proposed expenditure for 2001-02—Portfolio budget statements—Portfolios and executive departments—

Agriculture, Fisheries and Forestry portfolio.

Attorney-General's portfolio.

Communications, Information Technology and the Arts portfolio.

Defence portfolio [Department of Defence and Defence Housing Authority].

Education, Training and Youth Affairs portfolio.

Employment, Workplace Relations and Small Business portfolio.

Environment and Heritage portfolio.

Family and Community Services portfolio.

Finance and Administration portfolio.

Foreign Affairs and Trade portfolio.

Health and Aged Care portfolio.

Immigration and Multicultural Affairs portfolio.

Industry, Science and Resources portfolio.

Prime Minister and Cabinet portfolio.

Reconciliation and Aboriginal and Torres Strait Islander Affairs portfolio.

Transport and Regional Services portfolio.

Treasury portfolio.

Veterans' Affairs.

#### **ADJOURNMENT**

Motion (by **Senator Kemp**) proposed:

That the Senate do now adjourn.

#### **Telstra: Sale**

**Senator WATSON** (Tasmania) (8.07 p.m.)—Tonight, I will take a serious look at the community benefits or lack of benefits derived from the part sale of Telstra. In 1997, Networking the Nation was established by the Commonwealth government for the distribution of the \$50 million Regional Telecommunications Infrastructure Fund as a result of the first part sale of Telstra. This was additional to the \$1.25 billion Natural Heritage Trust fund, of which Tasmania received 10 per cent. In June 1999, the Commonwealth government announced that an additional part of Telstra would be sold and the resulting funds deployed as a social bonus package. Tasmania was allocated \$150 million for a range of specific telecommunications and electronic service delivery related projects, some of which have been supplemented with funds from other sources.

So where has all this money been spent and where has it been delivered? Funds have been used in a variety of ways to cover health, business, culture and tourism or to provide computer access right across the

state. Large and small amounts have been allocated, ranging from \$2,000 to conduct surveys into proposals to more than \$1 million to establish projects such as the Telehealth Tasmania Network. Tonight, I could not possibly describe all the great things that are happening in Tasmania as a result of this funding—indeed, a brief outline of the allocations for this state covers some 94 pages—but I would like to detail some of the programs that illustrate the wide range of benefits which have flowed to Tasmanians.

The first example is in the business world. TECC, the Tasmanian Electronic Commerce Centre, is based in Launceston. The company's aim is to assist Tasmanian businesses to realise the advantages and opportunities of e-commerce. It does this in a number of ways. It provides an awareness raising, support and advisory service to businesses and supports e-commerce infrastructure and technology developments. It also assists with research and development issues. A wide range of businesses have benefited from TECC's assistance. One example is Muir Engineering, which designs and manufactures state-of-the-art deck machinery and anchoring systems for vessels of up to 100 metres. Muir Engineering exports its products to some 40 countries—in fact, 40 per cent of its sales go to the international market—so, for this company, an online presence is vital.

Tasmania is recognised as a producer of high quality arts and crafts. A marketing association has been formed which, with the aid of a grant from TECC, is developing a plan to use the latest information technology to promote and market the work of Tasmanian artists. Other groups which benefit include the Tasmanian Apple and Pear Growers Association; the Hazell Bros Group, which is involved with transport and earth-moving equipment; Online Outcomes, which runs training seminars to assist businesses to understand and develop effective business web sites; and a bakery chain.

The University of Tasmania maintains strong links with the TECC in terms of research, both commissioned and collaborative. With an increasing number of honours and postgraduate level students participating

in e-commerce research projects, the body of knowledge surrounding this important topic is growing and providing useful results. The TECC devolves funds to businesses to enable them to engage professional web page designers to develop their Internet presence. The TECC has a large register of web designers and other computer professionals listed on its web site, and this generates further business for these providers. The cash flow-on effect to the Tasmanian economy is, therefore, quite considerable.

The next example is the realm of health care. The Telehealth Tasmania Network is a quite different story. Over three years, a statewide network of over 50 Telehealth facilities is being developed to promote more equitable access to health services for rural and regional Tasmanians. This will provide improved access to specialist services, a wider choice of health services and providers and enhanced links between rural and remote GPs and their patients. This program is well under way. The Tasmanian Department of Community and Health Services, which manages the program, had a stand at the recent Agfest rural exhibition to promote the program, which attracted a lot of interest from interstate visitors. Telehealth has calculated that, in fares alone, some \$30,000 per month is being saved by Tasmanians as the service provides an electronic, face-to-face service with nursing practitioners and carers, general practitioners and specialists.

One of the areas in which Tasmanians see some real hands-on services is the more than 60 online access centres around the state, which provide the general public with access to computers and the Internet. These centres have been established in school buildings, in public library buildings and in other places. They are managed by a volunteer board, part-time paid coordinators and many volunteers. These facilities enable many people who would otherwise not go near a computer to learn and use word processors, the Internet and email. A surprisingly large number of older, often retired, people as well as the young can develop and expand their knowledge of and interest in their hobbies, which includes anything from bonsai to sport to family history. Many small businesses, in-



cluding farmers, can also learn about computers and their benefits.

Another program that has recently received funding does not sound as grand as some of the others I have mentioned but will also have a flow-on effect. A recent survey of Tasmanian historical societies identified a strong interest on the part of the members to establish an Internet presence in order to liaise with other societies and the general public. For instance, it is estimated that some 10,000 Australians are researching their family history and many of these people like to visit the region where their ancestors lived and worked. By putting information and images on the Internet, the local history societies reach out to these other researchers and can provide descendants with a reason to visit their area. This program has the funds to assist societies to purchase equipment such as computers, scanners and digital cameras, enabling the society members to scan pictures, photographs and maps and to send them right across the world.

One of the growing areas in tourism, especially in Tasmania, is ecotourism. With so much of our population living in big cities, this type of holiday experience is growing in popularity. Through electronic commerce, the initiative for the Tasmanian tourism industry has enhanced the capacity of small adventure and ecotourism businesses in the north and west of Tasmania to develop interstate and international markets and has provided a model for other business clusters. Some 50 small companies offering 300 different tours have been helped to market their products. These companies, some of which did not even own a computer, now have web pages providing information on available tours. The would-be holiday-maker can choose from various options, such as sea kayaking, scuba diving, trekking, hiking and abseiling and then view the details of what is on offer and make an online booking.

The bottom line of all these projects is that so many people in Tasmania have benefited from the Commonwealth government's injection of funds into the IT world, whether it be through health services, cultural activities or business. There have been many other benefits—for example, for schools and for

television viewers in black spot areas—and there has been improved access to mobile phone services. The spin-off for the Tasmanian economy has meant more than just buying some computers and hiring computer professionals. It has far reaching effects for all Tasmanians, and we can thank the Liberal-National coalition for the funding initiatives which have flowed from the part sale of Telstra.

#### **Industrial Relations: Petkar Pty Ltd**

**Senator BUCKLAND (South Australia)**  
(8.15 p.m.)—I want to relay tonight how the government's industrial legislation has really left young people in particular but the work force in general vulnerable to the unscrupulous dealings of many employers in the country. I refer particularly to a group called Petkar Pty Ltd in South Australia, who run a series of shops under the banner of IGA in Dulwich, Malvern and Walkerville. In March this year Mr Franklin, the proprietor, offered his employees an Australian workplace agreement. Mr Franklin had hoped to get all his employees to agree verbally to the AWAs so he could start paying the rates in the contract straightaway. The basic premise of the AWA was that employees would go from being casual employees under the South Australian retail industry award to being permanent employees under the AWA.

On first thought, that is quite a credible thing for an employer to do—to take his employees off casual rates to make them permanent. But not so in the case of Mr Franklin's company. The permanent employees under this agreement, or the AWAs, had a two-hour minimum shift, no penalty rates, no guaranteed hours and no leave entitlements, such as sick leave, annual leave, parental leave, bereavement leave, carers leave and so on. They are all gone by the dealings of our friend Mr Franklin. This compares to the award entitlements for permanent employees of three-hour minimum shifts, penalty rates for late nights, Sunday and public holiday work, minimum weekly hours and paid sick leave, annual leave, bereavement leave and carers leave. It is somewhat of a contrast.

The story gets worse. The employees did not sign the AWA. One asks oneself why. Because of this, Mr Franklin posted on the

noticeboard a notice which said, in part, 'I believe that you have all decided to act together rather than as individuals, which is what the agreement was intended for,' and, 'Penalty rates must end to keep the shop competitive, and this has been my sole intention from the outset.' He put his own welfare ahead of those whom he sought to employ. The AWA was then amended to increase the base rate by 50c and to add a 150 per cent rate for public holidays. Fifty cents was the increase that he was going to offer. It would go from no penalty rates on public holidays to 150 per cent, when the rest of the community was of course enjoying at least 250 per cent. He also offered to allow for unpaid annual leave—quite a novel idea!

At a meeting on 19 April to present a revised AWA, Mr Franklin said he believed staff had deliberately delayed signing the AWA so they would still be paid their award penalty rates over Easter and Anzac Day. This is a fellow who has no morals himself and who is now trying to accuse his employees of being immoral by taking what they are rightly entitled to. Franklin went on to say that this process was not meant to be one of negotiation: 'You do as I say and you keep quiet. The alternative is that you lose your job.'

His adviser, an interesting character who had originally crafted the AWAs, was one Mr Rob Wallace. He was present at the meeting and said that even if employees nominated a bargaining agent the employer was under no obligation to bargain. Someone is not reading this act right. Not under an obligation to bargain? That is what it is all about. Mr Wallace told the meeting he had now accepted a position with the Office of the Employment Advocate—this is a really nice to-do! So he was no longer the employer's bargaining agent. He was telling them that the employer had no obligation to bargain, but he had already taken a position with the Office of the Employment Advocate. What an immoral soul this one is. Mr Wallace is known to have contacted, well after his appointment, the Malvern store to speak with Mr Franklin. It was long after he commenced with the Office of the Employment Advocate. I do not know exactly what they spoke

about, but I very much doubt that he was giving Mr Franklin any tips for the races on Saturday.

I really believe that this is a situation that the government must investigate. It must investigate the conflict of interest between the Office of the Employment Advocate and the dealings with the company run by Mr Franklin. As one might expect, fortunately a number of employees joined the SDAEA, the Shop, Distributive and Allied Employees Association, and a number appointed the SDAEA as bargaining agent for the dealings with the AWA. The union correctly sent a letter to the company on 4 May. A notice was stuck on the noticeboard that day from Mr Ian Cannon, who had now been appointed by Mr Franklin as his bargaining agent. So he could have a bargaining agent, but his employees could not. This is where it becomes more and more immoral in that this company could treat employees in that way and get away with it. This company is corrupt in its dealings. It gives no rights whatsoever to the employees, it has flat rates that abolish penalty rates, leave entitlements have gone and there are no guaranteed hours.

Rob Wallace originally crafted the AWAs and then took a job with the Office of the Employment Advocate, yet he was still giving advice to this company and he was giving wrong advice. The employer has misrepresented the Office of the Employment Advocate by saying that it had pre-approved the AWAs when the OEA could not have done that without seeing work patterns, rosters et cetera. The employees were lied to not only by the employer but also by a person who had become an officer of the OEA. This is where the government's industrial relations policies have got it wrong and where they are discriminating against workers in the Australian work force today.

Mr Franklin and managers have applied duress to employees by effectively stating that no shifts would be offered to those who do not sign AWAs. The managers at the various stores went to individuals and told them that they would not be offered shifts if they did not sign. Mr Franklin has basically refused to negotiate or bargain with the legitimately appointed bargaining agent. Only

because of action in the Industrial Relations Commission in South Australia have the shifts and the income of those who have not signed AWAs been protected. Franklin did not even want to negotiate with the assistance of the Industrial Relations Commission. (*Time expired*)

### Minister for Sport and Tourism

**Senator HUTCHINS (New South Wales)** (8.26 p.m.)—Last week it was revealed that the Federal Police closed their file on their investigations concerning alleged electoral roting by the member for Lindsay and sports minister, Jackie Kelly. These allegations surrounded the conduct of the member for Lindsay in relation to the 1999 Penrith City Council elections, as well as the electoral enrolment of a former member of her staff, Mr Nick Berman. I believe there still remain a few unanswered questions in relation to these allegations.

Madam President, you may recall that in January this year Mr Berman and Penrith City Councillor Steve Simat, both former members of Mrs Kelly's staff, were called before the Pyne committee of inquiry. In his statement to the committee, Mr Berman said:

The Commonwealth Electoral Act is grossly inadequate in that the act allows elections to take place based on electoral rolls—the integrity of which cannot be guaranteed.

That is perhaps the truest statement Mr Berman made in his appearance before that committee.

While Steve Simat was still employed by Mrs Kelly, he stood successfully for the Liberal Party in the East Ward of the Penrith City Council elections in September 1999. Before the Pyne committee, Councillor Simat admitted to organising an elaborate front party scam to direct preferences to the Liberals in East Ward to secure his election. He admitted it. It is in *Hansard* for senators to read. Councillor Simat, while in the employment of the member for Lindsay, organised an elaborate front party scam to assist in his election to Penrith City Council.

The candidates for the Marijuana Smokers' Rights Party, Joe and Paul Matosin, were Young Liberal members from Rossmore, while Adam Brown, who also ran for the No

Badgery's Creek Airport Party was from the Willoughby Young Liberals. In order to run for these shonky front parties, on 3 August 1999—conveniently, the day before the rolls closed—these three candidates declared their electoral enrolments at 3 Avon Place, St Clair. This property was co-owned by Mr Stan Celar, who ran for the No Badgery's Creek Airport Party, and his wife, Liliana Djuka, who was also Councillor Simat's niece. Councillor Simat masterminded this entire scam while he worked for the member for Lindsay. The member for Lindsay was the president of the Liberal Party's local government conference in Penrith. This conference discussed all the strategy and tactics that went into the Liberal's 1999 council election campaign, including its preference strategy. Either the member for Lindsay was up to her eyeballs in this affair, or she was being manipulated by these tricky, shonky and scheming Young Liberals like Councillor Simat. Mr Berman was accused of falsely declaring his enrolment at the member for Lindsay's house prior to the 1998 federal election. Mr Berman was able to explain away that allegation before the Pyne committee by saying that he was 'effectively living nowhere between February 1998 and May 1998'.

But what he has not been able to explain is why, during the period he was enrolled in Penrith, he appeared in the phone book as living at Parramatta. Later on, when Mr Berman's ambition led him to Normanhurst in Sydney's northern suburbs to run for the Liberal Party in Hornsby Shire Council, his change of electoral enrolment form was completed on the same day as those of Mr Paul Matosin and Adam Brown, on the day before the electoral rolls closed. When asked, Mr Berman refused to confirm or deny whether or not he had ever seen or witnessed the enrolment forms of these candidates, or if he knew whether or not they had been witnessed in the member for Lindsay's office. He said he could not recall.

As you can see, Madam President, there are still a number of questions that remain unanswered. I would like to publicly challenge the member for Lindsay to answer these questions. The closing of the Federal

Police file on her should not signal the end of the affair. These questions need to be answered, because of the member for Lindsay's refusal to front up before the Pyne committee of inquiry into electoral fraud and answer questions from the committee.

The first question is: if the member for Lindsay had nothing to hide, why did she and her supporters in the Liberal Party so strenuously avoid having her answer these allegations before the Pyne committee? Why did she not come forward to assist the committee in its noble task of examining the integrity of the Australian electoral roll? Secondly, will she explain why the phone book address of her former staffer, Mr Nick Berman, contradicted his declared electoral enrolment, which was at her place of residence? Thirdly, will she also explain why Mr Berman contradicted her statement in the House of Representatives on 4 December last year, when the member for Lindsay seemed to suggest that Mr Berman had lived with her only while he was living in Lindfield, before moving to Parramatta, and that he had mistakenly failed to change his electoral enrolment when he moved to Parramatta? Both of them cannot be right. The member for Lindsay must clarify this issue.

Fourthly, will the member for Lindsay confirm or deny that she, Mr Berman or Councillor Simat witnessed the electoral enrolment forms of Paul and Joe Matosin and Adam Brown? Will she confirm or deny that these enrolment forms were witnessed in her electorate office in Penrith? And the final question is this: it is undeniable that, as the president of the Liberals' local government conference in Penrith, the member for Lindsay would have had knowledge of the front party scam that was being organised out of her office. Does the member for Lindsay think that just because the Federal Police have closed her file she has somehow regained the trust of the people living in her electorate? Her involvement in this shonky affair has seriously undermined her claim to be a clean non-politician of western Sydney and it has shown her up for what she really is. Over the coming weeks, I will be seeking full and honest answers to these questions

from the member for Lindsay, but I will not be holding my breath.

#### **Sport: RecLink**

**Senator LUNDY (Australian Capital Territory)** (8.32 p.m.)—It is appropriate that on budget night I am here to talk about the lack of sporting opportunities available to those in our society who are not included in or encompassed by mainstream programs. The Howard government has now had six budgets in which to correctly balance the needs of elite sport with the needs of community based and participatory activities. It is most unfortunate then that it has squandered yet another opportunity to deliver wide-ranging sport and recreation programs for all Australians—not just the elite and not just those in capital cities.

This government is well known for its meanness, and that is evident in its approach to sport and recreation. This time last year we witnessed \$16 million being slashed from the sport budget—the fifth funding cut in five years. Whilst Labor have publicly welcomed the restorative funding for sport in this year's budget, we also point out that the government has, in effect, put back into the system what has been ripped out since 1996. The Howard government has not been generous to those in most need of assistance. It has cut back on areas where recreational and sporting programs offer something positive to people and communities who have suffered under this government. Whilst we have generally supported today's announcement of increased funding for sport, it does not in any way compensate for the years of short-sighted cuts and the axing of critical sports programs. Indeed, it has not escaped the opposition's attention that a significant proportion of the restorative funding is in the out years and that it will not be realised by the Australian sporting community in the coming financial year.

That said, today's budget shows that the coalition has failed to capitalise on the nexus between physical activity and improved wellbeing, which should be the cornerstone of any sport and recreational policy. There is a mountain of evidence available showing the direct correlation between the provision of participatory activities and improved indi-

vidual and community wellbeing. There is substantial documentation, both anecdotal and analytical, demonstrating that mental and physical health, antisocial behaviour, criminal activity and drug and alcohol abuse can be alleviated and improved through participation in sporting and recreational activities. In other words, governments can address social and health problems not just through traditional means but through alternative approaches which assist those people who, for complex reasons, do not easily fit in with the sometimes restrictive limitations imposed by sporting bureaucracies.

Tonight, I want to talk briefly about a very important and significant initiative that is doing a tremendous job in addressing this much neglected aspect of community sport and community wellbeing. On a recent visit to Melbourne I was privileged to visit RecLink, an organisation that provides sporting and recreational opportunities for homeless people and those with mental illnesses and drug and alcohol related problems. RecLink is essentially delivering sport and recreation programs to Australians who, for want of a better term, fall through the cracks of mainstream society.

RecLink originated in Melbourne in 1990, with the aim of providing recreational activities to people who experience social disadvantages. These disadvantages include homelessness, unemployment, substance abuse and addiction, poverty, alienation, behavioural disorders and mental illness. The philosophy of RecLink is that everyone has the right to access recreational activities and enjoy the benefits that come from that participation. RecLink is a great vehicle for enjoyment. It provides opportunities to rejuvenate the human spirit, to create friendships, to motivate and develop skills, and to deliver all the consequent benefits that derive from increased fitness. Since 1990, RecLink has expanded to include 60 agencies in Victoria, and it now provides about 16 sporting and recreational programs. RecLink has also expanded into other states, particularly South Australia, where similar programs are provided.

The most important aspect of RecLink is that they work with many other agencies in

the pursuit of providing meaningful and invaluable opportunities for their community. For example, RecLink in Victoria work with agencies such as the Sacred Heart Mission, Outreach, the Brotherhood of St Laurence, crisis accommodation agencies, youth homelessness groups, inner city health centres, the Salvation Army and many other services dedicated to helping those in need. With the generous assistance of these charity groups and agencies and the involvement of key sporting organisations such as the AFL, RecLink are able to offer an incredible range of activities for people who would otherwise not be given the chance to be part of a community and participate in activities that make an enormous difference to their mental and physical outlook.

Mr Peter Cullen, who runs the Victorian RecLink program, has worked tirelessly to provide an incredibly diverse range of activities. On my visit to RecLink I saw proudly displayed photographs and images of people with social and physical challenges who were playing basketball, football, tenpin bowling, cricket, lawn bowls, golf, swimming and squash in a very innovative program called 'Come and try events'. As Peter Cullen has pointed out, RecLink's successful growth is a measure of the value which participants place on the unique opportunities offered to them. In the last year alone, the number of membership agencies has risen from 45 to 60. They have also managed to increase their focus on women, and their innovative programs have made significant inroads in addressing the shortfall in opportunities for women.

The enormously significant contribution RecLink is providing to those most at risk deserves recognition and support from local, state and federal governments. It was both heart warming and humbling to find out that most of the people involved with RecLink do so in a volunteer capacity. They give of their own time, and in many cases their own money and resources, to help expand RecLink's operations in linking up potential participants and people who want to be involved in sport and recreational activities and giving them the means to actually do so. They do this with a generous spirit that is

sadly lacking from many governments in terms of sport and recreation, not the least being the coalition federal government. RecLink only survive because of the generous efforts of their activity coordinators and the willingness of many welfare agencies to commit staff to help RecLink. I found RecLink to be one of the most inspiring examples of the meaning that sport and recreational activities can add to people's lives. It was very clear to me that they contributed greatly to improving the quality of life of particularly those homeless people in inner city Melbourne where this Victorian RecLink was established.

**Nugent, Mr Peter Edward**

**Senator HILL (South Australia—Leader of the Government in the Senate)** (8.40 p.m.)—I want to say a few words in memory of our late friend and colleague Peter Nugent, who prematurely and suddenly died a little while ago. We, as a Senate, acknowledged his life with respect at our centenary sitting in Melbourne, but there are a few things I want to put on the record tonight on behalf of the government and for myself.

Peter was an able, industrious and principled man. He was also a true liberal. He was committed to individual freedoms, to enterprise and to the wellbeing of those not as well off. He understood the proper role of the state in relation to those who needed the support of the state. His life was very much a life of service, through the Royal Air Force and then for some years in this parliament. But in the middle of that career he also successfully entered business, which I think demonstrates his broad capacities.

I think he will be remembered by many of us for a number of particular attributes. Those of us who were privileged to be at his funeral were struck by the mass of people who attended because he had affected their lives in some way. They were not the sort of people who were attending the funeral because they thought they should attend the funeral. They were there because they had a personal memory of Peter. When we started to explore their stories with some of them afterwards, we found a myriad of different stories of people who had needed help, of minorities, and a whole range of different

circumstances. They had turned to their local member of parliament. Their local member of parliament had made the effort and had so helped them that, when he died, they actually wanted to attend his funeral and, in their own way, record their appreciation. I found that really quite striking.

The second thing for which many of us will remember Peter was his passionate commitment to human rights, often for causes at time when they were less fashionable. He was never one to get on the bandwagon. If there was somebody suffering he would be out there trying to provide assistance. I remember him in that capacity, particularly as chairman of our Amnesty International parliamentary group.

The third area for which I think he will be particularly remembered was his commitment to Aboriginals and Torres Strait Islanders. It was a genuine commitment that Aboriginals and Torres Strait Islanders should be treated with respect, that their traditions and cultures should be properly understood, and that we must grow as an ever more tolerant society, particularly accepting of differences. He was our shadow minister for Aboriginal and Torres Strait Islander affairs for some time. He played a lead role in the Council for Aboriginal Reconciliation for some six years. He demonstrated on those issues his commitment to these people and his abhorrence of anything that might be described as racist.

So there he was—a special man with special qualities which many of us would like to be remembered for. We will miss our friend and colleague Peter. I take this opportunity to send my condolences to his wife and family.

**Nugent, Mr Peter Edward**

**Senator PAYNE (New South Wales)** (8.45 p.m.)—I rise to make some brief comments in this adjournment debate on the untimely death of my friend and our colleague Peter Nugent. They will be brief comments which, quite honestly, I wish it were not necessary to make. In 1989, when I was engaged in the then frenetic activity of being the Federal President of the Young Liberal Movement in Australia, my then Vice President, Chris Molnar—the Victorian Young Liberal presi-



dent—spoke to me incredibly enthusiastically about this guy who was running in Aston and about the great campaign they were running. Chris's enthusiasm on Peter's behalf was remarkable. He spoke in very glowing terms of his candidate for the then very marginal seat of Aston. Obviously Peter's reputation for marginal seat campaigning grew, evidenced by his re-election in 1993, 1996 and 1998. As my leader, Senator Hill, said, from the breadth of representation at his service in his electorate, his great commitment to Aston was quite clear.

I came through that political period to know of Peter's interest in foreign affairs and trade issues, particularly in China and in Asia more broadly. He was also interested in indigenous affairs in this nation. He had a passionate commitment to the wellbeing and the future of indigenous Australians and also to human rights. He was a very regular traveller to the broad Asian region; in fact, he returned from a visit just days before his death. Those who accompanied him on that visit remarked upon it in very favourable terms.

It was most particularly since my appointment to the Senate in 1997, and more recently since the 1998 election, that I had what I regard as a very important opportunity to work closely with Peter. I admired and respected him. I valued his friendship enormously. Along with many of my colleagues, I will miss his very sharp wit, his wisdom and his advice.

I was the enthusiastic secretary of his foreign affairs and trade backbench committee. This is not a job that people always take on with great enthusiasm, but working with Peter was an absolute pleasure. His display of his enthusiasm, his interest in the variety of issues he could possibly explore and the knowledge that he could impart were very important to those of us who joined with him on that committee. I am also a member of the Human Rights Subcommittee of the Joint Standing Committee on Foreign Affairs, Defence and Trade, of which Peter was chair. In that capacity, and as chair of the parliamentary group for Amnesty for a very extended period, Peter demonstrated his respect for

human rights, which, as Senator Hill said, was a driving force in his political life.

On issues like constitutional reform and mandatory sentencing, I regarded Peter as a leader in the debate in our party, in the parliament and also in the community. On a personal note, his unwavering commitment to true liberalism—to the principles that guided his work—was a model that many of us could only hope to follow, given that we are often caught up in the occasional political morass that passes for party politics in Australia. I learnt an enormous amount from my friend and colleague Peter Nugent. In many ways I would describe him as one of my mentors in this place since I came here, gently pushing—never easy to do with me—advising and suggesting. I valued that advice and judgment, and I will miss it.

I was enormously moved by the words of the member for Kooyong, Petro Georgiou, at Peter's service. I think he summed up very eloquently the thoughts unspoken, and perhaps difficult to express, of many of us at the time. After a recent political skirmish in which Peter took a great interest in my fate, I was pleased to be able to say that I left the process with my self-respect and my integrity intact, not always an easy matter in this business. Peter's political career was marked completely by decency and integrity.

For Carol and for their families this is obviously a loss most keenly felt. I know that little is consoling at this time, but they must be proud of his achievements, his contribution and his passionate adherence to his principles. I am enormously proud to have worked with Peter and very honoured to have been a friend.

#### **Nugent, Mr Peter Edward**

**Senator RIDGEWAY** (New South Wales—Deputy Leader of the Australian Democrats) (8.50 p.m.)—I rise today to express the condolences of the Australian Democrats to the Nugent family and to the Liberal Party of Australia for the loss of an exceptional man and an exceptional politician. Not only has the Nugent family lost a compassionate and decent man but the Liberal Party has lost a true defender of its social conscience. Peter Nugent was a person

who took pride in defending the rights of people who could not defend themselves. He was willing to defend them in a sometimes hostile parliamentary and party room environment. In Peter the Liberal Party had a member who was willing to go against his party to represent the views of those people who elected him, despite how unpopular such a position might have been. Peter was a supporter of reconciliation, a passionate human rights advocate, a champion for an official apology to the stolen generations, a defender of individual rights against the state's willingness to interfere and a member of parliament who was determined to be anything other than a time server.

Some of the descriptions of Peter may well have led you to believe that he should have been a member of the Australian Democrats. On his election to the House of Representatives in 1990, the *Age* newspaper said, 'Mr Nugent thinks politics is about people and politicians should find out what people think.' He was keen to be a true representative of the people. It is most unfortunate that Peter left us before we all had the chance to learn the lessons that he had to teach and before he had the opportunity to exert greater influence over the way in which we do our business.

Perhaps more important than party aspirations is the legacy that Peter Nugent left his family, his party and the parliament. After one is gone, the real impact of their legacy is found in its ability to stand the test of time. The legacy that Peter left his family was respect. He was a man in whom his family could rightly express a great deal of pride. He was well respected by all sides of politics, well respected in his electorate and well respected more broadly in the Australian community. He did not bring his profession into disrepute.

Compassion is the legacy he left his party. From his work on the Human Rights Subcommittee of the parliament's Joint Committee on Foreign Affairs, Defence and Trade, to his close and intense participation on the Council for Aboriginal Reconciliation, compassion was evidently his *modus operandi*. In the face of destructionist politics from the likes of One Nation, Peter Nugent

stood and defended the rights of many disadvantaged Australians well before many others decided it would be popular to do so. It was not politics that drove the decision to stand up and be counted on such an unpopular issue at the time; it was compassion. Peter leaves behind the legacy to take up the challenge to wear his clothes of compassion.

From the obituaries and the statements following his death, it is very clear that his legacy to this place is one of integrity. It appears that everyone in this place who had the pleasure to work with Peter liked and respected him for the decent manner in which he conducted himself and the manner with which he dealt with the obvious conflicts between his personal positions on social issues and those of his party. Across the political spectrum and out in the wider community, his deeds more often than his words spoke to the people in a way few are able to. He did not rubbish the party, nor did he recklessly attack those people with whom he disagreed. He was reasoned but passionate and committed without being dogmatic.

In this election year, we could do no greater honour to the legacy of Peter Nugent than to remember his lessons of respect, compassion and integrity in the work we do. His family, his party and our nation have lost a great man. But, hopefully, we will not lose the lessons he has left all of us to learn.

#### **Nugent, Mr Peter Edward**

**Senator TCHE***N* (*Victoria*) (8.54 p.m.)—I rise tonight to pay respect to the late Peter Edward Nugent, the member for Aston. The contribution Peter Nugent made in his lifetime to this parliament, to the Liberal Party, to his community, to Victoria and to Australia has already been well recorded by others who knew him much longer and better than I, so I shall be very brief.

That I am not amongst those who can say that they knew Peter Nugent well is clearly my loss—all the more regrettable because it is a loss that I shall never be able to redress. I wish that I could. So, tonight, I do the only thing I can: stand and say that I am proud to have served, albeit briefly, with Peter Nugent—one migrant Australian to another migrant Australian.



**Nugent, Mr Peter Edward**

**Senator BOURNE** (New South Wales) (8.55 p.m.)—I have seldom been more shocked than I was when I heard about Peter's death. It had to be one of the things I least expected to hear on the news. Peter Nugent was elected the same year I was. We both belonged to many of the same groups, most of which have been mentioned here tonight: the Amnesty International Parliamentary Group, on which he served as chair for quite a while; the Foreign Affairs Subcommittee of the Joint Standing Committee on Foreign Affairs, Defence and Trade; and also, and particularly, the Human Rights Subcommittee of the Joint Standing Committee on Foreign Affairs, Defence and Trade. Peter was also the chair of the Human Rights Subcommittee for quite a while as well. He was a very good chair. I read in one of the obituaries that he once said that the way that you can judge a society is by how they treat their minorities. He was very concerned about how any minorities are treated within Australia and, in fact, in the world. He was always prepared to show that concern, always prepared to listen and always prepared to speak up for people.

Peter was not a saint, and I do not think we should assume that he was. Anyone who has travelled on a delegation with Peter will be aware that, if you were 30 seconds late to leave, he would be standing in the foyer of the hotel tapping his foot and looking at his watch, and you knew that you were in trouble. We often hear on the loudspeaker system that members of a certain committee are reminded of a meeting taking place somewhere or other. Peter is the only chair I know who would ask for that to be done before the meeting had even started, to make sure that people were there on time. He was absolutely dead keen on punctuality. I must say that it often drove me totally crazy. But, even though he was not a saint, he was a very good and a very decent man. As Senator Payne said, I am very proud to be able to say that he was my friend. Peter stood up for those who were least able to stand up for themselves, even when his views were not popular in the party room. He knew that

speaking out probably was not doing his career much good, but he still did it.

I think it was pretty obvious at his memorial service—which I must say I was very moved by—that everyone who spoke very much respected Peter. You would have to include the Prime Minister in that. It was very obvious from the way the Prime Minister spoke that he had great respect for Peter. The tributes at the service were lovely, and certainly no less than Peter deserved. One of the speakers at the service was Peter's daughter, Deirdre. She spoke really well. It was my favourite of the tributes. Everyone who knew Peter and spoke with Peter over the years would realise how proud he was of all his children—his three children and his three stepchildren. He was always telling you what they were doing, who was doing what exam and what his grandchildren had done. He was immensely proud of them. I know they are aware of that—and they should be—but they should also be aware that he was quite happy to tell everybody else about how proud he was of his children.

I would like to express my condolences to Peter's wife, Carol, who I am also proud to say is a friend of mine, to his children, Deirdre, Greg and Barry, and to his stepchildren, Nicholas, Victoria and Sarah. I was speaking to Carol at the Melbourne sittings of the parliament and she was very touched that a seat had been left for him and that a rose had been put on the seat. She said to me, 'I just hope he knows that people realise and always have realised how important he was and what he did, and I just hope that he can hear it now.' Carol, I am sure he can and I must say that I am very sorry he has left. I think he will be a great loss to this parliament and to Australia.

**Nugent, Mr Peter Edward**

**Senator PATTERSON** (Victoria—Parliamentary Secretary to the Minister for Immigration and Multicultural Affairs and Parliamentary Secretary to the Minister for Foreign Affairs) (9.00 p.m.)—I met Peter over 10 years ago, when he was the candidate for Aston. I regret that I was not able to attend his funeral as I was engaged in parliamentary responsibilities visiting Papua New Guinea to look at our aid program there, and I am

sure he would have preferred me to be there than to be at the service. But it is not the sort of thing for which you can send an apology or the sort of thing that you can explain to people why you were not there. But I am sure that Peter, of all people, would have realised and thought it more appropriate for me to continue my trip to PNG and to look at the enormous work that has been done under the AusAID program. I know he would have been very interested in what I had to say when I got back, as he was a member of the foreign affairs committee.

As I said, I met Peter 10 years ago, when he was a candidate for the 1990 election. I had been helping to look after the then eight seats that we did not have. I became involved in campaigning with him. He was an incredibly cooperative colleague. He welcomed me and other senators into his electorate. As a senator you almost need a passport to get into the electorate of some House of Representatives members, and I can see colleagues on the other side smiling at that. But Peter was really very expansive in his hospitality; he shared his electorate. They are also our electorates and sometimes House of Representatives members forget that, but Peter never forgot that. He promoted the role of his parliamentary Senate colleagues and he promoted the role of the Senate—again, something not all House of Representatives members do.

He brought to bear his extensive life experiences, which came from a mixture of the Royal Air Force and business. He brought that experience to his role as a House of Representatives member. His constituents were incredibly well served by an outstanding member. He represented them, he responded to them and he reacted to their concerns and needs. Both here and in the other House people have spoken extensively about the stands he took on issues of principle; he was not going to be moved when he believed there was an issue of principle. As people have said in the other House, he did not bend to the wind of what might be thought to be public opinion.

He paid incredible attention to detail. He was a stickler for ensuring his constituents' letters were answered and that their concerns

were addressed promptly. We have never had a complaint about Peter saying, 'Well, I wrote him a letter and I never heard back.' He was very responsive in that way. He was a fine example of the sort of person who represented his electorate with dignity, diligence and devotion. The people of Aston were very well served over the past decade with Peter Nugent as their member. Despite his assiduous attention to detail and his assiduous attention to his electorate, he was not parochial; he had a much wider view. He had a very strong commitment to human rights. He had a very strong view about Aboriginal reconciliation and was very prepared to express that. He played a very active role in his shadow ministry portfolio in that area.

Peter also realised the importance of developing Australia's international relationships. He was a very active chairman of the Australia-China Parliamentary Friendship Group. He approached that role and the various things that happened in that role with equal enthusiasm. The visit of a Chinese dignitary was important and we as members of the friendship group were invited. Peter made sure that the Chinese delegation would meet all of us. He was equally enthusiastic about the annual ping-pong competition between the federal parliament and the Chinese embassy. I think it surprised us more than anybody that we won the last combat we had against the Chinese embassy. I was very proud to be a part of that ping-pong team. I do not claim that ping-pong is one of my great abilities. But Peter played a very good game of ping-pong and I think that, as the leader of our team, he was instrumental in our winning that ping-pong match.

Peter was able to mix the challenges of being a member of parliament, from diplomacy to ping-pong diplomacy, equally. I think that is something that all of us do not always achieve. I think Peter was able to mix them together and to achieve an outcome that was important for Australia and important for our relationship internationally. Others have elaborated on his achievements over the 10 or 11 years he was in parliament—his various roles on committees such as the National Crime Authority committee, and I will not go over those.

From a personal point of view, I have lost a strong supporter. Peter constantly had the interest of the coalition team on his agenda. I featured quite regularly in his newsletter and had a column in his newsletter. He was not afraid of sharing with his Senate colleagues. I have lost not only a strong supporter but a friend and an outstanding colleague. It cannot be said of all of us in this place but Peter was one who was able to wear both the hat of a politician and the hat of a parliamentarian, and he knew when to wear which—something to which we all ought to aspire.

Aston has lost a tremendous representative. The parliament has lost not only a politician but a fine parliamentarian. I wish to be associated with the messages of condolence and to offer my condolences to Carol in her loss, to his children and his stepchildren, and to his extended family. Sometimes we forget the staff and friends of a person who has died. To his staff and friends I offer my deepest sympathy and condolences. I hope that many of us will take a leaf out of Peter's book in knowing where the role of a politician and the role of a parliamentarian begin and end.

**Nugent, Mr Peter Edward**

**Senator FERGUSON (South Australia)** (9.07 p.m.)—I rise to pay my respects to Peter Nugent. As chair of the Joint Standing Committee on Foreign Affairs, Defence and Trade, I wish to pay tribute to Peter's contribution to that committee. It is no accident that Peter was chair of the Human Rights Subcommittee of the Joint Standing Committee on Foreign Affairs, Defence and Trade. As many people in this chamber are aware—as all of his colleagues in the lower house know—Peter's greatest contribution to this parliament was his attitude towards human rights and, as mentioned by Senator Patterson and others, towards Aboriginal reconciliation. Peter was a very strong advocate of the things, ideals and issues that he believed in strongly. I guess it is no secret that I did not always share Peter's views on many of those issues, and neither did many of his colleagues. But one strong point of Peter's was that, regardless of other people's opinions, he was always prepared to speak his point of view—even if he was in a mi-

nority and sometimes if he was the only one who had a particular point of view. He never shied away from controversy within his own party, and I think that he earned the respect of every one of his colleagues because he was outspoken and because he was prepared to stand up and say what he believed in.

During his time on the Human Rights Subcommittee, Peter made an enormous contribution to many of the inquiries that took place. One that I remember was the handover of Hong Kong and issues related to that. There was another inquiry in recent times on issues of the freedom of religion and belief in Australia. At the time of his death, we were in the process of completing a report on our visits to detention centres around Australia. It is a fact that, on the very day that Peter died, he was due to receive a draft report on those visits. It has fallen to me as chairman of that committee to complete the report, and I am very pleased to know that Peter's work will be continued by my colleague Senator Marise Payne, who tomorrow will take over his role as chair of the Human Rights Subcommittee. I am sure that she will do so in the same vein that Peter did. His contribution to that committee and to those inquiries meant that, as in the Liberal Party, there was a very wide variety of points of view. We claim to be a broad church, and Peter was one of our party who was prepared to state his point of view and to work for whatever he believed in.

Peter will be missed in the parliament. He was never shy about saying anything, and he will be missed because of the energetic contribution that he made. He sometimes provided a sounding-board for others, and he provided a personal viewpoint that sometimes enlightened others. It is with sadness that we have to get up tonight and pay our respects to Peter. I would like to express my condolences to Carol and to his family, and I want Carol to know that the enormous efforts that he put into the Joint Standing Committee on Foreign Affairs, Defence and Trade, particularly as chair of the Human Rights Subcommittee, were appreciated by all he came into contact with, on both sides of the parliament, and that will be his lasting legacy.

**Nugent, Mr Peter Edward**

**Senator McGAURAN (Victoria)** (9.10 p.m.)—I seek leave to incorporate a speech by Senator Ellison regarding this matter of condolence.

Leave granted.

*The speech read as follows—*

Tonight I wish to pay tribute in the Senate to Peter Nugent who passed away on 24 April 2001.

He is survived by his wife Carol and his three children and to them I extend my condolences and those of a grateful Liberal Party.

Peter Nugent's life was one of service to the public.

As a member of the Royal Air Force for 24 years Peter achieved the rank of Squadron Leader. Whilst this career in itself represented a significant period of public service, Peter went on to leave the private sector in 1990 to devote the remainder of his life to what he described in his maiden speech as the 'hard working' people of Aston.

In addition, Peter served all Australians as one of the most energetic and active contributors to the Commonwealth Parliament.

Indeed, few members of the Government were not aware of Peter's passionate contribution to policy debates within the party room and all were aware of his continued efforts to champion the causes of those that he saw as the most socially disadvantaged. In this sense, Peter's fundamental commitment to human rights issues were reflected in his contributions as chairman of the Human Rights Sub-committee of the Joint Standing Committee for Foreign Affairs and his period of chairmanship of the Amnesty International Parliamentary Group.

As Minister for Justice and Customs I was most aware of Peter's work as Chair of the Parliamentary Joint Committee on the National Crime Authority, for which I have responsibility. Peter held this position from 10 December 1998 until his death this year.

Peter was highly regarded by Mr Gary Crooke, the Chair of the NCA, and by NCA staff. Peter was an intensely constructive and practical contributor to the resolution of the various issues and challenges facing the Australian law enforcement community.

The outcomes of his work are of interest and value to all law enforcement agencies, not just the NCA. Peter Nugent led the Committee in conducting important inquiries into witness protection, controlled operations and legislative re-

quirements to improve the effectiveness of the NCA.

During his term as Chair of the PJC Peter conducted three important reviews and delivered reports: Street Legal, a report on the NCA's use of "controlled operations"; Witness for the Prosecution: Protected Witnesses in the National Crime Authority; and review of the National Crime Authority Legislation Amendment Bill, 2000. The Government's impending legislation bears the hallmarks of Peter's attention to detail and owes much to guidance.

As the responsible Minister I wish to place on record my appreciation of the work that Peter did in relation to law enforcement at the National level.

**Nugent, Mr Peter Edward**

**The PRESIDENT** (9.11 p.m.)—In closing this debate, I too would like to pay my respects to Peter Nugent. My condolences go to Carol and to his family. His particular interest in the Asia and Pacific area was something that I noticed and respected him for. There were occasions when it was necessary for this parliament to be represented in the Asia-Pacific area, and Peter was always prepared to put himself out to go to a meeting to represent this country and to develop his interests and his friendships with the people there. There will be many in those countries who mourn his passing and would have been, as we were, deeply shocked at the suddenness of his death. He certainly has made a great contribution, and I join with senators who have spoken this evening in offering my condolences to Carol and the family.

**Senate adjourned at 9.12 p.m.**

**DOCUMENTS**

**Tabling**

The following government document was tabled:

Australian Law Reform Commission—Report—No. 91—Review of the *Marine Insurance Act 1909*.

**Tabling**

The following documents were tabled by the Clerk:

A New Tax System (Goods and Services Tax) Act—A New Tax System (Goods and Services Tax) (Exempt Taxes, Fees and Charges) Determination 2000 (No. 3).

Aboriginal and Torres Strait Islander Commission Act—Review panel convened by the Minister under section 141—Final boundary recommendations.

ACIS Administration Act—

ACIS Administration (Determination of Eligible Investment) Guidelines 2001.

ACIS Administration (Registration for the Purpose of the Act) Guidelines 2001.

Regulations—Statutory Rules 2001 No. 82.

Aged Care Act—Aged Care (Payroll Tax Supplement) Determination 2001.

Air Navigation Act—Regulations—Statutory Rules 2001 No. 73.

Airports Act—Regulations—Statutory Rules 2001 No. 92.

Australian Antarctic Territory Act—Weapons Ordinance 2001—Ordinance No. 1 of 2001.

Australian Bureau of Statistics Act—Proposals Nos 2-6 of 2001.

Australian Federal Police Act—Regulations—Statutory Rules 2001 No. 77.

Australian Wine and Brandy Corporation Act—Regulations—Statutory Rules 2001 No. 76.

Broadcasting Services Act—Determination under Clause 6 of Schedule 4 to the *Broadcasting Services Act 1992* (No. 2) 2001.

Child Support (Registration and Collection) Act—Regulations—Statutory Rules 2001 No. 66.

Civil Aviation Act—Civil Aviation Regulations—Civil Aviation Orders—

Civil Aviation Amendment Order (No. 4) 2001.

Civil Aviation Amendment Order (No. 5) 2001.

Civil Aviation Amendment Order (No. 6) 2001.

Directive—Part—

105, dated 2 [15], 3 [4], 5, 6 [3], 9, 10 [2], 11 [2], 19, 20 [3], 23, 24 [3], 26, 27 [2] and 30 April; and 3 [3] and 7 May 2001.

106, dated 9, 12, 19, 20 and 29 [2] April; and 4 May 2001.

Exemption No. CASA EX01/2001.

Instruments Nos CASA 128/01 and CASA 158/01.

Class Rulings CR 2001/5-CR 2001/15.

Commonwealth Electoral Act—Regulations—Statutory Rules 2001 No. 58.

Commonwealth Places (Mirror Taxes) Act—Commonwealth Places (Mirror Taxes) Modification of Applied Laws (Tasmania) Notice 2001.

Currency Act—

Currency (Perth Mint) Determination 2001 (No. 1).

Currency (Royal Australian Mint) Determination 2001 (No. 3).

Customs Act—Regulations—Statutory Rules 2001 Nos 60, 63 and 89.

Defence Act—Determinations under section 58B—Defence Determinations 2001/9-2001/13.

Electronic Transactions Act—Regulations—Statutory Rules 2001 No. 84.

Environment Protection and Biodiversity Conservation Act—Coringa-Herald National Nature Reserve and Lihou Reef National Nature Reserve—

Comments on representations on the draft management plan, dated February 2001.

Management plan.

Excise Act, Distillation Act, Spirits Act and Coal Excise Act—Regulations—Statutory Rules 2001 No. 83.

Excise Bulletin EB 2001/1.

Farm Household Support Act—

Dairy Exit Program Scheme Amendment 2001 (No. 1).

Farm Help Re-establishment Grant Scheme Amendment 2001 (No. 1).

Financial Transaction Reports Act—Regulations—Statutory Rules 2001 No. 64.

Fisheries Management Act—Australian Fisheries Management Authority Temporary Order No. 1 of 2001.

Health Insurance Act—Regulations—Statutory Rules 2001 Nos 78-80.

Heard Island and McDonald Islands Act—Weapons Ordinance 2001—Ordinance No. 1 of 2001.

Higher Education Funding Act—Determination under section 15—

Determinations Nos T19 and T20 of 2000.

Determination No. T13 of 2001.

*Income Tax Assessment Act 1936*—Regulations—Statutory Rules 2001 No. 81.

Insurance Act—Regulations—Statutory Rules 2001 No. 71.

Migration Act—

Directions under section 499—Directions Nos 23 and 24.

Regulations—Statutory Rules 2001 No. 86.

Military Superannuation and Benefits Act—Declaration—Statutory Rules 2001 No. 88.

National Health Act—

Declarations Nos PB 4 and PB 5 of 2001.

Determination—

No. PB 6 of 2001.

under Schedule 1—PHI 6/2001-PHI 8/2001.

Regulations—Statutory Rules 2001 Nos 67 and 68.

Occupational Health and Safety (Commonwealth Employment) Act—

Occupational Noise—

National Code of Practice for Noise Management and Protection of Hearing at Work [NOHSC:2009(2000)] and National Standard for Occupational Noise [NOHSC:1007(2000)].

Notice No. 1 of 2001—Notice of Revocation and Approval.

Regulations—Statutory Rules 2001 No. 90.

Primary Industries (Excise) Levies Act—Regulations—Statutory Rules 2001 No. 61.

Primary Industries Levies and Charges Collection Act—Regulations—Statutory Rules 2001 No. 62.

Product Rulings PR 2000/100 (Addendum), PR 2000/112 (Addendum), PR 2001/26 (Addendum), PR 2001/32, PR 2001/38-PR 2001/66 and PR 2001/52 (Addendum).

Public Employment (Consequential and Transitional) Amendment Act—Regulations—Statutory Rules 2001 Nos 69 and 70.

Radiocommunications Act—Radiocommunications (Australian Space Objects) Amendment Determination 2001 (No. 1).

Remuneration Tribunal Act—

Determination—

2001/02: Remuneration and allowances for various public offices and Members of Parliament.

2001/04: Remuneration and allowances for various full-time public offices.

2001/05: Remuneration and allowances for various part-time public offices.

Regulations—Statutory Rules 2001 No. 59.

Safety, Rehabilitation and Compensation Act—Regulations—Statutory Rules 2001 No. 91.

Superannuation Guarantee (Administration) Act—Regulations—Statutory Rules 2001 No. 87.

Sydney Airport Curfew Act—Dispensation granted under section 20—Dispensation No. 6/01.

Taxation Determinations TD 2001/4-TD 2001/10.

Taxation Ruling TR 2001/3.

Telecommunications Act—

Regulations—Statutory Rules 2001 No. 65.

Telecommunications Cabling Provider Amendment Rules 2001 (No. 1).

Telecommunications Labelling (Customer Equipment and Customer Cabling) Notice 2001.

Telecommunications Technical Standard (Analogue interworking and non-interference requirements for Customer Equipment for connection to the Public Switched Telephone Network — AS/ACIF S002) 2001.

Telecommunications Technical Standard (Requirements for Customer Equipment for connection to a metallic local loop interface of a Telecommunications Network — AS/ACIF S043) 2001.

Telecommunications Technical Standard (Requirements for Customer Equipment, operating in the voiceband, for connection to the non-switched Telecommunications Network — AS/ACIF S006) 2001.

Telecommunications (Carrier Licence Charges) Act—Determination under paragraph 15(1)(d) No. 1 of 2001.

Telecommunications (Consumer Protection and Service Standards) Act—

Contestable Service Obligation Determination (No. 1) 2001.

Statement of reasons for diverging from Australian Communication Authority's advice in relation to Universal Service Subsidies (2001-03 Contestable Areas) Determination (No. 1) 2001.

Universal Service Areas Determination (No. 1) 2001.

Telecommunications (Interception) Act—Regulations—Statutory Rules 2001 No. 85.

Telecommunications (Numbering Charges) Act—

Telecommunications (Amounts of Annual Charge) Determination 2001.

Telecommunications (Exemption from Annual Charge) Determination 2001.

Trade Practices Act—

Instrument under section 10.03—Instrument No. 1 of 2001—Declaration of designated inwards secondary shipper body.

Regulations—Statutory Rules 2001 No. 74.

Trans-Tasman Mutual Recognition Act—Regulations—Statutory Rules 2001 No. 75.

Veterans' Entitlements Act—

Instrument under section—

90—Veterans' Entitlements (Treatment Principles – Community Nursing Guidelines) Instrument 5/2001.

196B—Instruments Nos 23-26 of 2001.

Regulations—Statutory Rules 2001 No. 72.

### Indexed Lists of Files

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

Indexed lists of departmental and agency files for the period 1 July to 31 December 2000—Statements of compliance—

Commonwealth Ombudsman.

Family and Community Services—

Centrelink.

Department of Family and Community Services.

Finance and Administration—

Australian Electoral Commission.

Commonwealth Grants Commission.

Department of Finance and Administration.

Office of Asset Sales and IT Outsourcing.

### PROCLAMATIONS

Proclamations by His Excellency the Governor-General were tabled, notifying that he had proclaimed the following provisions of Acts to come into operation on the dates specified:

*Gene Technology Act 2000*—Sections 10, 26, 27 (except paragraph (a)), 28, 29, 30, 120, 121, 129, 130, 132, 133, 134 and 135—20 April 2001 (*Gazette* No. S 140, 20 April 2001).

*Migration Legislation Amendment (Overseas Students) Act 2000*—Schedule 1—4 June 2001 (*Gazette* No. GN 19, 16 May 2001).

*Remuneration Tribunal Amendment Act 2001*—Schedule 1—4 May 2001 (*Gazette* No. S 159, 4 May 2001).

*Snowy Hydro Corporatisation Act 1997*—Sections 53, 54 and 55, and Schedule 1—30 April 2001 (*Gazette* No. GN 16, 26 April 2001).

### QUESTIONS ON NOTICE

The following answers to questions were circulated:

#### **Attorney-General's Portfolio: Market Testing of Corporate Services (Question No. 2682)**

**Senator Faulkner** asked the Minister representing the Attorney-General, upon notice, on 9 August 2000:

- (1) Has the department and/or any agency in the portfolio, set a timeframe to market test any of its corporate services; if so, which agency, which functions, and what is the timeframe.
- (2) In relation to each agency which has, or will, move to market test corporate services, what arrangements have been made to consult with effected employees and their representatives; if such arrangements have not been made, when will these consultations be undertaken.

**Senator Ellison**—The Attorney-General has provided the following answer to the honourable senator's question:

I am advised that the following agencies in my portfolio have set a timeframe to market test corporate services:

#### **Attorney-General's Department**

- (1) The Attorney-General's Department commenced market testing of its HR processing (recruitment, staffing and payroll), financial processing (accounts receivable/payable), purchasing, SAP help desk (both HR and financial) in November 2000.
- (2) The Department has in place a comprehensive staff communication and consultation strategy. Consultation with affected employees will commence shortly, in line with this strategy.

#### **Australian Protective Service**

- (1) The APS is in the process of defining which corporate services to market test with a view to determining the appropriate providers. Likely subjects for market testing will be salary, human resources, and recruitment. On completion of this phase, project schedules for market testing of specified functions will be organised.
- (2) Before corporate services are market tested, extensive consultation with affected staff will be undertaken. Such a requirement will be included in the Term of Reference for the working group for the market testing process.

#### **Australian Customs Service**

- (1) Customs has commenced a corporate services market testing program. Expressions of interest were sought from industry in December 2000 for the sourcing and distribution of staff uniforms, and Customs plans to approach the market for office services including records management and mail services in February 2001. Market tests are also planned to commence during the first half of 2001 for human resource services including payroll processing, and financial services such as accounts payment and debt management. Each market test is expected to take 6-9 months for completion.
- (2) Customs has a range of communication and consultative arrangements in place for market testing, including the Staff Council (Customs peak consultative forum), and regular meetings with staff representatives. The Customs Certified Agreement 1999 provides a framework for consultation with excess staff and their representatives in cases where outsourcing is proposed as a result of market testing.

#### **Australian Federal Police**

- (1) The AFP has market tested the following functions:

Building and Accommodation	Forms Store
Uniforms	Shared Services Centre
Collector of Public Monies (ACT and National)	Audit Services
Psychological Services	Security Vetting Services
Property Services (Exhibits / Drugs)	Communications
Registry	Archives



- |  |                            |
|--|----------------------------|
| Building and Accommodation                                 | Forms Store                |
| Criminal Records   | Accident Records (ACT)     |
| Requests for Criminal Offence Reports                      | Library                    |
| By July 2001 the AFP will market test (or re-market test): |                            |
| Finance and Budget   | Payroll                    |
| Watch Accounts and Client Services                         | Administrative Officers    |
| House (ACT Region function)                                | Collector of Public Monies |
- (2) The AFP established a high-level management committee to make decisions at various milestones in relation to the market testing of AFP corporate services. The Australian Federal Police Association (AFPA) is a member of that committee and represents AFP employees. In addition, the AFP consults with affected employees and their AFPA representatives as each area of corporate services is reviewed for potential market testing, and then throughout the market testing process.

#### **Federal Magistrates Service**

- (1) The Federal Magistrates Service (FMS) is a new agency. The majority of its corporate services are being sourced from other Commonwealth courts. The service provision to the FMS will be subject to the outcome of market testing by those courts. There are some minor residual corporate services that the FMS is sourcing directly. However, this does not involve market testing of pre-existing corporate services.
- (2) Not applicable.

#### **Office of Parliamentary Counsel**

- (1) Yes. The Office of Parliamentary Counsel (OPC) is currently undertaking a project to market test the provision of personnel processing services. The project is due for completion by 31 March 2001.
- (2) Ongoing consultation processes are being conducted through OPC's Workplace Consultative Committee established under the current certified agreement. Consultation commenced during the negotiations for the current certified agreement (certified in March 1999) and well before the market testing project was initiated.

#### **Attorney-General's Portfolio: Market Testing of Functions**

##### **(Question No. 2701)**

**Senator Faulkner** asked the Minister representing the Attorney-General, upon notice, on 9 August 2000:

- (1) Has the department, and/or any agency in the portfolio, set a timeframe to market test any of its functions other than corporate services; if so, which agency, which functions, what is the state and city or town location of staff currently undertaking that function, and what is the timeframe.
- (2) In relation to each agency which has or will move to market test these functions, what arrangements have been made to consult with effected employees and their representatives; if such arrangements have not been made, when will these consultations be undertaken.

**Senator Ellison**—The Attorney-General has provided the following answer to the honourable senator's question:

- (1) No. It may be noted that agencies within my portfolio are pursuing the Government's policy on information technology outsourcing. These projects are being reviewed following the Government's adoption of Mr Richard Humphry's recommendations on the Whole of Government Information Technology Outsourcing Initiative.
- (2) Not applicable.

#### **Treasury Portfolio: Grants or Payments to Employer Organisations**

##### **(Question No. 2781)**

**Senator O'Brien** asked the Assistant Treasurer, upon notice, on 24 August 2000:

- (1) What grants or other payments were made to employer organisations by the department or any of its agencies in the 1996-1997 financial year.

- (2) In each case: (a) what was the purpose of the grant or other payment; (b) what was the actual value of the grant or other payment; and (c) was the grant or other payment made as a result of an application from the organisation.
- (3) If the grant or other payment was made in response to an application from the organisation, in each case: (a) how was that application assessed; and (b) who approved the application.

**Senator Kemp**—The Treasurer has provided the following answer to the honourable senator's question:

(1), (2) and (3) All publicly available information in this regard is published in the relevant Annual Report of the Department and its agencies.

**Communications, Information Technology and the Arts Portfolio: Grants or Payments to Employer Organisations**

**(Question No. 2784)**

**Senator O'Brien** asked the Minister for Communications, Information Technology and the Arts, upon notice, on 24 August 2000:

- (1) What grants or other payments were made to employer organisations by the department or any of its agencies in the 1996-97 financial year.
- (2) In each case (a) what was the purpose of the grant or other payment; (b) what was the actual value of the grant or other payment; and (c) was the grant or other payment made as a result of an application from the organisation.
- (3) If the grant or other payment was made in response to an application from the organisation, in each case; (a) how was the application assessed; and (b) who approved the application.

**Senator Alston**—The answer to the honourable senator's question is as follows:

There are no records of any grants or payments to employer organisations for either of these two years.

**Treasury Portfolio: Grants or Payments to Employer Organisations**

**(Question No. 2800)**

**Senator O'Brien** asked the Minister representing the Treasurer, upon notice, on 24 August 2000:

- (1) What grants or other payments were made to employer organisations by the department or any of its agencies in the 1997-1998 financial year.
- (2) In each case: (a) what was the purpose of the grant or other payment; (b) what was the actual value of the grant or other payment; and (c) was the grant or other payment made as a result of an application from the organisation.
- (3) If the grant or other payment was made in response to an application from the organisation, in each case: (a) how was that application assessed; and (b) who approved the application.

**Senator Kemp**—The Treasurer has provided the following answer to the honourable senator's question:

(1), (2), and (3) All publicly available information in this regard is published in the relevant Annual Report of the Department and its agencies.

**Communications, Information Technology and the Arts Portfolio: Grants or Payments to Employer Organisations**

**(Question No. 2803)**

**Senator O'Brien** asked the Minister for Communications, Information Technology and the Arts, upon notice, on 24 August 2000:

- (1) What grants or other payments were made to employer organisations by the department or any of its agencies in the 1997-98 financial year.
- (2) In each case (a) what was the purpose of the grant or other payment; (b) what was the actual value of the grant or other payment; and (c) was the grant or other payment made as a result of an application from the organisation.

- (3) If the grant or other payment was made in response to an application from the organisation, in each case; (a) how was the application assessed; and (b) who approved the application.

**Senator Alston**—The answer to the honourable senator's question is as follows:

There are no records of any grants or payments to employer organisations for either of these two years.

**Treasury Portfolio: Grants or Payments to Employer Organisations**  
**(Question No. 2819)**

**Senator O'Brien** asked the Minister representing the Treasurer, upon notice, on 24 August 2000:

- (1) What grants or other payments were made to employer organisations by the department or any of its agencies in the 1998-1999 financial year.
- (2) In each case: (a) what was the purpose of the grant or other payment; (b) what was the actual value of the grant or other payment; and (c) was the grant or other payment made as a result of an application from the organisation.
- (3) If the grant or other payment was made in response to an application from the organisation, in each case: (a) how was that application assessed; and (b) who approved the application.

**Senator Kemp**—The Treasurer has provided the following answer to the honourable senator's question:

(1), (2), and (3) All publicly available information in this regard is published in the relevant Annual Report of the Department and its agencies.

**Communications, Information Technology and the Arts Portfolio: Grants or Payments to Employer Organisations**  
**(Question No. 2822)**

**Senator O'Brien** asked the Minister for Communications, Information Technology and the Arts, upon notice, on 24 August 2000:

- (1) What grants or other payments were made to employer organisations by the department or any of its agencies in the 1998-99 financial year.
- (2) In each case (a) what was the purpose of the grant or other payment; (b) what was the actual value of the grant or other payment; and (c) was the grant or other payment made as a result of an application from the organisation.
- (3) If the grant or other payment was made in response to an application from the organisation, in each case; (a) how was the application assessed; and (b) who approved the application.

**Senator Alston**—The answer to the honourable senator's question is as follows:

The following organisations received payments or grants in the 1998-1999 financial year.

**Small Enterprise Telecommunications Centre Ltd**

- (1) A \$180,000 payment was made in the 1998-99 financial year.
- (2) (a) The grant was made to ensure that small business was adequately represented in telecommunication policy and development.  
(b) The actual value of the grant was \$180,000.  
(c) The grant was made as a result of an application after advertised invitations for representation in telecommunications under s.593 of the Telecommunications Act 1997.
- (3) (a) Applications were assessed against stated criteria.  
(b) The Minister for Communications, Information Technology and the Arts approved the application.

**AEEMA Australian Electrical and Electronic Manufacturers Association**

- (1) One payment was made to the AEEMA in the 1998-1999 financial year.
- (2) (a) The original contract, valued at \$19,000, was for a study and related industry capability directory work, on the electronics manufacturing industry in Australia.

- (b) An initial payment of \$8,000 was made for this project to AEEMA in 1998/99. No subsequent payments have been made. The actual value of the payment was \$8,000.
- (c) The payment was made as part of a contract.
- (3) Not applicable

**Victorian Employers Chamber of Commerce and Industry**

- (1) A grant was made to the VECCI (Victorian Employers Chamber of Commerce and Industry) in the 1998-1999 financial year.
- (2) (a) The purpose of the grant was to support a project to develop and prove a sustainable model for the rapid adoption of electronic commerce by SMEs in Australia.  
(b) The actual value of the grant was \$95,000.  
(c) The grant was made as a result of an application.
- (3) (a) The application was assessed against the published selection criteria for the Information Technology Online (ITOL) program by a panel of three assessors, two from the Department of Communications, Information Technology and the Arts and one from PricewaterhouseCoopers.  
(b) A senior officer of the Department of Communications, Information Technology and the Arts approved the application following assessment by the ITOL panel.

**Federal Chamber of Automotive Industries**

- (1) A grant of \$105,000 was made to the Federal Chamber of Automotive Industries in the 1998-1999 financial year.
- (2) (a) The purpose of the grant was a project to develop a secure, reliable and well managed Extranet for the Australian automotive industry and its associated organisations including automotive suppliers, manufacturers, importers, dealers and the after-market trade.  
(b) The actual value of the grant was \$105,000.  
(c) The grant was made as a result of an application.
- (3) (a) The application was assessed against the published selection criteria for the Information Technology Online (ITOL) program by a panel of three assessors, two from the Department of Communications, Information Technology and the Arts and one from PricewaterhouseCoopers.  
(b) A senior officer of the Department of Communications, Information Technology and the Arts approved the application following assessment by the ITOL panel.

**Newsagents Association of NSW and ACT**

- (1) A grant of \$100,000 was made to the Newsagents Association of NSW and ACT in the 1998-1999 financial year.
- (2) (a) The purpose of the grant was a project to establish an electronic commerce infrastructure between newsagents and suppliers of newspapers, magazines, cards, stationery and a growing range of providers seeking to use the newsagency nationwide presence to supply banking, insurance bill paying and other services.  
(b) The actual value of the grant was \$100,000.  
(c) The grant was made as a result of an application.
- (3) (a) The application was assessed against the published selection criteria for the Information Technology Online (ITOL) program by a panel of three assessors, two from the Department of Communications, Information Technology and the Arts and one from PricewaterhouseCoopers.  
(b) A senior officer of the Department of Communications, Information Technology and the Arts approved the application following assessment by the ITOL panel.

**Housing Industry Association**

- (1) A grant of \$115,000 was made to the Housing Industry Association in the 1998-1999 financial year.
- (2) (a) The purpose of the grant was to support a project which aimed to increase the access to computer based and online business solutions in the building and construction industry.  
(b) The actual value of the grant was \$115,000.  
(c) The grant was made as a result of an application.

- (3) (a) The application was assessed against the published selection criteria for the Information Technology Online (ITOL) program by a panel of three assessors, two from the Department of Communications, Information Technology and the Arts and one from PricewaterhouseCoopers.
- (b) A senior officer of the Department of Communications, Information Technology and the Arts approved the application following assessment by the ITOL panel.

**Treasury Portfolio: Grants or Payments to Employer Organisations**

**(Question No. 2838)**

**Senator O'Brien** asked the Minister representing the Treasurer, upon notice, on 24 August 2000:

- (1) What grants or other payments were made to employer organisations by the department or any of its agencies in the 1999-2000 financial year.
- (2) In each case: (a) what was the purpose of the grant or other payment; (b) what was the actual value of the grant or other payment; and (c) was the grant or other payment made as a result of an application from the organisation.
- (3) If the grant or other payment was made in response to an application from the organisation, in each case: (a) how was that application assessed; and (b) who approved the application.

**Senator Kemp**—The Treasurer has provided the following answer to the honourable senator's question:

- (1), (2), and (3) All publicly available information in this regard is published in the relevant Annual Report of the Department and its agencies.

**Communications, Information Technology and the Arts Portfolio: Grants or Payments to Employer Organisations**

**(Question No. 2841)**

**Senator O'Brien** asked the Minister for Communications, Information Technology and the Arts, upon notice, on 24 August 2000:

- (1) What grants or other payments were made to employer organisations by the department or any of its agencies in the 1999-2000 financial year.
- (2) In each case (a) what was the purpose of the grant or other payment; (b) what was the actual value of the grant or other payment; and (c) was the grant or other payment made as a result of an application from the organisation.
- (3) If the grant or other payment was made in response to an application from the organisation, in each case: (a) how was the application assessed; and (b) who approved the application.

**Senator Alston**—The answer to the honourable senator's question is as follows:

**Federation Community Projects**

- (1) The table below provides the names of Federation Community Project grant recipients that are employer organisations and the actual value of all payments made to them in the 1999-2000 financial year.

Grant Recipient	Amount paid in 1999/2000
Whitsunday Chamber of Commerce	\$18,000
Blackburn Chamber of Commerce	\$30,000
The Pomona Chamber of Commerce	\$50,000
Bright and District Chamber of Commerce Inc	\$35,011
McLaren Vale Main Street & Business Association	\$44,000
Penrith District Agricultural, Horticultural & Industrial Society	\$23,200
The Leura Village Association Inc	\$23,000
Richmond Main Street Committee, Hawkesbury Chamber of	\$22,000

Grant Recipient	Amount paid in 1999/2000
Commerce	
Red Cliffs Chamber of Commerce	\$9,500
St Albans Business Group Association Inc	\$18,000
Hurstbridge Traders Association	\$14,250
The Southern Gold Coast Chamber of Commerce Inc	\$36,000
Southside Chamber of Commerce	\$30,700
Southside Chamber of Commerce	\$27,000
Tongala Traders Inc	\$24,300
Wooli/Minnie Water Chamber of Commerce	\$18,000
South Grafton Business Association	\$19,521
Brewarrina Chamber of Commerce	\$27,000
Two Wells & Districts Tourism & Trade Association	\$18,000
Cobden Chamber of Commerce Inc	\$20,700

- (2) (a) The purpose of the Federation Community Project grants was to support community based projects marking the celebration of the Centenary of Federation. Each Federal electorate was allocated \$200,000 to fund these projects.
- (b) The actual value of the grant or other payment is provided in the table above.
- (c) Federation Community Project Grants were made as a result of an application from the organisations in question.
- (3) (a) Federation Community Project applications were assessed under a process in which each Member of Parliament assembled Electorate Selection Committees (ESCs) to assess the grant applications. The applications were assessed against standard selection criteria.
- (b) Federation Community Project applications were approved by the Minister for the Arts and the Centenary of Federation, based on recommendations received from the ESCs.

#### **ASOCIO'99 and AIIA Software Showcase 1999**

- (1) A total grant of \$58,311.58 to AIIA (Australian Information Industries Association) to support ASOCIO '99 and AIIA Software Showcase.
- (2) (a) The grant was made in support of ASOCIO'99.
- ASOCIO'99 was a major international industry event, held in Canberra from 21 to 23 November 1999. It provided opportunities for promoting Australia and Australian industry to high profile international visitors, and attracting foreign investment in Australia's IT&T industries. The international conference was complemented by a Government with Industry exhibition to highlight successful partnerships to deliver government services online. The event was jointly hosted by the AIIA and the ACT Government.
- The AIIA Software Showcase 1999, an event held annually since 1996, was held in Sydney on 30 September 1999. The Showcase provided a low-cost opportunity for Australian software developers to promote their products and seek potential collaborative partners. Participants are traditionally SMEs, and the event is managed with a focus on minimising costs.
- (b) The actual value of the grant was \$58,311.58.
- (c) The payment was made as the result of an application.
- (3) (a) AIIA's application was assessed in terms of the likely benefit that would result for firms in the information and communications industries.
- (b) The sponsorship and grant deed were approved by a senior officer of the Department of Communications, Information Technology and the Arts.

#### **AIIA Australian Software Showcase 2000 in Sydney on the 11 July 2000.**

- (1) A grant of \$25,000 was made to AIIA (Australian Information Industries Association Ltd.) in the 1999-2000 financial year.
- (2) (a) The purpose of the grant was to enable the grantee to organise and undertake the AIIA Australian Software Showcase 2000 in Sydney on the 11 July 2000.
- (b) Actual value of payments made was \$25,000 on 2 June 2000.

- (c) The grant was preceded by a request for sponsorship from AIIA.
- (3) (a) The application was assessed as matching the objectives of the Department of Communications, Information Technology and the Arts for the development of the Australian Software industry.  
(b) The grant deed was approved by a senior officer of the Department of Communications, Information Technology and the Arts.

**AEEMA (Australian Electrical and Electronic Manufacturers Association Ltd.)**

- (1) A total grant of \$60,000 was made to AEEMA (Australian Electrical and Electronic Manufacturers Association Ltd.) in the 1999-2000 financial year.
- (2) (a) The purpose of the grant was to identify and report on current and emerging information and communication technologies which Australian industry can be expected to use and which are likely to require testing, development and demonstration infrastructure for product and service development.  
(b) The actual value of payments made was \$44,000 on 3 March 2000.  
(c) The grant was preceded by an application from AEEMA to the Testing and Conformance Infrastructure program..
- (3) (a) All applications in that grant round were assessed competitively by an external Selection Panel against agreed selection criteria for the program.  
(b) The grant deed was approved by a senior officer of the Department of Communications, Information Technology and the Arts.

**Asia-Pacific Smart Card Forum Ltd**

- (1) A total grant of \$13,000 was made to the Asia-Pacific Smart Card Forum Ltd in the 1999-2000 financial year.
- (2) (a) The purpose of the grant was to enable preparation of a business plan for an Australian Smart Card Certification House. The proponents anticipate that the preparation of the business plan will induce a firm to invest in establishing the facility.  
(b) The actual value of payments made was \$9,000 on 31 March 2000.  
(c) The grant was preceded by an application to the Testing and Conformance Infrastructure program.
- (3) (a) All applications in that grant round were assessed competitively by an external Selection Panel against agreed selection criteria for the program.  
(b) The grant deed was approved by a senior officer of the Department of Communications, Information Technology and the Arts.

**Australian Industry Group**

- (1) A grant valued at \$60,000 was made to the Australian Industry Group in the 1999-2000 financial year.
- (2) (a) The purpose of the grant was a project to trial a secure trading network for Australian Businesses.  
(b) The actual value of the grant was \$60,000.  
(c) The grant was made as a result of an application.
- (3) (a) The application was assessed against the published selection criteria for the Information Technology Online (ITOL) program by a panel of three assessors, two from the Department of Communications, Information Technology and the Arts and one from PricewaterhouseCoopers.  
(b) A senior officer of the Department of Communications, Information Technology and the Arts approved the application following assessment by the ITOL panel.

**Yamba District Chamber of Commerce**

- (1) A grant of \$75,000 was made to the Yamba District Chamber of Commerce in the 1999-2000 financial year.
- (2) (a) The purpose of the grant was a project to develop a web site for businesses in the Yamba area of northern coastal NSW.

- (b) The actual value of the grant was \$75,000.
- (c) The grant was made as a result of an application.
- (3) (a) The application was assessed against the published selection criteria for the Information Technology Online (ITOL) program by a panel of three assessors, two from the Department of Communications, Information Technology and the Arts and one from PricewaterhouseCoopers.
- (b) A senior officer of the Department of Communications, Information Technology and the Arts approved the application following assessment by the ITOL panel.

**Small Enterprise Telecommunications Centre Ltd**

- (1) A \$220,000 payment was made to Small Enterprise Telecommunications Centre Ltd in the 1999-00 financial year.
- (2) (a) The grant was made to ensure that small business was adequately represented in telecommunication policy and development.
- (b) The actual value of the grant was \$220,000.
- (c) The grant was made as a result of an application after advertised invitations for representation in telecommunications under s.593 of the Telecommunications Act 1997.
- (3) (a) Applications were assessed against stated criteria.
- (b) The Minister for Communications, Information Technology and the Arts approved the application.

**East Gippsland Shire Council: Funding**  
**(Question No. 3189)**

**Senator O'Brien** asked the Minister for Communications, Information Technology and the Arts, upon notice, on 30 November 2000:

- (1) What was the level of funding provided to the East Gippsland Shire Council in the 1998-99 and 1999-2000 financial years.
- (2) Under what programs were these funds provided.

**Senator Alston**—The answer to the honourable senator's question is as follows:

- (1) The East Gippsland Shire Council received funding to the value of \$21,250 in 1998-1999.
- (2) The funds were provided under the Australia Council's Community Cultural Development Fund.

**Deputy Prime Minister: Advertisements**  
**(Question No. 3192)**

**Senator O'Brien** asked the Special Minister of State, upon notice, on 30 November 2000:

- (1) Is the Government financially responsible for the televised advertisements by the Deputy Prime Minister and Minister for Transport and Regional Services.
- (2) How many different versions have been made of these advertisements and how many more are planned to be made.
- (3) What are the contents of the scripts of each different version.
- (4) Are all different versions broadcast Australia-wide or are they broadcast in specific areas.
- (5) On what dates were these advertisements broadcast and where were they broadcast.
- (6) What was the cost of broadcasting these advertisements in the 1999-2000 financial year.
- (7) What is the allocation of funds for the costs of broadcasting these advertisements for the 2000-01 financial year.
- (8) What was the tender process for the production of these advertisements.
- (9) How many companies tendered for this contract.
- (10) Who was the successful tenderer.
- (11) What was the cost of production of these advertisements in the 1999-2000 financial year.
- (12) What is the allocated funding for the production of these advertisements in the 2000-01 financial year.



- (13) Where were these advertisements produced.
- (14) Who is the author of the scripts of these advertisements.
- (15) Are the scripts of these advertisements approved by the Australian Electoral Commission.
- (16) Under what entitlements are the funds made available to the Deputy Prime Minister and Minister for Transport and Regional Services to make, produce and broadcast these advertisements.
- (17) Are there any print or radio advertisements included in: (a) the production costs; and (b) the broadcast costs of these advertisements.

**Senator Abetz**—The answer to the honourable senator's question is as follows:

- (1) No.
- (2) – (17) Not applicable.

### **Service Providers: Efficiency Dividends**

#### **(Question No. 3194)**

**Senator Allison** asked the Minister representing the Minister for Finance and Administration, upon notice, on 30 November 2000:

- (1) Is it a fact that a review is being undertaken of the efficiency dividends impact on service providers; if so, who will conduct the review.
- (2) What are the terms of reference.
- (3) What steps has the Government taken to invite submissions.
- (4) Will those submissions be made public.
- (5) When will the review be completed.

**Senator Abetz**—The Minister for Finance and Administration has supplied the following answer to the honourable senator's question:

- (1) No
- (2) N/A
- (3) N/A
- (4) N/A
- (5) N/A.

### **Airservices Australia: Pilot Briefing Procedures**

#### **(Question No. 3230)**

**Senator O'Brien** asked the Minister for Transport and Regional Services, upon notice, on 18 December 2000:

- (1) Has a formal safety case been prepared as part of the introduction of new pilot briefing procedures and charges by Airservices Australia.
- (2) Was this safety case independently audited and has it been accepted by the Civil Aviation Safety Authority.
- (3) What level of industry participation was there in the development of the safety case for the new pilot briefing and charging procedures; if no formal safety case has been undertaken into these charges, why not.

**Senator Ian Macdonald**—The Minister for Transport and Regional Services has provided the following answer to the honourable senator's question:

Airservices Australia has advised the following:

- (1) A Safety Case has been prepared, in accordance with CASA guidelines, for the introduction of the charges for communications costs associated with pilot briefing services.
- (2) Airservices' Safety Case, which incorporates data and information requested by CASA, was forwarded to the regulator on 16 November 2000 for review and assessment. CASA advised Airservices that it appeared the level of risk associated with the introduction of the recently revised charging regime will, in general terms, be acceptable. Airservices is working closely with CASA to resolve any outstanding issues.

- (3) Industry participated in the development of the Safety Case by assisting with the identification of hazards associated with the new charges, during two hazards analysis workshops held late 1999. Subsequently, over 22,000 pilots, aviation firms and interest groups were sent a letter inviting them to inspect, and provide feedback on, the workshop results in order to expose any new hazards or to identify additional safety strategies that might mitigate risks.

Other comments received during the implementation phase have similarly been taken into consideration and included in the Safety Case when appropriate, and as part of the on-going safety assessment for the changes.

Airservices has been encouraged by the wide industry acceptance to date of the new charging proposal. Airservices has also advised that since the introduction of the new regime on 30 November 2000 there have been no issues raised on its help line facility which have not been able to be readily addressed and that to their knowledge no pilots have been unable to access the Briefing Office service.

**Sydney (Kingsford Smith) Airport: Limitations on Runway Use  
(Question No. 3232)**

**Senator O'Brien** asked the Minister for Transport and Regional Services, upon notice, on 18 December 2000:

- (1) What limitations on runway use at Kingsford Smith Airport, Sydney, resulted from the incident involving a China Eastern aircraft on 2 November 2000.
- (2) What was the duration of the limitations.
- (3) Did the above limitations result in a number of long haul flights to the west coast of the United States of America (USA) having to take off with a reduced fuel load and operate through New Zealand or Hawaii; if so how many aircraft were affected by limited runway use.
- (4) What is the normal flying time for such services and by how much was that normal flying time extended to enable a stop-over in either New Zealand or Hawaii for fuel.
- (5) Did this extension of flying time for the above aircraft still meet the limitations placed on flight and duty times by Civil Aviation Order 48; if not, did the operators of those aircraft seek an exemption for the provisions of the Order.
- (6) When were the exemptions sought, by whom and when were they granted.
- (7) If no exemptions were sought, why not, and what action as the Civil Aviation Safety Authority (CASA) taken in response to the breaching of the Order.
- (8) If exemptions were granted, when were these exemptions placed on the exemption register on the CASA website.
- (9) If the above exemptions were not lodged on the CASA exemption register, why not.

**Mr Anderson**—The Minister for Transport and Regional Services has provided the following answer to the honourable senator's question:

CASA and Airservices have advised:

- (1) The position of the China Eastern Airlines aircraft on runway 16R/34L after the incident on 1 November 2000 reduced the runway's available operational length. As a result, some flights departing Sydney's Kingsford Smith Airport were re-scheduled to depart from Runways 16L/34R and 07/25. As these runways are shorter in length than 16R/34L, airlines providing some long haul services on that day re-routed these services to allow for fuel requirements.
- (2) The incident occurred at 1147 Eastern Standard Summer Time (ESST) on 1 November 2000. The runway resumed normal operations at 2045 ESST.
- (3) Yes. The following 'long haul' services were affected –

Flight Number	Scheduled Time of Departure	Actual Time of Departure	Re-routed
NZ14	11:30	16:08	
UA862	13:00	15:18	
SQ232	13:20	18:15	

Flight Number	Scheduled Time of Departure	Actual Time of Departure	Re-routed
QF107	12:45	16:49	Auckland
QF011	15:45	19:59	Honolulu
QF007	19:00	20:04	
UA816	14:50	16:13	

- (4) The scheduled tour of duty time for the Qantas Sydney - Los Angeles service is 15 hours, which comprises 13 hours 30 minutes flight time, plus 1 hour for pre-flight duties and 30 minutes for post flight duties. In each instance, the Qantas flights extended their tour of duty to -
- QF107 – 17 hours 45 minutes;
  - QF011 – 17 hours 30 minutes; and
  - QF007 – 17 hours 48 minutes.
- (5) The extensions to the tour of duty were conducted in accordance with the provisions of CAO 48. CAO 48.1, paragraph 3.8, states:  
‘An operator shall not roster a pilot for a tour of duty in excess of:  
(a) sixteen hours for a turbo-jet aircraft.’  
CAO 48.1, paragraph 3.5 states:  
‘Provided the provisions of Section 48.0, sub-section I are observed, a tour of duty, commenced in accordance with paragraph 3.5 of this sub-section may be extended at the discretion of a pilot in command as follows:  
(a) turbo-jet aircraft, twenty hours.’  
The extensions to the tour of duty were conducted in accordance with the provisions of CAO 48, as none of the flights extended past 20 hours, and were extended at the discretion of the Pilot in Command.
- (6) Qantas was not required to apply to CASA for an exemption against the requirements of CAO 48.
- (7) Not applicable.
- (8) Not applicable.
- (9) Not applicable.

#### **Australian Taxation Office: Commonwealth Ombudsman Annual Report**

##### **(Question No. 3239)**

**Senator Faulkner** asked the Minister representing the Attorney-General, upon notice, on 20 December 2000:

With reference to the case of the tax agent outlined in the Commonwealth Ombudsman's 1998-99 Annual Report, pp.42-43, and further to the answer to question on notice no. 2869 (Senate Hansard, 6 December 2000, p.20609):

- (1) On how many occasions has the office of the Commonwealth Director of Public Prosecutions (DPP) reviewed its original advice that an Australian Taxation Office (ATO) officer had released confidential information in good faith but unauthorised under Commonwealth law.
- (2) What was the date of each of these reviews.
- (3) (a) What was the date that each of these reviews was sought; and (b) who requested each of these reviews.
- (4) Why was each of these reviews sought.
- (5) What new or additional information was considered in each of these reviews.
- (6) Further to the DPP's letter to the tax agent dated 20 January 2000, why did the DPP's office change its opinion in regards to this case. Has the tax agent been informed of the change in the DPP's opinion on this matter, if not, why not.

**Senator Ellison**—The Attorney-General has provided the following answer to the honourable senator's question:

- (1) The DPP reviewed its original advice on one occasion. See also (6).
- (2) August - September 1999.
- (3) (a) 14 June 1999.
- (3) (b) The tax agent involved in this matter.
- (4) The tax agent wrote to the Attorney-General by letter dated 14 June 1999 asking that the Attorney-General obtain fresh advice from the DPP into possible breaches by the tax officer of the secrecy provisions and prosecution for those breaches.
- (5) The tax agent's letter to the Attorney-General dated 14 June 1999 and its annexures.
- (6) The DPP originally advised that either no offence had been committed or a prosecution would be unlikely to be successful. On reviewing the matter, the DPP remained of the view that there was no basis for prosecuting the ATO officer. On 24 January 2000 the DPP informed the tax agent that the DPP remained of the view that there was no basis for prosecuting the tax officer.

**Environment and Heritage Portfolio: Contracts to Deloitte Touche Tohmatsu**  
(Question No. 3255)

**Senator Robert Ray** asked the Minister for the Environment and Heritage, upon notice, on 24 January 2001:

- (1) What contracts has the department or any agency of the department provided to the firm Deloitte Touche Tohmatsu in the 1999-2000 financial year.
- (2) In each instance what was the purpose of the work undertaken by Deloitte Touche Tohmatsu.
- (3) In each instance what has been the cost to the department of the contract.
- (4) In each instance what selection process was used to select Deloitte Touche Tohmatsu (open tender, short-list or some other process).

**Senator Hill**—The answer to the honourable senator's question is as follows:

- (1) The portfolio provided 5 contracts.
- (2) to (4)

**DEPARTMENT**

PURPOSE	COST \$	SELECTION PROCESS
Consultancy service regarding best practice contract management	600	Select tender
<b>AUSTRALIAN GREENHOUSE OFFICE</b>		
PURPOSE	COST \$	SELECTION PROCESS
Accounting assistance	53,135	Sole tender based on market knowledge
Financial statement preparation assistance	3,765	Sole tender based on market knowledge
Financial accounting assistance	16,275	Sole tender based on market knowledge
Accounting assistance (one-off payment)	750	Sole tender based on market knowledge

**Finance and Public Administration Portfolio: Contracts to Deloitte Touche Tohmatsu**  
(Question No. 3262)

**Senator Robert Ray** asked the Minister representing the Minister for Finance and Administration, upon notice, on 24 January 2001:

In relation to Deloitte Touche Tohmatsu:

- (1) What contracts has the department or any agency of the department provided to the firm in the 1999-2000 financial year.
- (2) In each instance what was the purpose of the work undertaken.
- (3) In each instance what has been the cost to the department of the contract.

- (4) In each instance what selection process was used to select the firm (open tender, short list or some other process).

**Senator Abetz**—The Minister for Finance and Administration has provided the following answer to the honourable senator's question:

In order to answer the Honourable Senator's question, DOFA has gone out to each of the agencies within the Finance and Administration Portfolio. Each of these responses are listed below:

DOFA

Description of Contract	Cost (\$)	Selection method
Assistance in relation to the development of Quality Assurance Infrastructure	23,758	Panel
Data processing & analysis of the Agency input for the Commonwealth Budget	34,085	Panel
Advising and assisting to deliver reliable Budget Estimates	72,267	Panel
Assistance with quality assurance of agency Budget Estimates	99,500	Panel
Assistance to review of internal budgeting processes	42,540	Panel
Internal audit management and fraud investigation coordination	123,508	Select tender
GST Implementation	1,190,394	Open tender
Provision of senior financial management staff in the Ministerial and Parliamentary Services Group	73,820	Panel

OASITO

Nil

AUSTRALIAN ELECTORAL COMMISSION (AEC)

Nil

COMSUPER

Description of Contract	Cost (\$)	Selection Method
Consultation on Financial Systems	700	Short List

COMMONWEALTH GRANTS COMMISSION (CGC)

Nil.

### **Department of the Environment and Heritage: Contracts to KPMG (Question No. 3272)**

**Senator Robert Ray** asked the Minister for the Environment and Heritage, upon notice, on 24 January 2001:

- (1) What contracts has the department or any agency of the department provided to the firm KPMG in the 1999-2000 financial year.
- (2) In each instance what was the purpose of the work undertaken by KPMG.
- (3) In each instance what has been the cost to the department of the contract.
- (4) In each instance what selection process was used to select KPMG (open tender, short-list or some other process).

**Senator Hill**—The answer to the honourable senator's question is as follows:

- (1) The portfolio provided 9 contracts.

(2)-(4)

DEPARTMENT

PURPOSE	COST \$	SELECTION PROCESS
Technical input for stage 1 of Output Pricing Review	66,041	Select tender
To review the management arrangements for the National Halon Bank following its transfer to the Department of the Environment and Heritage.	33,118	Select tender

## AUSTRALIAN GREENHOUSE OFFICE

PURPOSE	COST \$	SELECTION PROCESS
Financial analysis of applications consultancy	13,646	Sole tender based on market knowledge
Financial analysis of applications consultancy	18,392	Restricted tender
Consultancy services as a member of verifiers under the Greenhouse Challenge Program	51,048	Open tender
Redesign and implementation of Greenhouse Challenge Reporting System	156,000	Open tender
Implementation of Greenhouse Challenge Report System – Support Services	132,400	Open tender
Internal Audit Review of the Australian Greenhouse Office	45,236	Sole tender based on market knowledge
Financial review of the Australian Greenhouse Office and its programs against outcomes and outputs	117,267	Sole tender based on market knowledge

NB: In 1998-1999 the Great Barrier Reef Marine Park Authority provided a contract, to the value of \$24,000, to KPMG to provide a report on the economic/financial values of the Great Barrier Reef World Heritage Area. The contract was only partially completed in 1998-99 and the balance of \$18,702 was paid in 1999-2000. The selection process used was open tender.

**Finance and Public Administration Portfolio: Contracts to KPMG****(Question No. 3279)**

**Senator Robert Ray** asked the Minister representing the Minister for Finance and Administration, upon notice, on 24 January 2001:

In relation to KPMG:

- (1) What contracts has the department or any agency of the department provided to the firm in the 1999-2000 financial year.
- (2) In each instance what was the purpose of the work undertaken.
- (3) In each instance what has been the cost to the department of the contract.
- (4) In each instance what selection process was used to select the firm (open tender, short list or some other process).

**Senator Abetz**—The Minister for Finance and Administration has supplied the following answer to the honourable senator's question:

In order to answer the Honourable Senator's question, DOFA has gone out to each of the agencies within the Finance and Administration Portfolio. Each of these responses are listed below:

DOFA

Description of Contract	Cost (\$)	Selection method
Financial Estimates review	20,125	Panel
Board member selection	5,000	Panel
Budget Process Training	10,430	Limited Tender
Review processing & consolidation of Agency Estimates	11,450	Panel
Advice for Government Business Enterprises	12,500	Panel
Develop automatic derived cash flow model for AIMS	22,475	Panel
Planning advice on the 1999/00 Commonwealth Consolidated Financial Statements	100,000	Panel
IT Maintenance	33,750	Panel

Description of Contract	Cost (\$)	Selection method
Developing and testing of the Adjustment Tracking Module Analysis System	51,359	Panel
Contracting services provided for 00/01 budget process	52,920	Panel
Contracting services for technical assistance	97,155	Panel
Technical assistance for quality assurance of first accrual based estimates	184,393	Panel
Contractor services provided in relation to Commonwealth monthly reporting	196,558	Panel
Assistance with quality assurance review of Agency accrual estimates	261,752	Panel
Contracting services provided for Commonwealth Consolidated Financial Statements	373,695	Panel
Provision of training	1,350	Limited Tender

## OASITO

Nil

## AUSTRALIAN ELECTORAL COMMISSION (AEC)

Nil

## COMSUPER

Description of Contract	Cost (\$)	Selection method
Consultation on tax affairs	33,000	Shortlist

## COMMONWEALTH GRANTS COMMISSION (CGC)

Nil

**Environment and Heritage Portfolio: Contracts to PricewaterhouseCoopers  
(Question No. 3289)**

**Senator Robert Ray** asked the Minister for the Environment and Heritage, upon notice, on 24 January 2001:

- (1) What contracts has the department or any agency of the department provided to the firm PricewaterhouseCoopers in the 1999-2000 financial year.
- (2) In each instance what was the purpose of the work undertaken by PricewaterhouseCoopers.
- (3) In each instance what has been the cost to the department of the contract.
- (4) In each instance what selection process was used to select PricewaterhouseCoopers (open tender, short-list or some other process).

**Senator Hill**—The answer to the honourable senator's question is as follows:

The portfolio provided 5 contracts.

(2)-(4)

## DEPARTMENT

PURPOSE	COST \$	SELECTION PROCESS
One contract: (i) Advise on the structural options for Environment Australia with regard to the management of information. (ii) Consider how well information is managed and how Environment Australia can maximise its return on investment in information.	10,000	Shortlist
Assess the impact, appropriateness, effectiveness and efficiency of the Commonwealth's ozone protection legislation including the Ozone Protection Act 1989,	210,534	Open tender

PURPOSE	COST \$	SELECTION PROCESS
the Ozone Protection (Licence Fees-Imports) Act 1995, the Ozone Protection (Licence Fees – Manufacture) Act 1995 and relevant regulations under these Acts and the Customs Act 1901.		
Natural Heritage Trust – Mid Term Review –Comprehensive Adequate Representative (CAR) Reserve Systems	15,000	Preferred supplier
AUSTRALIAN GREENHOUSE OFFICE		
PURPOSE	COST \$	SELECTION PROCESS
Consultancy services as a member of a panel of verifiers under the Greenhouse Challenge Program	51,895	Open tender
BUREAU OF METEOROLOGY		
PURPOSE	COST \$	SELECTION PROCESS
To review service based charging model for aviation weather services.	4,500	Restricted quotation

**Finance and Public Administration Portfolio: Contracts to PricewaterhouseCoopers  
(Question No. 3296)**

**Senator Robert Ray** asked the Minister representing the Minister for Finance and Administration, upon notice, on 24 January 2001:

In relation to PricewaterhouseCoopers:

- (1) What contracts has the department or any agency of the department provided to the firm in the 1999-2000 financial year.
- (2) In each instance what was the purpose of the work undertaken.
- (3) In each instance what has been the cost to the department of the contract.
- (4) In each instance what selection process was used to select the firm (open tender, short list or some other process).

**Senator Abetz**—The Minister for Finance and Administration has supplied the following answer to the honourable senator's question:

In order to answer the Honourable Senator's question, DOFA has gone out to each of the agencies within the Finance and Administration Portfolio. Each of these responses are listed below:

DOFA

Description of Contract	Cost (\$)	Selection method
Review of debt management	5,500	Panel
Facilitate business planning seminar	3,375	Panel
Financial management support	9,360	Panel
Professional services	23,275	Panel
Contractor services for the testing of the Adjustment Tracking Module Analysis System	4,500	Panel
Contracting services for Technical Assistance	13,048	Panel
Contracting services for 99/00 Budget	100,000	Panel
Contracting services for Process Mapping	19,185	Panel
Quality control check of MYEFO	20,680	Panel
Contracting services for provision of HR support	23,598	Open Tender
Contracting services for technical assistance	54,505	Panel



Description of Contract	Cost (\$)	Selection method
Review of AIMS	18,000	Open Tender
Provision of Financial management services	93,970	Open Tender
AIMS Project Management Contractor	150,000	Select tender
Financial analysis for Ownership Analysis Unit	174,341	Panel
Recruitment services	6,060	Select tender
Financial reporting assistance	9,004	Select tender
External member for Audit Committee	40,055	Limited Tender
Graduate recruitment campaign	188,956	Panel
Develop strategic IT investment framework	212,539	Select tender
Provision of services to facilitate Branch Planning	10,780	Select tender
Professional services for Mid Cycle performance review	11,450	Select tender
Provision of advice and workshops on the Performance Management Process	17,138	Select tender
Project management assistance	39,875	Panel
Professional fees for the performance management cycle & implementation of competitive tendering & contracting	79,263	Open tender
Recruitment search fees	330	Limited Tender
Reconciliation of installment receipt bank accounts	3,850	Panel
Advice in relation to the operation of the Long Term Incentive plan	7,571	Select tender
Actuarial valuation of the Parliamentarian Gold Pass liability	10,000	Select tender
COMCAR operations review	23,003	Panel
Development of accounting procedures	40,243	Panel
Advice and assistance in relation to the development of best practice internal management reporting	112,572	Panel
Project management and preparation of departmental financial statements for year ended 30 June 1999 and associated accounting technical advice	221,577	Panel
Provision of senior finance staff for Property Group and Financial Management Group to provide technical accounting advice	500,455	Panel
Contract staff provided for the implementation of GST	292,191	Panel
Tax advice for GST	256,000	Panel
Change Management Project	63,491	Engaged under HR contract
Support costs for Parliamentary Systems Suite Management Information System	843,825	Select tender
Review contractual arrangements with P&O	92,663	Panel
OASITO		
Description of Contract	Cost (\$)	Selection Method
Undertake the role of investigating accountant on the Telstra accounts for the Telstra 2 share offer	1,557,119	Select Tender
AUSTRALIAN ELECTORAL COMMISSION (AEC)		
Nil		
COMSUPER		
Description of Contract	Cost (\$)	Selection method
Consultation on tax affairs and internal audit advice	29,000	Shortlist

## COMMONWEALTH GRANTS COMMISSION (CGC)

Description of Contract	Cost (\$)	Selection method
Professional assistance in the preparation of financial statements for 1998-99	2,260	Select Tender

**Environment and Heritage Portfolio: Contracts to Ernst & Young**  
**(Question No. 3306)**

**Senator Robert Ray** asked the Minister for the Environment and Heritage, upon notice, on 24 January 2001:

- (1) What contracts has the department or any agency of the department provided to the firm Ernst & Young in the 1999-2000 financial year.
- (2) In each instance what was the purpose of the work undertaken by Ernst & Young.
- (3) In each instance what has been the cost to the department of the contract.
- (4) In each instance what selection process was used to select Ernst & Young (open tender, short-list or some other process).

**Senator Hill**—The answer to the honourable senator's question is as follows:

- (1) The portfolio provided 2 contracts.
- (2) to (4)

**AUSTRALIAN GREENHOUSE OFFICE**

PURPOSE	COST \$	SELECTION PROCESS
Carbon brokering services, Bush for Greenhouse Program	1,100,000	Open tender

**BUREAU OF METEOROLOGY**

PURPOSE	COST \$	SELECTION PROCESS
GST awareness training	43,000	DOFA consultants panel

**Finance and Administration Portfolio: Contracts to Ernst & Young**  
**(Question No. 3313)**

**Senator Robert Ray** asked the Minister representing the Minister for Finance and Administration, upon notice, on 24 January 2001:

In relation to Ernst & Young:

- (1) What contracts has the department or any agency of the department provided to the firm in the 1999-2000 financial year.
- (2) In each instance what was the purpose of the work undertaken.
- (3) In each instance what has been the cost to the department of the contract.
- (4) In each instance what selection process was used to select the firm (open tender, short list or some other process).

**Senator Abetz**—The Minister for Finance and Administration has supplied the following answer to the honourable senator's question:

In order to answer the Honourable Senator's question, DOFA has gone out to each of the agencies within the Finance and Administration Portfolio. Each of these responses are listed below:

**DOFA**

Description of Contract	Cost (\$)	Selection method
Full reconciliation audit	316,174	Select Tender
DOFA performance management framework agreement	4,856	Select tender
Advice on Air Travel Services contract	6,355	Panel

Description of Contract	Cost (\$)	Selection method
Admin and user procedures	18,337	Panel
Internal audit contract	452,686	Open tender
Financial and contractual advice	505,983	Panel
GST implementation	524,775	Open tender
Review and risk assessment for devolved banking within DOFA	10,957	Select tender
Advice on ongoing support arrangements for Parliamentary Systems Suite Management Information System	16,800	Panel
Business Advice in relation to Parliamentary Systems Suite Management Information System	30,177	Select tender
GST implementation	157,994	Panel
Review Property Group overheads	10,000	Panel
Business advice to the Property Group	1,890,722	Select tender

OASITO

Nil

AUSTRALIAN ELECTORAL COMMISSION (AEC)

Nil

COMSUPER

Nil

COMMONWEALTH GRANTS COMMISSION (CGC)

Nil.

**Environment and Heritage Portfolio: Contracts to Arthur Andersen  
(Question No. 3323)**

**Senator Robert Ray** asked the Minister for the Environment and Heritage, upon notice, on 24 January 2001:

- (1) What contracts has the department or any agency of the department provided to the firm Arthur Andersen in the 1999-2000 financial year.
- (2) In each instance what was the purpose of the work undertaken by Arthur Andersen.
- (3) In each instance what has been the cost to the department of the contract.
- (4) In each instance what selection process was used to select Arthur Andersen (open tender, short-list or some other process).

**Senator Hill**—The answer to the honourable senator's question is as follows:

- (1) The portfolio provided 1 contract.

(2)-(4)

AUSTRALIAN GREENHOUSE OFFICE

PURPOSE	COST \$	SELECTION PROCESS
Funding evaluation advice	15,000	Sole tender based on Chief Executive Officer recommendation

**Finance and Public Administration Portfolio: Contracts to Arthur Andersen  
(Question No. 3330)**

**Senator Robert Ray** asked the Minister representing the Minister for Finance and Administration, upon notice, on 24 January 2001:

In relation to Arthur Andersen:

- (1) What contracts has the department or any agency of the department provided to the firm in the 1999-2000 financial year.
- (2) In each instance what was the purpose of the work undertaken.
- (3) In each instance what has been the cost to the department of the contract.
- (4) In each instance what selection process was used to select the firm (open tender, short list or some other process).

**Senator Abetz**—The Minister for Finance and Administration has supplied the following answer to the honourable senator's question:

In order to answer the Honourable Senator's question, DOFA has gone out to each of the agencies within the Finance and Administration Portfolio. Each of these responses are listed below:

**DOFA**

Description of Contract	Cost (\$)	Selection method
Specialist accounting and financial advice	581,230	Select tender
Assistance to review the Australian Sports Commission	12,000	Panel
Technical assistance regarding CSIRO	29,600	Panel
Advice on pricing reviews and benchmarking diagnostics	330,717	Open Tender
Internal audit manager contract 1999-2000	592,255	Select tender
Provision of accounting services	31,650	Panel
Provision of advice, documentation and workshops in procuring banking services	100,000	Panel
Strategic analysis	70,254	Panel
Property Asset Management	54,696	Select tender
Assistance provided to Property Group	59,038	Select tender
Property study for overseas chanceries	80,000	Select tender
Advice on sale of Government Offices	135,276	Select tender
Advice on disposal of property	207,745	Select tender
Review of overseas property values	30,000	Panel
Advice on property sale	212,319	Select tender
Transition Management property outsourcing	2,344,876	Select tender
Advice on disposal of property	162,000	Select tender
Provision of senior financial management staff for the former Property and Contract Management and Resource Management Framework Groups.	825,069	Panel

**OASITO**

Description of Contract	Cost (\$)	Selection Method
To advise on the allocation of broker firm stock and the calculation of selling commissions on institutional sales in the Telstra 2 share offer	100,000	Closed tender
To undertake the role of business adviser, and in consultation with the wool industry, develop restructure options for AWRAP	200,000	Closed tender

**AUSTRALIAN ELECTORAL COMMISSION (AEC)**

Nil

**COMSUPER**

Nil

**COMMONWEALTH GRANTS COMMISSION (CGC)**

Nil.

**Department of Communications, Information Technology and the Arts: Cost of Legal Advice**

**(Question No. 3370)**

**Senator Robert Ray** asked the Minister for Communications, Information Technology and the Arts, upon notice, on 29 January 2001:

- (1) What has been the total cost to the department in the 1999-2000 financial year of legal advice obtained from the Attorney-General's department
- (2) What has been the total cost to the department in the 1999-2000 financial year of legal advice obtained by the department from other sources

**Senator Alston**—The answer to the honourable senator's question is as follows:

- (1) Attorney-General's Department, \$29,587.88
- (2) (a) Australian Government Solicitor, \$1,164,064.30  
(b) Other sources, \$211,440.68.

**Department of Workplace Relations and Small Business: Cost of Legal Advice**

**(Question No. 3371 amended answer)**

**Senator Robert Ray** asked the Minister representing the Minister for Employment, Workplace Relations and Small Business, upon notice, on 29 January 2001:

- (1) What has been the total cost to the department in the 1999-2000 financial year of legal advice obtained from the Attorney-General's Department.
- (2) What has been the total cost to the department in the 1999-2000 financial year of legal advice obtained by the department from other sources.

**Senator Alston**—The Minister for Employment, Workplace Relations and Small Business has provided the following answer to the honourable senator's question:

The information requested is not readily available in the form requested. The department's accounting system records the amount spent on legal services, which includes the conduct of litigation as well as the provision of legal advice.

- (1) In the 1999-2000 financial year, the total cost to the department for legal services obtained from the Attorney-General's Department was \$20,357.00.
- (2) In the 1999-2000 financial year, the total cost to the department for legal services obtained from other sources (including legal services obtained from the Australian Government Solicitor as it is administratively separate from the Attorney-General's Department) was \$3,430,799.81.

**Environment and Heritage Portfolio: Value of Market Research**

**(Question No. 3385)**

**Senator Robert Ray** asked the Minister for the Environment and Heritage, upon notice, on 29 January 2001:

- (1) What was the total value of market research sought by the department and any agencies of the department for the 1999-2000 financial year.
- (2) What was the purpose of each contract let.
- (3) In each instance: (a) how many firms were invited to submit proposals; and (b) how many tender proposals were received.
- (4) In each instance, which firm was selected to conduct the research.
- (5) In each instance: (a) what was the estimated or contract price of the research work; and (b) what was the actual amount expended by the department or any agency of the department.

**Senator Hill**—The answer to the honourable senator's question is as follows:

- (1) \$304,635.
- (2)-(5) Details relating to market research for the 1999-2000 financial year are set out in the table below.

PURPOSE OF CONTRACT	NO. OF FIRMS INVITED TO SUBMIT PROPOSALS	NO. OF TENDER PROPOSALS RECEIVED	FIRM SELECTED TO CONDUCT RESEARCH	ESTIMATED CONTRACT PRICE	ACTUAL AMOUNT EXPENDED
Phase 2 of the Natural Heritage Trust Public Information Campaign - conduct focus group and tracking research on television advertising.	1 (follow up to previous market research undertaken by this firm)	1	Wirthlin World-wide Australasia Pty Ltd	\$63,526	\$63,526
Biodiversity Public Information Campaign - conduct focus group testing of campaign issues and proposed products.	3	3	Consumer Contact	\$15,500	\$15,500
Joint market research (between the Australian Heritage Commission [AHC] and Australian Council of National Trusts [ACNT]) was conducted to: develop effective communication and marketing strategies (AHC/ACNT); provide a benchmark against which achievement can be measured objectively (AHC/ACNT); and provide data with which to advocate heritage issues with important stakeholders.	The ACNT undertook the tendering process and invited 4 companies to tender	4	Roy Morgan Research	Contract price was \$60,000  AHC's contribution to the contract price was \$30,000	\$30,000 (expended by AHC)
Study on the Environment Management Industry in China – to identify market conditions and opportunities for Australian environment industry firms in China	1	1	State Environment Protection Administration of The People's Republic of China	\$21,300	\$21,300
Survey of eco-efficiency measures in Australian industry	8	3	Monash Centre for Environmental Management	\$27,990	Project not yet finalised, payments to date equal \$10,589
Breathe the Benefits 2000 – Goulburn Focus Group research – prepared for Environment Australia. The consultant was engaged to revise a 1999 advertisement and test it on a focus group. The advertising campaign was targeting woodheater owners in key problem regions in Australia.	1	1	Keys Young	\$6,450	\$4,802
Review state and territory based curriculum structures and resources in schools and relevant components of tertiary teacher training courses as they relate to the teaching of issues concerning the ozone layer and ozone depletion. Identify opportunities in	4	2	Curriculum Corporation	*\$26,960	\$20,000

PURPOSE OF CONTRACT	NO. OF FIRMS INVITED TO SUBMIT PROPOSALS	NO. OF TENDER PROPOSALS RECEIVED	FIRM SELECTED TO CONDUCT RESEARCH	ESTIMATED CONTRACT PRICE	ACTUAL AMOUNT EXPENDED
target markets for the development of relevant teaching media.					
Identify Australian ozone protection capability and the needs and priorities of developing countries in the region to inform the development of Australia's Ozone Bilateral Assistance Strategy.	21	5	SMEC International Pty Ltd	*\$154,220	\$30,844
Undertake an assessment of the effectiveness of arrangements, both statutory and non-statutory, adopted at national and state levels to meet Australia's obligations under the Montreal Protocol on Substances that Deplete the Ozone Layer.	14	4	DGJ Consulting	*\$49,000	\$35,000
Review of Commonwealth Ozone Protection legislation, required by intergovernmental COAG Competition Principles Agreement.	Open Tender	6	Pricewaterhouse Coopers	*\$210,534	\$48,980
Qualitative and quantitative research associated with the Greenhouse Public Information Campaign – conduct market research to inform the development of television and print advertising for a Government public information campaign	3	3	Wirthlin World-wide Australasia Pty Ltd	65,500	24,094

\* Contract extended over multiple financial years.

**Communications, Information Technology and the Arts Portfolio: Value of Market Research**  
(Question No. 3386)

**Senator Robert Ray** asked the Minister for Communications, Information Technology and the Arts, upon notice, on 29 January 2001:

- (1) What was the total value of market research sought by the department and any agencies of the department for the 1999-2000 financial year.
- (2) What was the purpose of each contract let.
- (3) In each instance: (a) how many firms were invited to submit proposals; and (b) how many tender proposals were received.
- (4) In each instance, which firm was selected to conduct the research.
- (5) In each instance: (a) what was the estimated or contract price of the research work; and (b) what was the actual amount expended by the department or any agency of the department.

**Senator Alston**—The answer to the honourable senator's question is as follows:

- (1) The total value of market research sought by the department and associated agencies in the 1999-2000 financial year was:- \$367,622

Each agency of the department responded individually.

**Old Parliament House (part of DoCITA)**

- (1) The total value of market research sought by Old Parliament House in the 1999-2000 financial year was:- \$42,242

- (2) The purpose of the contract was:- Visitor research and exhibition evaluation.
- (3) Envirometrics Pty Ltd was re-appointed to undertake research in 1999-2000 as a result of a previous select tender process from which they were the successful agency.
  - (a) Not applicable
  - (b) Not applicable
- (4) The firm selected was Envirometrics Pty Ltd
- (5)(a) The estimated price of the research was \$40,000
- (b) The actual amount was \$42,242

The difference was due to a contract extension to cover a discrete, but related, new exhibition evaluation.

#### **National Council for the Centenary of Federation**

- (1) The total value of market research sought by the National Council for the Centenary of Federation in 1999-2000 financial year was:- \$162,000
- (2) The purpose of the contract was:- To assess community attitudes towards the Centenary of Federation communications campaign and to provide guidance on future communications activities.
- (3)(a) Three (3) firms were invited to submit proposals
- (b) Three (3) firms submitted proposals.
- (4) The firm Elliott and Shanahan was selected and appointed.
- (5)(a) The contract price of the research work was:- \$150,000 with a variation of contract for an additional \$14,500 to cover the task of researching proposed concepts for the culmination event
- (b) The actual amount expended was \$83,557, made up of:-
  - \$67,206 for National Tracking Survey and Advertising Concept Development
  - \$12,000 for Concept Testing Final Event
  - \$4,351 for travel and out-of-pocket expenses

#### **National Archives of Australia**

- (1) The total value of market research sought by the National Archives in the 1999-2000 financial year was:- \$9,519
- (2) The purpose of the one contract let was:- Research into attitudes, perceptions and current behaviour towards recordkeeping in Commonwealth Public sector organisations
- (3)(a) One firm was invited based on previous research work done for NAA
- (b) One proposal was received.
- (4) The firm selected to conduct the research was:- ORIMA Research
- (5)(a) The estimated or contract price of the research work was:- \$9,900
- (b) The actual amount expended was:- \$9,519 with \$3,000 in 1999/2000 and the balance in 2000/2001

#### **National Office for the Information Economy (NOIE)**

- (1) The Government Information Centre Pilot let two contracts in 1999/2000 for market research. The total value of market research was:- \$60,869  
The GIC Pilot was a Tasmanian based trial of a call centre set up to give access to government information.

#### **First Instance**

- (2) The purpose of each contract was:- To carry out focus group research on three proposed media campaigns for the GIC and to recommend one of the three for implementation.
- (3)(a) Three (3) Request for Proposals were issued
- (b) Three (3) responses received
- (4) The selected firm was:- Elliot and Shanahan Market Research
- (5)(a) The estimated cost was:- \$24,500
- (b) The actual expenditure was:- \$24,500



## Second Instance

- (2) The purpose of the research was:- To research community awareness of the GIC service and user responses to the service.
- (3)(a) Three (3) Requests for Proposal were issued
  - (b) Three (3) responses received
- (4) The selected firm was:- Taylor Nelson Sofres
- (5)(a) The estimated cost was:- \$36,369
  - (b) The actual expenditure was:- \$36,369

**National Science and Technology Centre (QUESTACON)**

- (1) The total value of market research conducted in 1999/2000 was:- \$32,182 being the sum of two contracts costing \$24,115 and \$8,067.

## First Instance

- (2) The purpose of the contract was:- To determine, among Questacon's target market, the most popular concepts for future exhibitions; investigate the Centre's strengths and weaknesses; examine the relevance and value of Questacon and its 'blockbuster' exhibitions in today's market; determine the level of public awareness of Questacon; and identify the needs and wants of our visitors.
- (3) (a) Three (3) firms were invited to tender
  - (b) Two (2) tenders were received
- (4) The firm selected was:- Piazza Consulting
- (5)(a) The estimated cost was:- \$24,115
  - (b) The actual cost was:- \$24,115

## Second Instance

- (2) The purpose of contract was:- To provide project partners in the proposed National Aerospace Centre Project (Questacon, the National Capital Authority and Maxvision) information on what people most want to experience in the new exhibition galleries; possible names for the new facility; ticketing prices and options; to assist in determining the financial viability of the project and to feed into the detailed planning for the project.
- (3)(a) Three (3) firms were invited to tender
  - (b) Three (3) tenders were received
- (4) The firm selected was:- Envirometrics Pty Ltd
- (5)(a) The estimated cost was:- \$8,067
  - (b) The actual cost was:- \$8,067.

**ScreenSound Australia**

- (1) The total value of market research sought by ScreenSound Australia in the 1999-2000 financial year was:- \$6,310:- made up of two parts:-
  - Taylor Nelson and Sofres \$1,760 this amount was for a focus group undertaken as part of market research conducted in the previous financial year.
  - Shane McConnochie - \$4,550
- (2) The purpose of the Shane McConnochie contract was to:- Evaluate and make recommendations in relation to the Screening Exhibition opportunities for ScreenSound Australia's National Collection.
- (3)(a) Ms McConnochie was hired on a consultancy basis due to her expertise gained during her time as International Screenings Co-ordinator at the Australia Film Commission. No other firms were asked to submit proposals.
  - (b) None.
- (4) Not applicable
- (5)(a) The contract price of the research work was:- \$4,550.
  - (b) The actual expenditure was:- \$4,550.

**Office for Government Online (OGO)**

Since this research was conducted the role and functions of OGO have been incorporated into NOIE.

- (1) The total value of market research sought by OGO (NOIE), as an agency of the department, in the 1999-2000 financial year was:- \$54,500
- (2) The purpose of the contract was:- Y2K - final phase of research to track public attitudes and concerns.
- (3)(a) Five (5) firms were invited to submit proposals  
(b) Four (4) proposals were received.
- (4) The firm selected was:- Elliott & Shanahan Research
- (5) The Y2K related market research listed above was part of a larger set of Y2K related market research conducted over the 1998-99 and 1999-2000 financial years. The total expenditure on the Y2K research program was on budget at around \$150,000.00.  
(a) Not applicable  
(b) Not applicable.

**Employment, Workplace Relations and Small Business Portfolio: Value of Market Research**

**(Question No. 3387)**

**Senator Robert Ray** asked the Minister representing the Minister for Employment, Workplace Relations and Small Business, upon notice, on 29 January 2001:

- (1) What was the total value of market research sought by the department and any agencies of the department for the 1999-2000 financial year.
- (2) What was the purpose of each contract let.
- (3) In each instance: (a) how many firms were invited to submit proposals; and (b) how many tender proposals were received.
- (4) In each instance, which firm was selected to conduct the research.
- (5) In each instance: (a) what was the estimated or contract price of the research work; and (b) what was the actual amount expended by the department or any agency of the department.

**Senator Alston**—The Minister for Employment, Workplace Relations and Small Business has provided the following answer to the honourable senator's question:

- (1) The total cost of market research conducted by the department during 1999-2000 was \$573 914 and by its agencies \$182 720.

Details relevant to (2), (3), (4) and (5) are summarised in the following table:

2. Purpose of contract let	3.(a) No of firms were invited to submit proposals (b) No of tender proposals received	4. Firm selected	5. (a) Contract price (b) Amount expended
Research the current market for Business Entry Point Services and the potential for customisation of the Business Entry Point website.	Five Four	Andrews Marketing Group	\$65 358. \$50 374.
Undertake research and development in relation to the redevelopment of the department's internet site.	Six Five	Queensland University of Technology, in partnership with Marketshare Pty Ltd and f5 Web Architects	\$115 000 (with travel and accommodation expenses to be reimbursed). \$127 423 (including \$12 423 for travel and accommodation expenses).
Survey industry association views	Nine Three	Lawler Davidson Consultants Pty Ltd	\$35 900 \$35 900

2. Purpose of contract let	3.(a) No of firms were invited to submit proposals (b) No of tender proposals received	4. Firm selected	5. (a) Contract price (b) Amount expended
and awareness of the Franchising Code of Conduct.			
Survey small business regarding the Wage Assistance element of the IEP.	One	Taringa Waters Pty	\$3384
Promotion of the Indigenous Employment Policy (IEP) to Small Businesses.	One	Taringa Waters Pty Ltd	\$3384
Survey attitudes of unemployed job seekers to Harvest Work by Environmetrics Pty Ltd.	One	Taringa Waters Pty Ltd	\$13 536
A sample of unemployed job seekers registered at selected metropolitan and non-metropolitan Centrelink Customer Service Centres was surveyed to identify their level of awareness and understanding of harvest work and preparedness to undertake such work.	One	Taringa Waters Pty Ltd	\$13 536
Work for the Dole baseline research.	Five Three	Environmetrics Pty Ltd.	\$23 660 \$23 660
Gauge public reaction to the suitability of the Multimedia Payphone for the delivery of a number of online government services in rural and remote locations.	Five Four	Worthington Di Marzio Pty Ltd.	\$160 287 \$160 287
Test the content, usability and accessibility of the NOHSC website for small business owner/operators and to provide best practice advice for online delivery of OHS information based on the findings of literature review.	Four Four	Market Access Consulting and Research.	\$140 000. \$140 000.
	Five Four	MMP evaluation market research	\$59 000 to be shared equally between three agencies – DEWRSB, Centrelink and the Health Insurance Commission. \$19 350 was expended by DEWRSB.
	Nine Five	Performance Technologies Group Pty Ltd	\$45 030 plus relevant GST. In the even that the work was undertaken in the financial year 2000/2001. \$50 782.13 including \$1190 for additional goods and services and \$456201 for GST. The commencement of the contract was delayed by NOHSC with bulk of it being undertaken in that year.

2. Purpose of contract let	3.(a) No of firms were invited to submit proposals (b) No of tender proposals received	4. Firm selected	5. (a) Contract price (b) Amount expended
To develop a greater recognition of the role of safe design in improving OHS performance in the workplace	Seven Five	McGregor Tan Research	\$63 000. \$64 500 including \$1500 for additional face-to-face interviews.
Evaluate the effectiveness of the 1999 advertising campaign on AWAs and freedom of association.	One One	Brian Sweeney and Associates.	\$70 000 (with travel and accommodation expenses to be reimbursed ). \$72 000 (including \$2000 for travel and accommodation expenses).

**Education, Training and Youth Affairs Portfolio: Value of Market Research  
(Question No. 3393)**

**Senator Robert Ray** asked the Minister representing the Minister for Education, Training and Youth Affairs, upon notice, on 29 January 2001:

- (1) What was the total value of market research sought by the department and any agencies of the department for the 1999-2000 financial year.
- (2) What was the purpose of each contract let.
- (3) In each instance: (a) how many firms were invited to submit proposals; and (b) how many tender proposals were received.
- (4) In each instance, which firm was selected to conduct the research.
- (5) In each instance: (a) what was the estimated or contract price of the research work; and (b) what was the actual amount expended by the department or any agency of the department.

**Senator Ellison**—The Minister for Education, Training and Youth Affairs has provided the following answer to the honourable senator's question:

- (1) Approximately \$835,607 worth of market research was sought by the Department of Education, Training & Youth Affairs and its agencies in 1999-2000 financial year.
- (2) Responses to questions 2 – 5 are contained in the table below:

Purpose (2)	Quotes requested (3) a	Quotes received (3) b	Contractor (4)	Total Contract Value (5) a	\$ Expended 99-2000 F/Y (5) b
Survey of JPP Participants	Open Tender	9	AC Nielsen Australia Pty Ltd	\$66,329.00	\$0.00
Research on the attitudes, life-styles, and preferences of young people aged 12-15 and the most effective means of reaching this audience for the purposes of National Youth week 2000	N/A sub-contracted under Turnbull Porter Novelli contract	N/A sub-contracted under Turnbull Porter Novelli contract	AMR: Quantum Harris	\$39,400.00	\$39,400.00
Market Research on the Higher Education Contribution Scheme (HECS) radio and print advertisements for 2000	3	1	Chant Link & Associates	\$12,000.00	\$12,526.00

Purpose (2)	Quotes requested (3) a	Quotes received (3) b	Contractor (4)	Total Contract Value (5) a	\$ Expended 99-2000 F/Y (5) b
Market testing the HECS Australian Permanent Resident and New Zealand citizen brochure	3	1	Chant Link & Associates	\$13,280.00	\$13,280.00
Creative concept Testing for the Education Textbook Subsidy Campaign	1	1	Colmar Brunton Social Research	\$69,200	\$0.00
Equity Journal - Market Testing	2	2	J S McMillan Printing Group	\$10,000.00	\$4,400.00
Conduct Research on Market Testing of 'The Source' Website	3	3	Market Attitudes Research Services Pty Ltd	\$25,500.00	\$25,500.00
Research for training packages and the overseas market	3	3	Smart Consulting & Research	\$39,583.00	\$39,583.00
Development, coordination and management of the marketing strategy for National Youth Week 2000	Open Tender	1	Turnbull Porter Novelli	\$277,370.00	\$277,370.00
National Youth Media Awards 2000	Open Tender	4	Turnbull Porter Novelli	\$332,895.00	\$332,895.00
Undertake limited qualitative market research into VET in schools and enterprise learning	1	1	Worthington Di Marzio Pty Ltd	\$19,250	\$0.00

The Australian National University is also listed under the Administrative Arrangement Orders as a responsibility of the Minister's portfolio for the period in question. The Australian National University has not been approached in preparing a response to the question because it operates with a greater degree of autonomy than other Departmental agencies.

**Industry, Science and Resources Portfolio: Value of Market Research  
(Question No. 3394)**

**Senator Robert Ray** asked the Minister for Industry, Science and Resources, upon notice, on 29 January 2001:

- (1) What was the total value of market research sought by the department and any agencies of the department for the 1999-2000 financial year.
- (2) What was the purpose of each contract let.
- (3) In each instance: (a) how many firms were invited to submit proposals; and (b) how many tender proposals were received.
- (4) In each instance, which firm was selected to conduct the research.
- (5) In each instance: (a) what was the estimated or contract price of the research work; and (b) what was the actual amount expended by the department or any agency of the department.

**Senator Minchin**—The answer to the honourable senator's question is as follows:

- (1) The total value of market research sought by the "department and any agencies of the department" during 1999-2000 was \$694,819. This figure includes the cost of market research sought by the prescribed agencies within the Industry, Science and Resources portfolio (IP Australia, Australian Geological Survey Office). However, it does not include the cost of market research which may have been sought by the various statutory authorities within the portfolio.

The specific information sought in respect of each market research project is provided below.

**Country of Origin Labelling**

- (2) To undertake market testing of creative concepts for the Country of Origin Labelling Awareness Campaign.
- (3) (a) 0; (b) 0  
Sweeney Research was selected by tender in 1999 to conduct research for the Department that underpinned the Country of Origin Labelling Awareness Campaign. The market testing was essentially an extension to the work they had previously undertaken hence no subsequent tender was required.
- (4) Sweeney Research Pty Ltd.
- (5) (a) \$27,500 (\$25,000 fee plus expenses); (b) \$25,000.

**ISR Web Information Needs**

- (2) To obtain a better understanding of the web information needs of clients of the Department's Manufacturing Engineering and Construction Division.
- (3) (a) 3; (b) 3.
- (4) Minter Research.
- (5) (a) \$10,000; (b) \$10,000.

**Energy Efficiency Best Practice Program**

- (2) To undertake a market research study to support the development and implementation of activities under the Energy Efficiency Best Practice Program.
- (3) (a) 5; (b) 5.
- (4) Sexton Marketing Group.
- (5) (a) \$50,000; (b) \$45,000.

**Gene Technology and Biotechnology**

- (2) Three separate market research projects were undertaken in the area of gene technology and biotechnology.
  - (i) To research public perceptions towards gene technology and biotechnology.
  - (ii) To market test a brochure on genetically modified foods.
  - (iii) To research public perceptions towards gene technology and biotechnology.
- (3) (i) (a) 3; (b) 3.  
(ii) (a) 1; (b) 1.  
(iii) (a) 4; (b) 4.  
In respect of (iii) above, four firms had been invited to submit proposals for a major public relations campaign through the Government Communications Unit and the Ministerial Committee on Government Communications (of which this research became a part). Four tenders were received.
- (4) (i) Yann Campbell Hoare Wheeler (YCHW - now Millward Brown).  
(ii) Yann Campbell Hoare Wheeler (YCHW - now Millward Brown).  
(iii) Quantum Market Research did the research for Turnbull Porter Novelli.
- (5) (i) (a) \$100,000; (b) \$103,547.  
(ii) (a) \$5,000; (b) \$5,000.  
(iii) (a) \$40,000; (b) \$37,703.

**Radioactive Waste Repository**

- (2) Two research programs in relation to the proposed national repository for Australia's radioactive waste were carried out over the periods November 1999/January 2000 and June/July 2000. The principal purpose of both research programs was to measure the level of understanding of people in both Adelaide and regional centres in the central north of South Australia regarding issues associated with the proposed national repository for Australia's radioactive waste.
- (3) (a) 3; (b) 3.
- (4) Brown & Root Services Asia Pacific Pty Ltd (formerly Kinhill Pty Ltd) was contracted by the Department to assist with the development and implementation of the community consultation program for the Government's National Radioactive Waste Repository Project.  
Michels Warren Pty Ltd, an Adelaide based public relations firm, was sub-contracted by Brown & Root Services Asia Pacific Pty Ltd to assist with the communications aspects of the program.  
McGregor Tan Research was commissioned by Michels Warren Pty Ltd to undertake the market research to assist the further development of the community consultation program on the basis of their expertise in this area.
- (5) (a) \$38,850; (b) \$38,850.

**AusIndustry Customer Satisfaction Surveys**

- (2) To undertake customer satisfaction surveys for the following programs administered by AusIndustry:
  - Cooperative Research Centres Program
  - Innovation Investment Fund Program
  - Pooled Development Funds Program
  - Shipbuilding Bounty and Shipbuilding Innovation Scheme
  - Printing Industry Competitiveness Scheme
  - Petroleum Products Freight Subsidy Scheme
  - Policy By-Laws Scheme
- (3) (a) 7; (b) 6.
- (4) Orima Research Pty Ltd.
- (5) (a) \$95,674; (b) \$97,380.

**AusIndustry Magazine**

- (2) To undertake customer research for the AusIndustry Magazine.
- (3) (a) 1; (b) 1.
- (4) Andrews Marketing Group.
- (5) (a) \$10,000; (b) \$9,950.

**AusIndustry Seminars**

- (2) Effectiveness surveys of AusIndustry seminar attendees.
- (3) (a) 1; (b) 1.
- (4) Datacol Pty Ltd.
- (5) (a) \$8,000; (b) \$8,000.

**Commercialising Emerging Technologies Program**

- (2) Benchmark research for the Commercialising Emerging Technologies (COMET) Program.
- (3) (a) 6; (b) 5.
- (4) Wallis Consulting Group.
- (5) (a) \$20,000; (b) \$19,790.

**Australian Building Codes Board**

To undertake a survey of consumer perceptions about the Australian Building Codes Board, (a) 2; (b) 2.  
Worthington Di Marzio, (a) \$20,000; (b) \$20,000.

**IP Australia**

- (2) There were 4 separate research projects conducted by IP Australia in this period.
- (i) Study 1: Your Market had the objective of determining the understanding of IP amongst IP Australia's target markets, as well as providing an in-depth assessment of the IP market.
  - (ii) The Business Advisers study aimed to determine the level of awareness of intellectual property amongst business advisers and had the following objectives:
    - To measure awareness within the business adviser group of intellectual property.
    - To elicit key intellectual property needs of the target group.
    - To understand the best channels of delivery for IP Australia's intellectual property message.
  - (iii) The IP Australia website study had the following objectives:
    - To evaluate the IP Australia website versus comparative Government sites
    - To determine interest in proposed new features on the IP Australia website.
    - To provide information on knowledge, attitudes and use of website amongst target markets.
    - To provide insight into difficulties towards the use of the IP Australia website.
    - To provide insight into methods of increasing the use of IP Australia's web-based services.
    - To provide information about appropriateness of current content and structure of the website.
    - To document the needs of potential users.
  - (iv) The Biotechnology research was a study undertaken to determine the understanding and awareness of intellectual property in the Biotechnology sector and had the following objectives:
    - To determine what aspects of intellectual property protection the target market was aware of.
    - To determine which aspects of IP protection are most important to them.
    - To determine what avenues they currently use to obtain IP protection advice and which they would prefer to use.
    - To determine the interest in possible training courses offered by IP Australia.
- (3) (a) 1; (b) 1.
- At the time, national market research firm New Focus was operating under a preferred supplier agreement, selected from a field of five endorsed market research suppliers. Thus no other firms were invited to submit proposals.
- (4) In all instances, New Focus conducted the research.
- (5) (a) \$363,090; (b) \$274,599.

**Veterans' Affairs Portfolio: Value of Market Research****(Question No. 3398)**

**Senator Robert Ray** asked the Minister representing the Minister for Veterans' Affairs, upon notice, on 29 January 2001:

- (1) What was the total value of market research sought by the department and any agencies of the department for the 1999-2000 financial year.
- (2) What was the purpose of each contract let.
- (3) In each instance: (a) how many firms were invited to submit proposals; and (b) how many tender proposals were received.
- (4) In each instance, which firm was selected to conduct the research.
- (5) In each instance: (a) what was the estimated or contract price of the research work; and (b) what was the actual amount expended by the department or any agency of the department.

**Senator Minchin**—The Minister for Veterans' Affairs has provided the following answer to the honourable senator's question:

- (1) \$74,000.



- (2) The purpose of the contract let was to develop and conduct a quarterly Veterans' Satisfaction Survey to evaluate the Department's service capabilities (strengths and weaknesses), flagging opportunities for improvement and identifying priority areas for action. The survey is also a vehicle for testing acceptance of recent initiatives and possible future initiatives and strategies in service delivery within the veteran community.
- (3)(a) Five; and
- (b) five.
- (4) ORIMA Research Pty Ltd.
- (5)(a) The contract price was \$74,000.
- (b) The actual amount expended in 1999/2000 was \$25,000 with the balance to be paid over the life of the contract.

NOTE: In addition to this contract, the Department paid \$15,000 to Centrelink for market testing for the claim form and information sheet for the Aged Persons Savings

Bonus. The contract for the market testing was between Centrelink and ORIMA Research Pty Ltd.

### **Environment and Heritage Portfolio: Executive Agencies**

#### **(Question No. 3403)**

**Senator O'Brien** asked the Minister for the Environment and Heritage, upon notice, on 31 January 2001:

- (1) How many executive agencies are there in the Minister's portfolio.
- (2) In each case: (a) when was the executive agency established; (b) why was the agency established; and (c) what was the cost of establishing the agency.
- (3) In each case, can a breakdown of all costs incurred in establishing the executive agency be provided, including accommodation, human resources (including payroll management) and information technology resources.
- (4) In each case, have any corresponding savings been identified by the department from the establishment of the executive agency.
- (5) In each case, what is the public benefit flowing from the establishment of the executive agency.

**Senator Hill**—The answer to the honourable senator's question is as follows:

- (1) There are two executive agencies in the Environment and Heritage portfolio, the Australian Greenhouse Office and the National Oceans Office.
- (2) Australian Greenhouse Office:
  - (a) 4 March 2000.
  - (b) The Australian Greenhouse Office was established to provide advice to Government as the lead Commonwealth agency on greenhouse with a whole-of-government perspective, consulting across portfolios as necessary. That responsibility accords with the intent of creating executive agencies.
  - (c) At the time it became an executive agency on 4 March 2000 the Australian Greenhouse Office had been a prescribed agency within Environment Australia for approximately two years. The infrastructure costs had therefore already been established and there were no additional costs in becoming an executive agency. Following its establishment as an executive agency, the Minister for Finance and Administration separately approved the Australian Greenhouse Office receiving its own appropriations. The Australian Greenhouse Office was classified as a material agency with monthly reporting to the Department of Finance and Administration because of the size of its budget.

National Oceans Office:

- (a) 22 December 1999.
- (b) The National Oceans Office was established to enable a whole of government approach to be applied to Oceans Policy and Regional Marine Planning.
- (c) Prior to becoming an Executive Agency on 22 December 1999, the functions of the National Oceans Office were managed by the Marine Group within Environment Australia. The only

additional costs in becoming an Executive Agency related to legal advice costing \$8,024. Following its establishment as an Executive Agency, the Minister for Finance and Administration separately approved the National Oceans Office receiving its own appropriations.

- (3) Australian Greenhouse Office:  
There were no additional costs incurred in establishing the Australian Greenhouse Office as an executive agency. Response to Question 2(c) above refers.  
National Oceans Office:  
The additional cost of establishing the Office as an executive agency was \$8,024 for legal advice sought from the Australian Government Solicitor.
- (4) Australian Greenhouse Office:  
No.  
National Oceans Office:  
No.
- (5) Australian Greenhouse Office:  
To provide a whole-of-government approach to Australia's national and international response to greenhouse issues.  
National Oceans Office:  
The National Oceans Office will enable a whole of government approach to implementing and identifying arrangements that will put Australia in a strong position to protect and sustainably manage its ocean resources.

**Communications, Information Technology and the Arts Portfolio: Executive Agencies  
(Question No. 3404)**

**Senator O'Brien** asked the Minister for Communications, Information Technology and the Arts, upon notice, on 31 January 2001:

- (1) How many executive agencies are there in the Minister's portfolio.
- (2) In each case: (a) when was the executive agency established; (b) why was the agency established; and (c) what was the cost of establishing the agency.
- (3) In each case can a breakdown of all costs incurred in establishing the executive agency be provided, including accommodation, human resources (including payroll management) and information technology resources.
- (4) In each case, have any corresponding savings been identified by the department from the establishment of the executive agency.
- (5) In each case, what is the public benefit flowing from the establishment of the executive agency.

**Senator Alston**—The answer to the honourable senator's question is as follows:

- (1) There is one executive agency in the Ministers' portfolio;
- (2) (a) The National Office for the Information Economy (NOIE) was established as an executive agency on 18 October 2000.  
(b) Previously situated in the Department of Communications, Information Technology and the Arts, it had played a vital role in the development and coordination of government policy relating to the information economy and the promotion of the benefits of online technologies to business and the community. NOIE was established as an executive agency to further strengthen its whole-of-government role.  
(c) There has been no additional appropriation made to establish NOIE as an executive agency.
- (3) N/A.
- (4) No.
- (5) NOIE's functions cross portfolio lines, making it an appropriate body for establishment as an executive agency with attendant flexibility in management arrangements. Establishment as an executive agency increases NOIE's effectiveness in:
  - developing and coordinating advice to the Government on information economy issues;

- marketing both domestically and internationally, the benefits of, and Australia's position in, the information economy;
- advising the Government on the application of new technology to government administration, information and service provision;
- assisting business and Government agencies to deliver services online; and
- ensuring the consistency of the Government's position relating to information economy issues in relevant international fora.

**Attorney-General's Portfolio: Executive Agencies**  
**(Question Nos 3411 and 3414)**

**Senator O'Brien** asked the Minister representing the Attorney-General, upon notice, on 31 January 2001:

- (1) How many executive agencies are there in the Minister's portfolio.
- (2) In each case: (a) when was the executive agency established; (b) why was the agency established; and (c) what was the cost of establishing the agency.
- (3) In each case, can a breakdown of all costs incurred in establishing the executive agency be provided, including accommodation, human resources (including payroll management) and information technology resources.
- (4) In each case, have any corresponding savings been identified by the department from the establishment of the executive agency.
- (5) In each case, what is the public benefit flowing from the establishment of the executive agency.

**Senator Ellison**—The Attorney-General has provided the following answer to the honourable senator's question:

- (1) In the Attorney-General's portfolio there are two executive agencies: CrimTrac and the Insolvency and Trustee Service Australia.
- (2) **CrimTrac**
  - (a) 1 July 2000.
  - (b) The CrimTrac agency was established to implement the Federal Government's commitment, prior to the 1998 election to provide \$50m over 3 years to establishing CrimTrac, a national crime information system. The election policy stated that 'CrimTrac will allow police forces across Australia to speedily access and share information to solve crimes and catch criminals.' It further promised that CrimTrac would include details on fingerprints, domestic violence and apprehended violence orders, firearm licences, stolen vehicle information; and DNA; and a national child sex offender database.

The CrimTrac initiative and the establishment of the CrimTrac agency has the support of all Australian Police Ministers, through the Australasian Police Ministers Council and an Inter-Governmental Agreement exists, governing its ongoing activities.

The CrimTrac Agency replaced the National Exchange of Police Information (NEPI) a former national common police service on 1 July 2000, and has a significant program to modernise and revitalise systems formerly provided by NEPI and create new CrimTrac systems for more effective police information sharing.
  - (c) The cost to the Commonwealth was negligible as the cost of the transition project to close down the previous organisation, NEPI, in Sydney and to establish CrimTrac was approximately \$2m but was funded by the jurisdictions with remaining NEPI funds.

**Insolvency and Trustee Service Australia (ITSA)**

- (a) 1 July 2000.
- (b) ITSA was established as an independent executive agency because its activities are essentially operational and thus not naturally aligned with those of the rest of the Attorney-General's Department, which has a policy focus. Separation of ITSA from the Department was seen as one of a series of measures to re-affirm the Department's identity and influence in government as a policy Department. Moreover, independence enables ITSA to focus on its particular role of administering and regulating the personal insolvency system in Australia and giving effect to

the statutory role of the Official Trustee under the Proceeds of Crime Act 1987 and the Customs Act 1901, and other special trustee services to Government agencies.

- (c) At 9 February 2001 the cost of establishing ITSA as an independent agency totalled approximately \$195,000. That amount does not include the cost of acquisition of some information technology hardware, software and communications necessary for ITSA to handle its own IT requirements independently of the Attorney-General's Department. The transfer of IT responsibilities is not expected to be completed until June 2001 and full set-up costs are not yet known.

(3) **CrimTrac**

Refer to the response to question 2(c) above.

**Insolvency and Trustee Service Australia**

- project management and specialist finance services until appointment of a Chief Finance Officer; \$115,400
- the acquisition of a separate PABX facility for voice and telephonic services in Canberra (approximately); \$71,000
- the acquisition and installation of two computer terminals providing dedicated connections to the Department of Finance and Administration AIMS and the Reserve Bank RESLINK service; \$4,640
- development of Chief Executive instructions. \$3,955

(4) **CrimTrac**

Not applicable.

**Insolvency and Trustee Service Australia**

Establishment costs have been funded from within existing resources.

(5) **CrimTrac**

CrimTrac was established to enhance Australian law enforcement with intelligence-based policing being facilitated through rapid access to detailed, current and accurate police information. Two of the new CrimTrac systems are close to completion in the new National Automated Fingerprint Identification System (NAFIS) and the National Criminal Investigation DNA Database (NCIDD). A third new system, to provide rapid access to operational policing information nationally, is at concept and consultation stage.

**Insolvency and Trustee Service Australia**

As indicated in the answer to Question 2(b) above, establishing ITSA as an executive agency is producing a public benefit on two fronts: the Attorney-General's Department being able to better concentrate on law and justice policies and ITSA being able to better concentrate on its personal insolvency and related roles.

**Aboriginal Legal Services: Commonwealth Funding**

**(Question No. 3429)**

**Senator Forshaw** asked the Minister representing the Attorney-General, upon notice, on 20 February 2001:

- (1) Please provide a table showing the following details:
- (a) a list of organisations providing specialist Aboriginal legal services which receive Commonwealth funding;
  - (b) the location of each such organisation;
  - (c) under which Commonwealth program or programs each such organisation is funded; and
  - (d) how much Commonwealth funding from each Commonwealth program each such organisation: (i) received in the 1998-99 financial year; (ii) received in the 1999-2000 financial year; (iii) is projected to receive in the 2000-01 financial year; and (iv) is projected to receive in the 2001-02 financial year.
- (2) Have changes to funding of such organisations resulted in the need for services previously provided by such organisations to be outsourced; if so, how are the services previously provided by such organisations now being provided.

- (3) Has the Commonwealth made any request or representation to any such organisation suggesting that its services should be outsourced; if so, what has been the substance of those requests or representations.

**Senator Hill**—The Minister for Reconciliation and Aboriginal and Torres Strait Islander Affairs has provided the following information in response to the honourable senator's question:

ATSIC provides annual operational funding to a network of 25 Aboriginal and Torres Strait Islander Legal Services (ATSILS), who provide legal aid and a range of associated culturally appropriate services in 96 service sites, the majority of which cover remote Regional Australia where mainstream Legal Aid Commissions/Community Legal Services generally do not have a presence.

ATSIC provides the funding from its annual global appropriation. In the 99/00 ATSIC Annual Report, at page 76 under ATSIC's Output 222 Legal and Preventative Services, there is an extensive outline of the performance of the ATSILS and associated initiatives of other organisations funded under this output. As of 1 July 2000, ATSIC has revised its external Program/Output reporting structure and the future reporting of the legal aid output element will be found in Annual Reports under the new Advancement of Indigenous Rights and Equity Output group.

Locations of ATSILS offices and sub offices as well as ATSIC funding to ATSILS from 1998/99 to 2000/01 for the provision of legal aid services are at Attachments A1- A6. Funding for subsequent years has not as yet been determined as the ATSIC Board is not due to formulate next year's estimates until April 2001 for the Minister's subsequent consideration after the government's budget is handed down in May.

The current funding levels will be increased as a result of the recent Treasurer's announcement (Press Release No 22 of 31/3) to provide additional funding to Aboriginal Organisations who are affected by the amendment to the FBT legislation with respect to the capping of salary packages by Public Benevolent Institutions. Officials from various agencies are currently formulating the mechanics of calculating and disbursing this additional funding. It is expected however that such extra funding for the last quarter for 2000/01 will not be actually released to organisations until early in the 2001/02 financial year. The Aboriginal and Torres Strait Islander Legal Services have been informed of these arrangements.

It is also foreshadowed that current 00/01 funding levels (adjusted for FBT impact) to ATSILS are expected to remain the same except for an annual inflator adjustment.

Under the 99/00 Output 222, the total expenditure by ATSIC was \$58.787m. Of this the ATSILS received \$37.159m for the provision of legal aid services. In addition to the funding of 25 ATSILS to provide legal aid, ATSIC also funded:

- Two Legal Services Secretariats to advocate on broader Law and Justice issues,
- Two Deaths in Custody Watch Committee,
- Five Aboriginal Justice Advisory Committees,
- The establishment of twelve Family Violence Prevention Units, and
- Various Prevention Diversion and Rehabilitation initiatives including the successful Night Patrols in some Aboriginal communities.

In regard to outsourcing, ATSIC's Program funding for a range of service delivery (including legal aid) is generally provided to Indigenous-owned community organisations. Consequently these organisations are in essence third party service providers and therefore ATSIC contends that its service delivery is already outsourced (to third party service providers).

As the funder of third party service providers ATSIC continually strives to achieve efficiency and enhanced quality of services being delivered to its constituency. In 1996, the ATSIC elected arm of NSW determined that the provision of legal aid services in NSW should be 'Regionalised' thus providing greater accountability to the Regional Councils by the ATSILS. At the same time ATSIC took into account general government policy in regard to outsourcing and contestability considerations. This resulted in a state-wide tender process for the provision of culturally appropriate legal aid services to Indigenous people in NSW.

The tender assessment resulted in six Aboriginal organisations being selected to provide legal aid services. They continue to do so to the present time and are likely to do so in the immediate future. The

ability to provide culturally appropriate effective services and cost efficiencies were two primary criteria in the assessment of the tenders which included responses from mainstream legal firms.

To date the NSW competitive tendering arrangements for the provision of regionalised legal aid services has not been expanded to other States. However the continued operational financing of all ATSILS is subject to a rigorous annual assessment of submissions from applicants to ensure that the legal aid providers have the corporate governance and administrative capacity and infrastructure to provide quality and culturally appropriate legal aid services to Indigenous people. This process in itself is a form of competitive consideration for the provision of culturally appropriate services.

ATSIC's priority at this stage for existing ATSILS has been to implement a range of reforms which includes the adoption by ATSILS of national minimum and Best Practice service standards and associated quality service initiatives. ATSIC has reported regularly to Cabinet on these reforms, which are consistent with and in some cases exceed reforms to the mainstream legal aid sector introduced by this government.

More details on the progress of reforms being effected to ensure enhanced quality service delivery by the ATSILS can be found in ATSIC's 99/00 Annual report, pages 76-90. As foreshadowed in the report, ATSIC has undertaken a study of the contestability continuum.

To date only one existing Indigenous legal aid provider has been formally advised that outsourcing, i.e. a contestable tender process, may be considered in future. This is the Aboriginal Legal Rights Movement in South Australia. Natural Justice and Administrative Law principles require that ATSIC give current providers adequate notice of such possible consideration.

This consideration in South Australia is a direct result of the South Australian ATSIC elected arm wishing to consider all options for the provision of legal aid services to its constituency.

If a tender process is determined for South Australia the existing provider, ALRM, would be able to submit a tender.

#### **Attachment A1**

ATSILS/LOCATION(S)	1998/99	1999/2000	FUNDED 2000/01
NEW SOUTH WALES			
MANY RIVERS ABORIGINAL LEGAL SERVICE	1,654,939.00	1,708,289.00	1,626,048.00
Head Office: Grafton			
Branches: Taree			
Newcastle			
Kempsey			
Lismore			
Coffs Harbour			
ATSIC Office – Lismore RO			
KAMILAROI ABORIGINAL LEGAL SERVICE	1,147,083.00	968,609.00	938,998.00
Head Office: Armidale			
Branches: Moree			
Tamworth			
ATSIC Office – Tamworth RO			
SOUTH EASTERN ABORIGINAL LEGAL SERVICES (SEALS)			
Head Office: Nowra	0.00	548,194.00	895,451.00
Branches: Canberra			

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ATSILS/LOCATION(S)	1998/99	1999/2000	FUNDED 2000/01
Moruya ATSIC Office – Queanbeyan RO			
SYDNEY REGIONAL ABORIGINAL CORPORATION LEGAL SERVICE (SRACLS) Head Office: Sydney Branch: Wollongong Liverpool Campbelltown Blacktown ATSIC Office – Sydney RO	3,049,467.00	2,665,154.00	2,261,314.00
WESTERN ABORIGINAL LEGAL SERVICE Head Office : Dubbo Branches: Bourke Broken Hill Walgett ATSIC Office – Wagga Wagga RO	1,541,419.00	1,722,897.00	1,719,242.00
CAC (WIRADJURI) ABORIGINAL LEGAL SERVICE  Head Off: Wagga Wagga Branches: Cowra Griffith ATSIC Office – Wagga Wagga RO	1,389,154.00	1,385,945.00	1,200,926.00
NSW TOTALS	8,782,062.00	8,999,088.00	8,641,979.00
Attachment A2			
NORTHERN TERRITORY			
	1998/99	1999/2000	2000/01
NORTH AUSTRALIAN ABORIGINAL LEGAL AID SERVICE (NAALAS) Head Office: Darwin ATSIC Office – Darwin RO	2,389,851.00	2,197,218.00	2,179,769.00
KATHERINE REGIONAL ABORIGINAL LEGAL AID SERVICE INCORPORATED (KRALAS) Head Off: Katherine ATSIC Office – Katherine RO	700,860.00	696,771.00	784,048.00

ATSILS/LOCATION(S)	1998/99	1999/2000	FUNDED 2000/01
CENTRAL AUSTRALIAN ABORIGINAL LEGAL AID SERVICE INCORPORATED (CAALAS)	2,006,594.00	1,848,200.00	1,836,338.00
HO: Alice Springs			
Branch: Tennant Creek			
ATSIC Office – Alice Springs RO			
MIWATJ ABORIGINAL LEGAL SERVICE	352,900.00	352,900.00	332,819.00
HO : Nhulunbuy			
ATSIC Office – Nhulunbuy RO			
Northern Territory TOTALS	5,450,205.00	5,095,089.00	5,132,974.00
			Attachment A3
QUEENSLAND			
ABORIGINAL & TORRES STRAIT ISLANDER CORPORATION FOR LEGAL SERVICES(QEA)	2,049,586.00	2,059,394.00	2,092,284.00
Head Office: Brisbane			
Branch: Beenleigh			
ATSIC Office – Brisbane RO			
IPSWICH REGIONAL ABORIGINAL AND TORRES STRAIT ISLANDER CORPORATION FOR LEGAL SERVICES	597,558.00	616,660.00	595,014.00
Head Office: Ipswich			
ATSIC Office – Brisbane RO			
ABORIGINAL & TORRES STRAIT ISLANDERS CORPORATION FOR LEGAL SERVICES (QEC)	1,174,649.00	1,263,431.00	1,174,972.00
HO: Rockhampton			
Branch: Bundaberg			
Hervey Bay			
ATSIC Office – Rockhampton RO			
MACKAY & DISTRICTS ABORIGINAL AND TORRES STRAIT ISLANDER CORPORATION FOR LEGAL AID SERVICES	1,130,004.00	769,112.00	404,521.00
Head Office: Mackay			
Branch: Bowen			
ATSIC Office – Townsville RO			
WEST QLD ABORIGINAL AND TORRES STRAIT ISLANDER CORP FOR LEGAL AID	881,053.00	831,052.00	843,517.00



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ATSILS/LOCATION(S)	1998/99	1999/2000	FUNDED 2000/01
Head Office: Mt Isa Branch: Normanton Doomadgee Mornington Is ATSIC Office – Mt Isa			
ABORIGINAL & TORRES STRAIT ISLANDER COMMUNITY LEGAL SERVICE (Townsville & Sur- rounds)	0.00	722,923.00	882,787.00
Head Office: Townsville Branch: Ayr Charters Towers Ingham Palm Island ATSIC Office – Townsville			
			Attachment A4
NJIKU JOWAN LEGAL SERVICE Head Office: Cairns Branches: Mossman TASIC Office – Cairns RO	924,604.00	924,604.00	956,649.00
THARPUNTOO LEGAL SERVICE ABORIGINAL CORPORATION	954,986.00	934,986.00	918,561.00
Head Office: Cairns ATSIC Office – Cairns RO			
BIDJARA & SOUTH WEST QLD ABORIGINAL CORP	866,000.00	878,990.00	878,990.00
Head Office: Charleville Branch: Cunnamulla Roma Mitchell Quilpie ATSIC Office – Roma RO			
SOUTH EAST QLD ABORIGINAL CORP FOR LEGAL SERVICE (SEQ)	998,800.00	1,051,179.00	1,000,000.00
HO: Toowoomba Branches: Chinchilla St George Warwick ATSIC Office – Roma RO			

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ATSILS/LOCATION(S)				FUNDED		
				1998/99	1999/2000	2000/01
WAKKA WAKKA LEGAL ABORIGINAL CORP				978,382.00	846,307.00	826,773.00
Head Office: Murgon						
ASTIC Office – Roma RO						
Queensland TOTALS				10,555,622.00	10,898,638.00	10,594,068.00
						Attachment A5
SOUTH AUSTRALIA						
ABORIGINAL	LEGAL	RIGHTS	MOVEMENT	3,477,500.00	3,408,923.00	3,338,237.00
INCORPORATED (ALRM)						
Head Office: Adelaide						
Branches: Ceduna						
Murray Bridge						
Pt Augusta						
Pt Lincoln						
Coober Pedy						
ATSIC Office – Adelaide RO						
South Australia TOTALS				3,477,500.00	3,408,923.00	3,338,237.00
TASMANIA						
TASMANIAN ABORIGINAL CENTRE INCORPORATED				924,714.00	948,272.00	933,851.00
Head Office: Hobart						
Branches: Launceston						
Burnie						
ATSIC Office – Hobart RO						
Tasmania TOTALS				924,714.00	948,272.00	933,851.00
VICTORIA						
VICTORIAN ABORIGINAL LEGAL SERVICE COOPERATIVE LTD (VALS)						
Head Office: Melbourne				2,129,100.00	2,129,100.00	2,161,036.00
Branches: Bairnsdale						

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ATSILS/LOCATION(S)	1998/99	1999/2000	FUNDED 2000/01
Shepparton			
Heywood			
Mildura			
Swan Hill			
Morwell			
ATSIC Office – Melbourne RO			
Victoria TOTALS	2,129,100.00	2,129,100.00	2,161,036.00
			Attachment A6
WESTERN AUSTRALIA			
ABORIGINAL LEGAL SERVICES OF WESTERN AUSTRALIA INC (ALSWA)	5,566,700.00	5,679,085.00	5,724,363.00
Head Office: Perth			
Branches: Albany			
Broome			
Carnarvon			
Derby			
Geraldton			
Kalgoorlie			
Newman			
Kununurra			
Roebourne			
Fitzroy Crossing			
Halls Creek			
Laverton			
Meekatharra			
Northam			
Bunbury			
Sth Hedland			
ATSIC Office – Perth RO			
Western Australia TOTAL	5,566,700.00	5,679,085.00	5,724,363.00
NATIONAL TOTAL	36,885,903.00	37,158,195.00	36,526,508.00
Rounded to \$m	\$36.886m	\$37.159m	36.527m

**Mount Nelson: Hostel Development**  
**(Question No. 3431)**

**Senator Brown** asked the Minister for the Environment and Heritage, upon notice, on 23 February 2001:

- (1) Is the Minister aware that a proposed hostel development approved by Hobart City Council on 6 February 2001 threatens nesting and feeding sites of the endangered swift parrot?
- (2) What other species or communities are threatened?
- (3) What action will the Minister take to protect this important habitat?

**Senator Hill**—The answer to the honourable senator's question is as follows:

- (1) I am aware of the decision by Hobart City Council to sell land on Mount Nelson for the purpose of an aged care hostel. I am advised that the land supports a stand of *Eucalyptus ovata* which is an important food tree for the endangered swift parrot. These feed trees are within 500 metres of nest sites for the parrots.
- (2) There are no endangered ecological communities in the area. On the information available to me, I am not able to advise whether the proposed development is likely to affect any nationally threatened species.
- (3) The Environment Protection and Biodiversity Conservation Act 1999 provides that an action that has, will have, or is likely to have a significant impact on a nationally threatened species (or another matter of national environmental significance) requires approval from the Federal Environment Minister.

My Department has written to Hobart City Council advising them of the provisions of the Act. However, sale of the land by itself would not require my approval. When and if a firm proposal is made to develop the site, the proponent will need to refer the project to me if it is likely to have a significant impact on the Swift Parrot (or any other matter of national environmental significance).

**Spotted Handfish: Tasmania**  
**(Question No. 3432)**

**Senator Brown** asked the Minister for the Environment and Heritage, upon notice, on 23 February 2001:

- (a) Has the Minister been approached to protect the spotted handfish in North-West Bay, Tasmania, from possible damage to its habitat due to Forestry Tasmania's Southwood Project and the consequent plan to establish a port at Electrona; and
- (b) what action is being taken to protect this extremely valuable habitat.

**Senator Hill**—The answer to the honourable senator's question is as follows:

- (a) I do not believe I have been approached to protect the Spotted Handfish in North-West Bay, Tasmania, from possible damage to its habitat.  
The proposal to establish the Northwest Bay Electrona Wharf was referred to me under section 68 of the Environment Protection and Biodiversity Conservation Act 1999 and I deemed it not to be a controlled action.
- (b) I am advised that Northwest Bay, in the area to be impacted by the proposal, has not been identified as Spotted Handfish habitat.

**Education: Graduate Skills**  
**(Question No. 3437)**

**Senator Allison** asked the Minister representing the Minister for Education, Training and Youth Affairs, upon notice, on 26 February 2001:

- (1) What action has been or is proposed to be taken by the Government in response to the Employer Satisfaction with Graduate Skills report by AC Nielsen in January 2000, in relation to the problem areas identified of critical thinking and oral communication.
- (2) Has the Government considered designating a National Speech/Communication Day, as suggested by Mr Richard Kidby (in a letter to the Minister, 25 August 2000) and supported by the English Speaking Union.

**Senator Ellison**—The Minister for Education, Training and Youth Affairs has provided the following answer to the honourable senator's question:

- (1) Employer satisfaction with graduate skills has been an issue for universities for some time. In the AC Nielsen Report, the greatest skill deficiencies identified among new graduates were in the areas of creativity and flair, oral business communications, and problem solving. The skill deficiencies most commonly cited by employers were lack of communication skills, lack of interpersonal skills, and lack of understanding of business practice.

The Government has approached this in two ways.

- All universities are required to prepare Quality Plans for the annual profiles discussions. These plans are expected to include a description of graduate attributes, feedback from employers on the quality of graduates, and outcomes data on the employment of recent graduates. Much of the data is derived from the Graduate Destination Survey and Course Experience Questionnaire. These are annual surveys funded by the Commonwealth and conducted by the Graduate Careers Council of Australia.
- The Commonwealth has funded development of the Graduate Skills Assessment Instrument to measure generic skills of graduates in the dimensions of written communication, critical thinking, problem solving and interpersonal understanding. The Australian Council for Educational Research has undertaken Stage One of this project. Tenders for Stage Two of the project were advertised in March 2001.

- (2) The Minister received a request from Mr Kidby, in a letter dated 25 August 2000, asking that a National Speech and Communication Day be established. Mr Kidby's request has been considered.

The Government considers that its establishment of National Literacy and Numeracy Week, in collaboration with the States and Territories, meets the need to ensure adequate recognition of the excellent work being done in schools to further the development of appropriate literacy and numeracy skills for all Australian children.

National Literacy and Numeracy Week seeks to provide opportunities for schools and communities to communicate and celebrate a wide range of initiatives in the areas of literacy and numeracy, including speech and communication.

### **Nuclear Disarmament (Question No. 3445)**

**Senator Bourne** asked the Minister representing the Minister for Foreign Affairs, upon notice, on 27 February 2001:

- (1) (a) Does the Government support an unequivocal undertaking by the nuclear weapon states to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament;
- (b) how high a priority does the Government attach to this goal and what steps will it take in order to ensure progress toward this goal;
- (c) can the Minister comment on how the deployment of a national missile defence (NMD) affects progress toward that goal; and
- (d) if the deployment of NMD might negatively affect progress towards the total elimination of nuclear weapons, will the government still support NMD?
- (2) What effect would the use of the Pine Gap joint facilities for NMD testing or operational purposes be likely to affect: (a) progress towards the total and unequivocal elimination of nuclear arsenals; (b) the preserving and strengthening of the Treaty on the Limitation of Anti-Ballistic Missile (ABM) Systems as a cornerstone of strategic stability and as a basis for further reductions of strategic stability and as a basis for further reductions of strategic offensive weapons in accordance with its provisions?
- (3) What discussions have already taken place between Australia and the United States (US) administration over Australian participation in NMD and theater missile defence (TMD)?
- (4) Is it the Government's assessment that if Australia did not cooperate with NMD, Pine Gap would be closed; if so, on what evidence is this assessment based; and if it is the case that Pine Gap might close if Australia did not cooperate in NMD, then what would happen to the supposedly vital functions that have taken place at Pine Gap to date?
- (5) (a) What steps have been taken so far toward replacement of the Defence Support Program (DSP) satellite system with a Space-Based Infrared Radar System (SBIRS).

- (b) have funds been allocated for SBIRS related changes and can the Government comment on a report in Flight International of 22 to 28 August 2000, p.23, to the effect that Australia has already budgeted for an SBIRS ground station.
- (c) can the Minister state in detail what changes will be required at the Pine Gap facility to accommodate these changes to SBIRS.
- (d) what discussions has the Government entered into over these changes.
- (e) what steps will the Government take to ensure that any changes made to accommodate SBIRS will not violate the provisions of the ABM Treaty, especially with respect to the deployment of SBIRS-Low.
- (f) if the US proceeds with deployment of an NMD system, what steps will the government take to ensure positively that no operations take place at the joint facilities that are in violation of the ABM Treaty.
- (g) can the Minister assure the Senate that no operation at the joint facilities will ever be allowed to violate the ABM Treaty; and
- (h) will the government allow NMD-related operations to take place at Pine Gap if NMD can be deployed only by the abrogation of the ABM Treaty?
- (6) (a) What discussions, if any, has the Australian Government entered into with China over the possible deployment of NMD or TMD;
- (b) what is the Government's response to Chinese statements that China may upgrade its strategic nuclear forces to safeguard its second-strike nuclear capability against NMD; and
- (c) what will be the Government's response if this takes the form of an increase in Chinese land-based inter-continental ballistic missile forces from 20 to 200 missiles?

**Senator Hill**—The Minister for Foreign Affairs has provided the following answer to the honourable senator's question:

The Minister for Defence provided advice on those issues which fall directly under his portfolio responsibility:

Note - I have 3 changes to - Senator's question. - senator's question:

- (1) (a) Yes. This undertaking was part of the package of nuclear disarmament measures agreed to by all Nuclear Non-Proliferation Treaty (NPT) parties at the 2000 NPT review conference. In his media release on the review conference the Minister for Foreign Affairs stated "I particularly welcome the unequivocal commitment of the Nuclear Weapon States to the total elimination of their nuclear arsenals".
- (b) The Government places a high priority on further progress towards nuclear disarmament, but accepts the political reality that reductions in nuclear weapons – leading to a world free of them – will only be achieved through a series of incremental and reinforcing steps.

The Government is committed to full implementation of the outcomes of the 2000 NPT Review Conference, including the package of nuclear disarmament measures. At the 2000 UN General Assembly, Australia was pleased to support the Algerian NPT resolution, the "New Agenda" resolution, and the Japanese nuclear disarmament resolution (which we co-sponsored), all of which helped lock in the NPT review conference outcomes.

The Government believes that for the present the primary responsibility for nuclear disarmament lies with the two states with the largest nuclear arsenals – the United States and Russia.

The Government will continue to make clear to the United States and Russia its expectation of further action towards the elimination of nuclear weapons. The Government also welcomes and encourages unilateral nuclear disarmament action taken by the smaller nuclear weapon states.

An effective non-proliferation regime is essential to further progress towards nuclear disarmament. The Government will continue its active support for the vitally important reinforcing steps through which all countries can contribute to an environment favourable for nuclear weapons elimination.

Australia is a strong supporter of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) and will continue to work to secure CTBT entry into force. In late 2000, Australian posts overseas made a further round of representations to key countries urging early signature/ratification of the CTBT. Australia took the lead in tabling the CTBT resolution adopted by an overwhelming majority at last year's UN General Assembly. Australia is taking an active role in arrangements for a high-level conference to be held in New York in September to promote CTBT entry into force.

The Government will continue to press for an immediate start to negotiation of a Fissile Material Cut-off Treaty (FMCT) to ban the production of fissile material for nuclear weapons. Pending a start to negotiations the Government is working on a number of issues that will arise in the context of negotiating an FMCT, including an approach to verification. The Government will also continue its efforts to achieve universal application of the Additional Protocol developed to strengthen the International Atomic Energy Agency safeguards system.

- (c) No. It would be premature to speculate on the impact national missile defence (NMD) could have on progress towards disarmament. The United States is yet to take firm decisions on the type of missile defence system it intends pursuing, but has made it clear that it is committed to consulting its allies and other key states, notably China and Russia, on its missile defence plans.
- (d) The Government is not prepared to speculate on hypothetical situations.
- (2) (a) The Joint Defence Facility at Pine Gap has supported and continues to support arms control and treaty verification initiatives. We expect these critically important functions will remain regardless of the progress of NMD development. See also response to 1(c).
- (b) See response to (2)(a).
- (3) There have been many discussions at both the Ministerial and officials level with the US over the years on Australian participation in ballistic missile early warning. There have been no discussions between the Australian Government and the new US Administration on possible Australian participation in NMD and TMD programs.
- (4) See answer to part (3) above
- (5) (a) The numerous elements of the Space-Based Infra-Red System (SBIRS) are in the design, construction and/or testing phase.
- (b) No. The funds referred to are for the procurement of SBIRS research equipment for Defence.
- (c) No changes are under consideration.
- (d) See response to (5)(c).
- (e) The ballistic missile early warning function supported by the Relay Ground Station Pine Gap is not in violation of the Anti-Ballistic Missile Treaty. Given the undeveloped nature of the program, commenting on SBIRS Low is speculative.
- (f) (g) and (h) The Government will not speculate on hypothetical situations.
- (6) (a) The Government has discussed these, and other security issues, in regional as well as bilateral dialogues. The Defence Minister, Mr Reith also discussed NMD during his recent visit to China.
- (b) and (c) Australia has a strong interest in healthy bilateral relations with China, and with continuing to manage any differences in a sensible and forthright way. We have urged China to avoid contributing both to vertical and horizontal missile proliferation and other activities which may undermine strategic stability. However, differences over missile defence and matters relating to force modernisation and the strategic balance are essentially for China to work through with the United States, rather than Australia.

#### **Department of Transport and Regional Services: Fleet Vehicles**

##### **(Question No. 3447)**

**Senator Allison** asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 26 February 2001:

With reference to the fuel efficiency of the Departmental fleet:

- (1) How many cars does the department have in its fleet.
- (2) (a)How many new cars will be purchased or leased in the 2000-01 financial year; and (b) can details be provided of the make, size and horsepower.
- (3) (a)How many new cars were purchased or leased in the 1999-2000 financial year; and (b) can details be provided of the make, size and horsepower.
- (4) How many cars in the fleet are fuelled by liquid petroleum gas (LPG), compressed natural gas (CNG) and petrol.
- (5) Does the agency use its own LPG or CNG refuelling stations; if so, how many are there of these.
- (6) Does the agency have a policy or strategy to reduce the fuel consumption of its car fleet, if so, can details be provided.
- (7) What is the fuel efficiency rating of all cars in the fleet.
- (8) How does the actual fuel consumption and mileage compare with that rating.
- (9) Nationally, what operating savings would have been achieved for the 1999-2000 financial year if all cars in the fleet were run on (a) LPG; and (b) CNG.

**Senator Ian Macdonald**—The Minister for Transport and Regional Services has provided the following answer to the honourable senator's question:

- (1) 60
- (2) (a)It is expected 23 new vehicles will be leased.  
(b) 2000-2001

Make	Size	kWs
Ford	Upper medium	157kW
Holden	Upper medium	152kW
Holden	Upper medium	147kW
Holden	Medium	104kW
Mitsubishi	Upper medium	163kW
Mitsubishi	Upper medium	150kW
Toyota	4 WD	165kW
Toyota	Upper medium	145kW
Toyota	Upper medium	141kW

- (3) (a)36 vehicles were leased  
(b) 1999-2000

Make	Size	kWs
Ford	Upper medium	157kW
Holden	Upper medium	152kW
Holden	Upper medium	147kW
Holden	Medium	104kW
Mitsubishi	Upper medium	150kW
Toyota	Upper medium	141kW
Toyota	Small	85kW
Toyota	Small	63kW

- (4) All vehicles in the fleet are fuelled by petrol.
- (5) No, Not applicable.
- (6) The Department of Transport and Regional Services encourages SES officers to choose 4 cylinder vehicles. As an incentive to encourage the use of more fuel efficient vehicles, an upward salary adjustment will apply in such cases. The salary adjustment will reflect the difference between the benefit limit and the actual annual cost of the vehicle.
- (7)

Make	Size	Fuel Efficiency rating
Ford	Upper medium	14



Make	Size	Fuel Efficiency rating
Holden	Upper medium	12
Holden	Upper medium	12
Holden	Medium	10.5
Mitsubishi	Upper medium	11
Mitsubishi	Upper medium	10.5
Toyota	Upper medium	10.5
Toyota	Small	8
Toyota	Small	6.6

- (8) It compares favourably.
- (9) Dasfleet has advised the monthly lease rates on our 1999-2000 fleet of approximately 60 vehicles, would have been higher had we selected alternate fuel vehicles. This in turn would have largely countered any savings achieved through lower fuel costs. Significant fuel savings from the use of LPG/CNG vehicles are only achieved by high mileage vehicles (eg taxis, police etc). Departmental fleet vehicles do not fall into this high mileage category.

**Department of the Treasury: Fleet Vehicles**  
(Question No. 3448)

**Senator Allison** asked the Minister representing the Treasurer, upon notice, on 26 February 2001:

With reference to the fuel efficiency of the departmental fleet:

- (1) How many cars does the department have in its fleet.
- (2) (a) How many new cars will be purchased or leased in the 2000-01 financial year; and (b) can details be provided of the make, size and horsepower.
- (3) How many new cars were purchased or leased in the 1999-2000 financial year; and (b) can details be provided of the make, size and horsepower.
- (4) How many cars in the fleet are refuelled by liquid petroleum stations; if so, how many are there of these.
- (5) Does the agency use its own LPG or CNG refuelling stations: if so, how many are there of these.
- (6) Does the agency have a policy or strategy to reduce the fuel consumption of its car fleet; if so, can details be provided.
- (7) What is the fuel efficiency rating of all cars in the fleet.
- (8) How does the actual fuel consumption and mileage compare with that rating.
- (9) Nationally, what operating savings would have been achieved for the 1999-2000 financial year if all cars in the fleet were run on: (a) LPG; and (b) CNG.

**Senator Kemp**—The Treasurer has provided the following answer to the honourable senator's question:

- (1) 37
- (2) (a) 16  
(b) Unknown at this stage.
- (3) (a) 28  
(b)

QTY	MAKE	SIZE	HORSEPOWER
8	Holden	6 cylinder	3800cc
8	Ford	6 cylinder	4000cc
7	Mitsubishi	6 cylinder	3500cc
5	Toyota	6 cylinder	3000cc

- (4) None
- (5) N/A

- (6) The Department actively encourages Treasury officers to attend the DASFLEET Driver Training courses, the elements of which include fuel efficient driving practices.
- (7) The average DPIE fuel figure for Treasury's fleet is 11.24.
- (8) The average fuel consumption is 14.75 litres per 100kms. Treasury's actual fuel consumption is slightly higher than the average DPIE fuel figure.
- (9) Not known.

**Department of Communications, Information Technology and the Arts: Fleet Vehicles**

**(Question No. 3449)**

**Senator Allison** asked the Minister for Communications, Information Technology and the Arts, upon notice, on 26 February 2001:

- (1) How many cars does the Department have in its fleet.
- (2) (a) How many new cars will be purchased or leased in the 2000-01 financial year; and (b) can details be provided of the make, size and horsepower.
- (3) How many new cars were purchased or leased in the 1999-2000 financial year; and (b) can the details be provided of make, size and horsepower.
- (4) How many cars in the fleet are fuelled by liquid petroleum gas (LPG), compressed natural gas (CNG) and petrol.
- (5) Does the agency use its own LPG or CNG refuelling stations; if so, how many are there of these.
- (6) Does the agency have a policy or strategy to reduce the fuel consumption of its car fleet; if so can details be provided.
- (7) What is the fuel efficiency rating of all cars in the fleet.
- (8) How does the actual fuel consumption and mileage compare with that rating.
- (9) Nationally, what operating savings would have been achieved for the 1999-2000 financial year if all cars were run on: (a) LPG; and (b) CNG.

**Senator Alston**—The answer to the honourable senator's question is as follows:

- (1) The Department has 46 cars. This includes those of the National Office of Information Economy.
- (2) The Department has purchased no new cars in this period and has no plans to do so save for those on end of lease renewal. 24 vehicles re-leased – 4 x 4 cylinder and 20 x 6 cylinder.
- (3) The Department purchased no new cars in this period save for those on end of lease renewal. 22 vehicles re-leased – 2 x 4 cylinder and 20 x 6 cylinder.
- (4) No vehicles are fuelled by gas. All are petrol driven.
- (5) The Department does not own any refuelling stations
- (6) Nothing over and above general Commonwealth requirement
- (7) 7.6 litres per 100km
- (8) There has been a reduction of 28.4% in fuel consumption on the figures for the previous financial year.
- (9) Fleet too small to warrant LPG leasing

**Department of Defence: Fleet Vehicles**

**(Question No. 3450)**

**Senator Allison** asked the Minister representing the Minister for Defence, upon notice, on 27 February 2001:

- (1) How many cars does the department have in its fleet.
- (2) (a) How many new cars will be purchased or leased in the 2000-01 financial year; and (b) can details be provided of the make, size and horsepower.
- (3) (a) How many new cars were purchased or leased in the 1999-2000 financial year; and (b) can details be provided of the make, size and horsepower.
- (4) How many cars in the fleet are fuelled by liquid petroleum gas (LPG), compressed natural gas (CNG) and petrol.

- (5) Does the agency use its own LPG or CNG refuelling stations; if so, how many are there of these.
- (6) Does the agency have a policy or strategy to reduce the fuel consumption of its car fleet; if so, can details be provided.
- (7) What is the fuel efficiency rating of all cars in the fleet.
- (8) How does the actual fuel consumption and mileage compare with that rating.
- (9) Nationally, what operating savings would have been achieved for the 1999-2000 financial year if all cars in the fleet were run on: (a) LPG; and (b) CNG.

**Senator Minchin**—The Minister of Defence has provided the following answer to the honourable senator's question:

- (1) The Department of Defence currently owns 1763 passenger cars and leases 635 cars through DASFLEET Leasing.
- (2) (a) Planned purchase of cars for the 2000-01 financial year is 897. It is anticipated that by the end of Financial Year 2000/01, half the leased cars (317) will be replaced.  
(b) Purchases will be 8 prestige vehicles, comprising Ford LTDs and Holden Caprices, purchased with V8 engines of 5 or 5.7 litres capacity and power of 195 kW or 225 kW, while the other 889 vehicles will be Holden Commodore Acclaims with 3.8 litre engines and power of 152kW. Leased vehicles will be 56 Ford Falcon, Fairmont, Futura sedans with 157 kW of power output, 21 Ford Futura wagons with 157kW of power output, 94 Holden Acclaim, Berlina, Calais, Commodore sedans with 152kW of power output, 33 Holden Acclaim wagons with 152kW of power output, 6 Holden Vectra sedans with 100kW of power output, 2 Holden Vectra wagons with 100Kw, 38 Mitsubishi Magna sedans with 140 kW of power output, 6 Mitsubishi Verada sedans with 150kW of power output, 3 Toyota Avalon sedans with 145kW of power output, 52 Toyota Camry, Vienta sedans with 141kW of power output and 6 Toyota Corolla sedans with 85kW of power output.
- (3) (a) Purchases of cars in financial year 1999-2000 was 946 with 279 leased.  
(b) Purchased were 12 prestige vehicles, comprising Ford LTDs and Holden Caprices purchased with V8 engines of 5 or 5.7 litres capacity and power of 195 kW or 225 kW while the other 934 vehicles were Holden Commodore Acclaims with 3.8 litre engines and power of 147 or 152 kW. Leased were 46 Ford Falcon, Fairmont, Futura sedans with 157kW of power output, 12 Ford Futura wagons with 157kW of power output, 79 Holden Acclaim, Berlina, Calais, Commodore sedans with 152kW of power output 32 Holden Acclaim wagons with 152kW of power output, 11 Holden Vectra sedans with 100kW of power output, 1 Holden Statesman with 152kW of power output, 33 Mitsubishi Magna sedans with 140kW of power output, 7 Mitsubishi Verada sedans with 150kW of power output and 58 Toyota Camry, Vienta sedans with 145kW of power output.
- (4) No cars in the Defence owned or leased fleet are powered by LPG or CNG.
- (5) No.
- (6) No policy currently exists.
- (7) The Ford LTDs have a city cycle fuel consumption rating of 14L/100 km, the Holden Caprices are rated at 13.5 L/100 km, the Holden Acclaim sedans 11.0 L/100 km and the Holden Acclaim Station Wagons 11.5 L/100 km, Ford Falcon, Fairmont and Futura sedans' 11.5L/100km, Ford Futura wagons 12L/100km, Holden Berlina and Calais sedans 11L/100km, Holden Vectra sedan and wagon 9.5L/100km, Mitsubishi Magna sedan 10L/100km, Mitsubishi Verada sedan 11L/100km, Toyota Avalon sedan 11.5L/100km, Toyota Camry, Vienta sedans 10L/100km and Toyota Corolla sedan 8.5L/100km.
- (8) Fuel consumption data has been sampled for Holden Commodore Sedans and the average fuel consumption since Jul 00 is 9 litres per 100 km. This data is from a mix of locations and includes highway as well as city cycle driving. DASFLEET is unable to provide accurate data on actual fuel consumption against distance travelled.
- (9) The GMH-A recommended retail cost of factory fitted dual fuel (LPG /ULP) systems is \$2,394. Added to this would be the opportunity cost on capital invested. Studies of leased national fleets across Australia, indicate that cars must travel over 80000km on LPG before this option becomes

financially viable. As DASFLEET vehicles are on a 2 year/40000km option, the costs to Defence of leasing vehicles on either LPG or CNG would be higher than petrol driven cars.

**Department of Finance and Administration: Fleet Vehicles**

**(Question No. 3452)**

**Senator Allison** asked the Minister representing the Minister for Finance and Administration, upon notice, on 27 February 2001.

- (1) How many cars does the department have in its fleet.
- (2) (a) How many new cars will be purchased or leased in the 2000-01 financial year; and (b) can details be provided of the make, size and horsepower.
- (3) (a) How many new cars were purchased or leased in the 1999-2000 financial year; and (b) can details be provided of the make, size and horsepower.
- (4) How many cars in the fleet are fuelled by liquid petroleum gas (LPG), compressed natural gas (CNG) and petrol.
- (5) Does the agency use its own LPG or CNG refuelling stations; if so, how many are there of these.
- (6) Does the agency have a policy or strategy to reduce the fuel consumption of its car fleet; if so, can details be provided.
- (7) What is the fuel efficiency rating of all cars in the fleet.
- (8) How does the actual fuel consumption and mileage compare with the rating.
- (9) Nationally, what operating savings would have been achieved for the 1999-2000 financial year if all cars in the fleet were run on: (a) LPG; and (b) CNG.

**Senator Kemp**—The Acting Minister for Finance and Administration has supplied the following answer to the honourable senator's question:

- (1) The Department had 57 cars in its fleet as at 27 February 2001.
- (2) (a) Leases for 14 were commenced in the 2000/2001 financial year to 27 February 2001.
- (b) —

Number	Make	Size	Horsepower/ Engine Capacity
7	Holden Commodore Acclaim	6 Cylinder	3.8 litre
1	Holden Commodore Berlina	6 Cylinder	3.8 litre
2	Ford Falcon Futura	6 Cylinder	4 litre
1	Ford Falcon S	6 Cylinder	4 litre
1	Toyota Avalon Grande	6 Cylinder	3 litre
1	Toyota Avalon CSX	6 Cylinder	3 litre
1	Mitsubishi Magna Verada	6 Cylinder	3.5 litre

- (3) (a) Leases for 41 cars were commenced in the 1999/2000 financial year.

(b) —

Number	Make	Size	Horsepower/ Engine Capacity
17	Holden Commodore Acclaim	6 Cylinder	3.8 litre
3	Holden Commodore Berlina	6 Cylinder	3.8 litre
3	Holden Commodore Executive	6 Cylinder	3.8 litre
8	Ford Falcon Futura	6 Cylinder	4 litre
1	Ford Fairmont	6 Cylinder	4 litre
1	Ford Falcon S	6 Cylinder	4 litre
3	Toyota Camry Conquest	4 Cylinder	3 litre
2	Toyota Camry Touring	4 Cylinder	3 litre

Number	Make	Size	Horsepower/ Engine Capacity
1	Toyota Camry Vienta Grande	6 Cylinder	3 litre
1	Mitsubishi Magna Verada	6 Cylinder	3.5 litre
1	Chrysler Grand Voyager	6 Cylinder	3.3 litre

- (4) All cars are fuelled by petrol.
- (5) No.
- (6) The Department is currently preparing an analysis of options to reduce the fuel consumption of its motor vehicle fleet.
- (7) The fuel efficiency rating of all models in the current fleet (as at 27 February 2001) are between 8.5 and 14 litres per 100kms city cycle, depending on the make and size of the car (Source: Fuel Consumption Guide, Australian Greenhouse).
- (8) Average actual fuel consumption per 100km travelled compared to the average Fuel Efficiency Rating for each model for the 1999/2000 financial year:

Vehicle	Fuel Efficiency Rating L/100km (Source: Fuel Consumption Guide, Australian Greenhouse Office)**	Average actual consumption L/100km
Chrysler Grand Voyager	Not available	13.0
Ford Fairmont	11.5	12.7
Ford Falcon	12.5	10.8
Ford Futura	11.9	11.8
Holden Acclaim	11.8	11.9
Holden Berlina	12.1	13.4
Holden Calais	12.3	11.5
Holden Commodore Exec	11.7	12.9
Holden Commodore S	13	13.9
Mitsubishi Magna	10.8	9.6
Mitsubishi Verada	11	10.5
Toyota Camry	11.2	11.2
Toyota Corolla	8.5	9.0
Toyota Vienta	10.5	8.1

\*\* Average for all models in each category

- (9) (a) Use of LPG in the 1999/2000 financial year would have resulted in an estimate net cost of \$27 000 to the Department.
- (b) The Department's fleet supplier has advised it does not have information or contract fuel prices for Compressed Natural Gas (CNG).

**Department of Industry, Science and Resources: Fleet Vehicles**  
**(Question No. 3454)**

**Senator Allison** asked the Minister for Industry, Science and Resources, upon notice, on 26 February 2001:

- (1) How many cars does the department have in its fleet.
- (2) (a) How many new cars will be purchased or leased in the 2000-01 financial year; and (b) can details be provided of the make, size and horsepower.
- (3) How many new cars were purchased or leased in the 1999-2000 financial year; and (b) can details be provided of the make, size and horsepower.

- (4) How many cars in the fleet are fuelled by liquid petroleum gas (LPG), compressed natural gas (CNG) and petrol.
- (5) Does the agency use its own LPG or CNG refuelling stations; if so, how many are there of these.
- (6) Does the agency have a policy or strategy to reduce the fuel consumption of its car fleet; if so, can details be provided.
- (7) What is the fuel efficiency rating of all the cars in the fleet.
- (8) How does the actual fuel consumption and mileage compare with that rating.
- (9) Nationally, what operating savings would have been achieved for the 1999-2000 financial year if all cars in the fleet were run on: (a) LPG; and (b) CNG

**Senator Minchin**—The answer to the honourable senator's question is as follows:

- (1) The number of cars in fleet total 101, which are represented by the table below.

	No of Cars
Executive Vehicle Scheme (ISR)	64
Z' Fleet (ISR)	16
AGAL (GBE of ISR)	13
AUSLIG (GBE of ISR)	8
<b>TOTAL</b>	<b>101</b>

- (2) (a) The number of new cars purchased or leased in the 2000-2001 financial year to date total 40.
- (b) Details of the new cars are provide in the table below:

No of Vehicles	Make	Size (litres)	Horsepower (kw)
9	Toyota	3.0	141
12	Ford	4.0	157
9	Holden	3.8	152
7	Mitsubishi	3.5	150
1	Mitsubishi	1.5	69
2	Mitsubishi	3.0	140
<b>40</b>			

- (3) (a) The number of new cars purchased or leased in the 1999-2000 financial year was 45. (b) The details of the new cars purchased are listed in the table below.

No of Vehicles	Make	Size (litres)	Horsepower (kw)
8	Ford	4.0	157
12	Holden	3.8	152
1	Holden	3.8	171
2	Holden	3.8	140
1	Holden	2.2	125
10	Mitsubishi	3.0	140
2	Mitsubishi	3.5	150
9	Toyota	3.0	141
<b>45</b>			

- (4) Nil
- (5) No
- (6) No.
- (7) The fuel efficiency rating of all cars in the fleet is as follows:

Vehicle Make	No of Vehicles	Fuel Efficiency (L/100kms)
Toyota	17	11.0
	1	10.5
	1	10.0
	1	8.5
Ford	3	12.5
	3	12.0
	16	11.5

Vehicle Make	No of Vehicles	Fuel Efficiency (L/100kms)
Holden	1	13.0
	3	12.0
	24	11.5
	1	11.0
	2	9.5
	1	8.5
Mazda	2	8.0
Mitsubishi	1	12.0
	1	11.5
	5	11.0
	17	10.5
	1	8.5
Total	101	1118.50
Average Fuel Efficiency		11.07426

- (8) The actual fuel consumption is 10.60148 L/100 kms compared to the Average Fuel Efficiency rating listed in Question 7 of 11.07426 L/100 kms.
- (9) (a) No vehicles in the Department's fleet are run by LPG or CNG. To make an accurate and (b) comparison requires figures from many sources. Fluctuating fuel prices during the 1999/2000 financial year, increases in individual leasing and fleet management costs and the cost of converting vehicles to LPG or CNG are needed and this information is not held by the Department.

**Attorney-General's Department: Fleet Vehicles**  
(Question No. 3455)

**Senator Allison** asked the Minister representing the Attorney-General, upon notice, on 27 February 2001:

With reference to the fuel efficiency of the departmental fleet:

- (1) How many cars does the department have in its fleet.
- (2) (a) How many new cars will be purchased or leased in the 2000-01 financial year; and (b) can details be provided of the make, size and horsepower.
- (3) How many new cars were purchased or leased in the 1999-2000 financial year; and (b) can details be provided of the make, size and horsepower.
- (4) How many cars in the fleet are fuelled by liquid petroleum gas (LPG), compressed natural gas (CNG) and petrol.
- (5) Does the agency use its own LPG or CNG refuelling stations; if so, how many are there of these.
- (6) Does the agency have a policy or strategy to reduce the fuel consumption of its car fleet; if so, can details be provided.
- (7) What is the fuel efficiency rating of all cars in the fleet.
- (8) How does the actual fuel consumption and mileage compare with that rating.
- (9) Nationally, what operating savings would have been achieved for the 1999-2000 financial year if all cars in the fleet were run on: (a) LPG; and (b) CNG

**Senator Ellison**—The Attorney-General has provided the following answer to the honourable senator's question:

- (1) The Attorney General's Department including Australian Protective Service currently has 133 vehicles in its fleet.
- (2) Forty Five new vehicles have been leased in the 2000-01 financial year to date and it is expected that a further 19 will be leased during the remainder of the year. Details of make (vehicle descrip-

tion) size (vehicle category) and kilowatts of the vehicles (horsepower is no longer a commonly used measurement for vehicle power) are detailed in Attachment A.

- (3) 61 new vehicles were leased during the 1999-2000 financial year. Details of make, size and kilowatts of the vehicles are detailed in Attachment A.
- (4) Two vehicles in the Attorney-General's Department fleet are fuelled by liquid petroleum gas (LPG). The remainder run on either petrol or diesel, with the exception of one, which is a dual fuel vehicle.
- (5) The Attorney General's Department does not use its own LPG or CNG refuelling stations
- (6) The Department utilises monthly Fleet Profile and usage reports to monitor fuel usage and also, through DASFLEET, offers driver training courses to improve driver efficiency and fuel consumption.
- (7) The fuel efficiency ratings for all the vehicles in the Department's fleet are included in Attachment A. The Australian Greenhouse Office has advised that commercial and four wheel drive vehicles weighing 2.7 tonnes and higher are not subject to fuel efficiency ratings at this stage.
- (8) The annual energy report produced by DASFLEET is used to compare actual fuel consumption and kilometres travelled against the fuel efficiency rating for each vehicle. In most instances they compare favourably. In instances where this is not the case, action is taken to address the problem on an individual basis.
- (9) Because of the fluctuations in the price of petrol and LPG it is difficult to determine what operational savings, if any, would have been achieved during the 1999-2000 financial year if all the vehicles had been run on LPG. Any savings made would have been offset by higher lease rates which apply to gas converted vehicles. I understand that CNG is still being developed and is not yet available as a commercial fuel.

#### Attachment A

Rego	Lease Start date	Lease Term	Leased 1999/00	Leased 2000/01	Expected Lease 2000/01	Kilowatts	Vehicle Category	Vehicle Description	Fuel Efficiency Rating L/100kms
YAT61H	04/02/2000	18/40	X			152	Passenger 3501cc-4000cc	Holden Berlina VT (2) Sedan 3.8L Auto	11.5
YAR90F	08/12/1999	18/80	X			157	Passenger 3501cc-4000cc	Ford Falcon Forte AU Wagon 4L Auto	12
YAK91B	12/11/1999	18/40	X			147	Passenger 3001cc-3500cc	Mitsubishi Magna Exec TH Sedan 3.5L Auto	11
YAG26Y	25/02/1999	24/40			X	141	Passenger 2601cc-3000cc	Toyota Camry Conquest 98 Sedan 3L Auto	11.5
YAG46Z	19/05/1999	24/40			X	152	Passenger 3501cc-4000cc	Holden Acclaim VT Sedan 3.8L Auto	12
YBA47C	07/04/2000	24/30	X			152	Passenger 3501cc-4000cc	Holden Acclaim VT (2) Wagon 3.8L Auto	12
YAP93H	24/09/1999	24/40	X			141	Passenger 2601cc-3000cc	Toyota Vienta Grande Sedan 3L Auto	10.5
YAP72G	24/09/1999	18/40	X			152	Passenger 3501cc-4000cc	Holden Calais VT (2) Sedan 3.8L Auto	12
YAG85Z	05/05/1999	24/50			X	141	Passenger 2601cc-3000cc	Toyota Vienta VXI Sedan 3L Auto	10.5
YAU89M	17/12/1999	18/40	X		X	152	Passenger 3501cc-4000cc	Holden Berlina VT (2) Sedan 3.8L Auto	11.5
YAV67D	21/01/2000	24/40	X			152	Passenger 3501cc-4000cc	Holden Commodore S VT (2) Sedan 3.8L Manual	10.5
YAU23M	01/03/2000	24/40	X			157	Passenger 3501cc-4000cc	Ford Falcon Forte AU Wagon 4L Auto	12
YAT50H	20/12/1999	18/40	X		X	152	Passenger 3501cc-4000cc	Holden Berlina VT (2) Sedan 3.8L Auto	11.5
YAM29C	18/06/1999	24/40			X	141	Passenger 2601cc-3000cc	Toyota Vienta VXI Sedan 3L Auto	10.5



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Rego	Lease Start date	Lease Term	Leased 1999/00	Leased 2000/01	Expected Lease 2000/01	Kilowatts	Vehicle Category	Vehicle Description	Fuel Efficiency Rating L/100kms
YAW81Z	04/04/2000	24/40	X			141	Passenger 2001cc-2600cc	Toyota Camry CSX 98 Wagon 2.2L Manual	0
YAV92Y	10/04/2000	24/40	X			142	Passenger 3001cc-3500cc	Mitsubishi Verada EI KH Sedan 3.5L Auto	11
YAV91Y	10/04/2000	24/40	X			142	Passenger 3001cc-3500cc	Mitsubishi Magna Ad- vance TH Sedan 3.5L Auto	11
ZKA310	09/08/1995	36/80				85	Heavy Commer- cial	Mitsubishi CAnter FE339E Pantechnicon 3.9L Diesel Manual	
ZKI201	22/10/1998	36/40				63	Light Commercial	Mazda E2000 MWB Van 2L Auto	
ZKI840	19/07/1999	24/30	X			104	Passenger 2001cc-2600cc	Holden Vectra GL JS Wagon 2.2L Auto	8.5
YAV36Y	09/03/2000	24/30	X			141	Passenger 2601cc-3000cc	Toyota Camry CSI 98 Sedan 3L Auto	11.5
ZRM406	19/08/1998	48/80				179	Passenger >4000cc	Holden Caprice VQ Sedan 5L Auto	16
ZRM405	19/08/1998	48/80				179	Passenger >4000cc	Holden Caprice VQ Sedan 5L Auto	16
YAG36H	24/12/1998	24/40			X	152	Passenger 3501cc-4000cc	Holden Calais VT Sedan 3.8L Auto	12.5
YAU84M	17/12/1999	24/30	X		X	152	Passenger 3501cc-4000cc	Holden Berlina VT (2) Sedan 3.8L Auto	11.5
YBI30F	17/01/2001	24/30		X		157	Passenger 3501cc-4000cc	Holden Calais VT (2) Sedan 3.8L Auto	12.5
YBI34K	14/11/2000	24/30		X		157	Passenger 3501cc-4000cc	Holden Calais VT Sedan 3.8L Auto	12.5
YBC02Z	13/09/2000	24/30		X		147	Passenger 3501cc-4000cc	Mitsubishi Verada EI KH Sedan 3.5L Auto	11
YBI09A	13/12/2000	24/50		X		157	Passenger 3501cc-4000cc	Ford Futura EL Sedan 4L Auto	12.5
YAY93B	29/05/2000	24/40	X			140	Passenger 2601cc-3000cc	Mitsubishi Magna Ad- vance TF Sedan 3L Auto	10.5
YBA22Q	02/06/2000	24/30	X			152	Passenger 3501cc-4000cc	Holden Berlina VT (2) Sedan 3.8L Auto	11.5
YAY72C	03/08/2000	12/40		X		141	Passenger 2601cc-3000cc	Toyota Camry Conquest 98 Sedan 3L Auto	11.5
YBB13Y	29/06/2000	24/40	X			140	Passenger 2601cc-3000cc	Mitsubishi Magna Ad- vance TF Wagen 3L Auto	10.5
YBI28F	25/01/2001	24/40		X		157	Passenger 3501cc-4000cc	Ford Futura AU 2 Sedan 4L Auto	12.5
YAY98C	22/06/2000	24/40	X			141	Passenger 2601cc-3000cc	Toyota Camry Conquest 98 Sedan 3L Auto	11.5
YBC96Z	21/09/2000	24/40		X		145	Passenger 3501cc-4000cc	Toyota Avalon grande Sedan Manual	11.5
YBB19Y	27/06/2000	18/40	X			147	Passenger 3501cc-4000cc	Mitsubishi Verada Xi KH Sedan 3.5L Auto	11.5
YBI86C	14/12/2000	18/40		X		152	Passenger 3501cc-4000cc	Holden Calais VT Sedan 3.8L Auto	12.5
YAY92B	29/05/2000	36/40	X			97	Light Commercial	Mitsubishi Express Walk Thru WA Van 2.4 Auto	11.5
ZRB811	01/09/1996	36/60			X	179	Passenger >4000cc	Holden Caprice VQ Sedan 5L Auto	16
ZKB810	19/08/1998	48/80				179	Passenger	Holden Caprice VQ Sedan	16

Rego	Lease Start date	Lease Term	Leased 1999/00	Leased 2000/01	Expected Lease 2000/01	Kilowatts	Vehicle Category	Vehicle Description	Fuel Efficiency Rating L/100kms
ZKB811	19/08/1998	48/80				179	>4000cc Passenger	5L Auto Holden Caprice VQ Sedan	16
PRC639	01/01/2000	48/80	X			179	>4000cc Passenger	5L Auto Holden Caprice VQ Sedan	16
VWX986	01/01/2000	48/80	X			179	>4000cc Passenger	5L Auto Holden Caprice VQ Sedan	16
VWX987	01/01/2000	48/80	X			179	>4000cc Passenger	5L Auto Holden Caprice VQ Sedan	16
YLL796	01/01/2000	48/80	X			179	>4000cc Passenger	5L Auto Holden Caprice VQ Sedan	16
YBB11W	30/06/2000	48/80	X			179	>4000cc Passenger	5L Auto Holden Caprice VQ Sedan	16
YBK25K	01/03/2001	18/40		X		147	>4000cc Passenger	5L Auto Mitsubishi Verada Xi KH	11
OS1400	20/12/1995	36/60			X	152	3501cc-4000cc Passenger	Sedan 3.5L Auto Holden Caprice VQ Sedan	16
WTM265	30/06/2000	48/80	X			179	>4000cc Passenger	5L Auto Holden Caprice VQ Sedan	16
NMQ600	22/12/1995	36/60			X	179	>4000cc Passenger	5L Auto Holden Caprice VQ Sedan	16
QG1489	30/06/2000	48/80	X			179	>4000cc Passenger	5L Auto Holden Caprice VQ Sedan	16
YBK22K	05/02/2001	24/50		X		152	>4000cc Passenger	5L Auto Holden Berlina VT (2)	12
YAW59V	08/01/2001	24/40		X		157	3501cc-4000cc Passenger	Wagon 3.8L Auto Ford Fairmont AU Sedan	12.5
YBI31A	18/12/2000	18/40		X		147	3501cc-4000cc Passenger	4L Auto Mitsubishi Verada Xi KH	11.5
YBK77A	12/02/2001	24/40		X		90	3501cc-4000cc Passenger	Sedan 3.5L Auto Holden Astra CD Hatch	8.5
YAW93Z	17/04/2000	24/40	X			141	1800cc-2000cc Passenger	1.8L Auto Toyota Camry Conquest	11.5
YBB64W	07/08/2000	6/80		X		157	2601cc-3000cc Passenger	Sedan Ford Falcon Forte Sedan	11.5
YBB72W	10/08/2000	12/40		X		157	3501cc-4000cc Passenger	LPG Ford Falcon Forte Sedan	11.5
YBC05X	15/09/2000	6/80		X		157	3501cc-4000cc Passenger	LPG Ford Falcon Forte Sedan	11.5
YBC03Z	19/09/2000	24/30		X		140	3501cc-4000cc Passenger	LPG Mitsubishi Magna Sedan	11.5
ZKI257	10/03/2000	24/60	X			92	3001cc-3500cc 4x4 1601cc- 2000cc	Subaru Forester GX Station Wagon 4X4	10.5
YAK90K	28/07/1999	24/40	X			141	2601cc-3000cc Passenger	Sedan Toyota Camry Conquest	11.5
YAR80F	12/11/1999	18/40	X			157	2601cc-3000cc Passenger	Sedan Ford Fairmont Sedan	12.5
YAV21D	05/01/2000	24/40	X			140	3501cc-4000cc Passenger	3501cc-4000cc Mitsubishi Magna Station	11
YAW83Z	04/04/2000	24/40	X			141	3001cc-3500cc Passenger	Wagon Toyota Camry Conquest	11.5
YAY88C	09/06/2000	24/40	X			141	2601cc-3000cc Passenger	Sedan Toyota Camry CSX Sedan	11.5
YBH85T	08/09/2000	24/30		X		140	2601cc-3000cc Passenger	2601cc-3000cc Mitsubishi Magna Sedan	11.5

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YBJ22S	04/12/2000	6/80		X		88	4x2 2601cc- 3000cc	Mazda Bravo DX Ute 4X2 Dual Cab	
160FPE	28/06/2000	24/80	X			88	4x4 2601cc- 3000cc	Land Rover Discovery TD-5 Station Wagon 4X4	
133FTR	31/10/2000	24/40		X		140	Passenger 3001cc-3500cc	Mitsubishi Magna Sedan	11.5
ZAH786	18/05/1999	12/60			X	152	Passenger 3501cc-4000cc	Holden Acclaim Sedan	12
WKN797	13/01/2000	12/80			X	157	Passenger 3501cc-4000cc	Ford Falcon Forte Sedan	11.5
WJJ254	14/01/2000	24/40	X			141	Passenger 2601cc-3000cc	Toyota Camry Conquest Sedan	11.5
WLQ912	15/02/2000	12/60	X		X	157	Passenger 3501cc-4000cc	Ford Falcon Forte Sedan	11.5
WPL447	10/07/2000	24/80		X		141	Passenger 2601cc-3000cc	Toyota Camry Conquest Sedan	11.5
ZKL643	09/12/1998	24/80			X	88	4x2 2601cc- 3000cc	Mazda Bravo DX Ute 4X2 Dual Cab	
WHZ976	02/12/1999	24/40	X			157	Passenger 3501cc-4000cc	Ford Falcon Forte Station Wagon	12
WIR716	09/12/1999	12/60	X		X	157	Passenger 3501cc-4000cc	Ford Falcon Forte Sedan	11.5
WPQ550	24/05/2000	12/40	X		X	157	Passenger 3501cc-4000cc	Ford Falcon Forte Sedan	11.5
WPQ493	25/05/2000	12/60	X		X	157	Passenger 3501cc-4000cc	Ford Falcon Forte Sedan	11.5
WQT949	21/06/2000	24/80	X			157	Passenger 3501cc-4000cc	Ford Falcon Forte Sedan	11.5
WXD617	13/09/2000	36/60		X		157	4x2 2601cc- 3000cc	Ford Falcon XL Cab & Chassis 4X2 Diesel	
WVJ353	25/09/2000	24/40		X		140	Passenger 3001cc-3500cc	Mitsubishi Magna Sedan	11
WDX600	30/09/1999	24/40	X			88	4x4 2601cc- 3000cc	Mazda Bravo DX Ute 4X4 Dual Cab	
WDX601	30/09/1999	24/40	X			88	4x4 2601cc- 3000cc	Mazda Bravo DX Ute 4X4 Dual Cab	
VZE177	28/10/1998	24/40			X	152	Passenger 3501cc-4000cc	Holden Acclaim Station Wagon	12
VZE179	03/02/1999	24/40			X	152	Passenger 3501cc-4000cc	Holden Acclaim Station Wagon	12
WOU322	19/04/2000	24/80	X			152	Passenger 3501cc-4000cc	Holden Acclaim Station Wagon	12
583222	30/03/2000	24/10 0	X			65	4x4 2601cc- 3000cc	Toyota Hilux STD Ute 4X4 Dual Cab Diesel	
590863	12/07/2000	24/30		X		140	Passenger 3001cc-3500cc	Mitsubishi Magna Sedan	11.5
ZNT555	15/07/1998	36/80				65	4x4 2601cc- 3000cc	Toyota Hilux STD Ute 4X4 D/Cab Diesel	
ZNT612	30/10/1998	24/80			X	65	4x4 2601cc- 3000cc	Toyota Hilux STD Ute 4X4 D/Cab Diesel	
553723	22/09/1999	24/80	X				Light Commercial	Commuter Bus	
578096	21/01/2000	24/60	X			96	4x4 >4000cc	Toyota Landcruiser STD S/WGN 4X4 Diesel	
579730	08/08/2000	12/80		X		96	4x4 >4000cc	Toyota Landcruiser STD S/WGN 4X4 Diesel	

Rego	Lease Start date	Lease Term	Leased 1999/00	Leased 2000/01	Expected Lease 2000/01	Kilowatts	Vehicle Category	Vehicle Description	Fuel Efficiency Rating L/100kms
579729	18/08/2000	12/80		X		96	4x4 >4000cc	Toyota Landcruiser STD S/WGN 4X4 Diesel	
WJD464	16/03/2000	36/80	X			140	Passenger	Mitsubishi Magna Ad- vance Sedan	11
WKY608	04/08/2000	24/30		X		140	Passenger	Mitsubishi Magna Ad- vance Station Wagon	11
776EHD	27/10/1998	24/40			X	152	Passenger	Holden Acclaim Station Wagon	12
433FWO	13/01/1999	24/10 0			X	92	4x4 2601cc- 3000cc	Mazda Bravo DX Ute 4X4 D/Cab	
304EZL	26/05/1999	24/40			X	152	Passenger	Holden Acclaim Station Wagon	12
492FAA	15/10/1999	24/80	X			74	Passenger <1600cc	Hyundai Excel GLX Sedan	7.8
905FTZ	17/12/1999	24/40	X			141	Passenger	Toyota Camry Conquest Sedan	11.5
188FOB	28/06/2000	24/30	X			141	Passenger	Toyota Camry Conquest Sedan	11.5
ZKJ512	28/02/2000	12/80	X		X	157	Passenger	Ford Falcon Forte Sedan	11.5
QEQ170	01/06/2000	6/80	X		X	157	Passenger	Ford Falcon Forte Sedan	11.5
QIR742	30/08/2000	6/80		X	X	157	Passenger	Ford Falcon Forte Sedan	11.5
QIR787	12/09/2000	6/80		X	X	157	Passenger	Ford Falcon Forte Sedan	11.5
QCJ285	09/03/2000	48/12 0	X			145	4x4 >4000cc	Nissan Patrol ST Station Wagon 4X4	
ZKJ624	13/06/2000	36/10 0	X			92	4x2 2601cc- 3000cc	Mazda Bravo DX Ute 4X2 Dual Cab	
QGI524	20/07/2000	24/40		X		152	Passenger	Holden Acclaim Station Wagon	12
QNU034	21/12/2000	24/60		X		152	Passenger	Holden Acclaim Station Wagon	12
1ANC094	16/11/1999	36/60	X			88	4x4 2601cc- 3000cc	Mazda Bravo DX Ute 4X4 D/Cab	
1APY469	13/04/2000	36/60	X			88	4x4 2601cc- 3000cc	Mazda Bravo DX Ute 4X4 D/CAB Diesel	
1ATD166	21/09/2000	24/40		X		140	Passenger	Mitsubishi Magna Ad- vance Station Wagon	11
1ARG754	25/05/2000	12/60	X			141	Passenger	Toyota Camry Conquest Station Wagon	11.5
1ARG794	17/08/2000	24/80		X		140	Light Commercial	Holden Isuzu Rodeo LX Ute 4X4 D/Cab	
1ASN869	09/08/2000	12/60		X		65	4x4 2601cc- 3000cc	Toyota Hilux STD Ute 4X4 D/Cab Diesel	
1AMA172	27/09/2000	12/60		X		65	4x4 2601cc- 3000cc	Toyota Hilux STD UTE 4X4 D/Cab Diesel	
1AMA171	28/09/2000	24/60		X		65	4x4 2601cc- 3000cc	Toyota Hilux STD Ute 4X4 D/Cab Diesel	
QPJ582	25/01/2001	12/80		X		157	Passenger	Ford Falcon Forte Sedan	11.5
ZED604	05/03/2001	12/80		X		157	Passenger	Ford Falcon Forte Sedan	11.5
YBF86M	23/02/2001	12/80		X		157	Passenger	Ford Falcon Forte Sdn	11.5

Rego	Lease Start date	Lease Term	Leased 1999/00	Leased 2000/01	Expected Lease 2000/01	Kilowatts	Vehicle Category	Vehicle Description	Fuel Efficiency Rating L/100kms
YAE36T	01/12/1998	24/40			X	157	3501cc-4000cc Passenger	Ford Futura EL Sedan 4 Auto	12.5
XDU946	19/02/2001	12/40		X		152	3501cc-4000cc Passenger	Holden Acclaim Sedan	12
XBV799	25/02/2001	24/60		X		157	3501cc-4000cc Passenger	Ford Falcon Forte Sedan	11.5
XCU329	22/01/2001	24/40		X		152	3501cc-4000cc Passenger	Holden Acclaim Station-wagon	12
XTD175	22/02/2001	24/40		X		152	3501cc-4000cc Passenger	Holden Acclaim Station-wagon	12
WXC946	27/11/2000	12/40		X		157	3501cc-4000cc Passenger	Ford Futura EL Sedan 4L Auto	12.5
ZKD400	16/01/1997	18/40			X	152	3501cc-4000cc Passenger	Holden Commodore s VT (2) Sedan 3.8L Manual	10.5
ZKK709	24/09/1998	18/40				152	3501cc-4000cc Passenger	Holden Acclaim Sedan	12
364FXS	20/03/2001	24/40		X		152	3501cc-4000cc Passenger	Holden Acclaim Station Wagon	12

**Department of Agriculture, Fisheries and Forestry: Fleet Vehicles**  
(Question No. 3457)

**Senator Allison** asked the Minister representing the Minister for Agriculture, Fisheries and Forestry, upon notice, on 26 February 2001:

With reference to the fuel efficiency of the departmental fleet:

- (1) How many cars does the department have in its fleet.
- (2) (a) How many new cars will be purchased or leased in the 2000-01 financial year; and (b) can details be provided of the make, size and horsepower.
- (3) How many new cars were purchased or leased in the 1999-2000 financial year; and (b) can details be provided of the make, size and horsepower.
- (4) How many cars in the fleet are fuelled by liquid petroleum gas (LPG), compressed natural gas (CNG) and petrol.
- (5) Does the agency use its own LPG or CNG refuelling stations; if so, how many are there of these.
- (6) Does the agency have a policy or strategy to reduce the fuel consumption of its car fleet; if so, can details be provided.
- (7) What is the fuel efficiency rating of all cars in the fleet.
- (8) How does the actual fuel consumption and mileage compare with that rating.
- (9) Nationally, what operating savings would have been achieved for the 1999-2000 financial year if all cars in the fleet were run on: (a) LPG; and (b) CNG

**Senator Alston**—The Minister for Agriculture, Fisheries and Forestry has provided the following answer to the honourable senator's question:

- (1) 472 as at 6 March 2001
- (2) (a) AFFA anticipates it will lease 253 replacement vehicles in the 2000/01 financial year. (b) Detail of the anticipated make, size and power of these replacement vehicles is:

Make	Size (lts)	Power
69 Holden Sedans	3.8	152Kw
29 Holden Wagons	3.8	152Kw
1 Holden Utility	3.8	152Kw
6 Mazda Hatch	1.5	64Kw

Make	Size (lts)	Power
18 Toyota Sedans	3.0	141Kw
19 Toyota Landcruiser	4.2 Diesel	96Kw
9 Toyota Hilux	2.7	108Kw
6 Toyota Wagons	3.0	141Kw
15 Ford Sedans	4.0	157Kw
5 Ford Wagon	4.0	157Kw
6 Ford Utilities	4.0	157Kw
55 Mitsubishi Sedans	3.5	150Kw
3 Mitsubishi Sedans	3.0	140Kw
6 Mitsubishi Wagons	3.5	150Kw
2 Mitsubishi Wagons	3.0	140Kw
4 Various Vans	2.4, 2.5	78Kw

- (3) (a) AFFA leased 239 new and replacement vehicles in the 1999/2000 financial year. (b) Detail of the make, size and power of these new and replacement vehicles is:

Make	Size (lts)	Power
41 Holden Sedans	3.8	152Kw
22 Holden Wagons	3.8	152Kw
5 Holden Utilities	3.8	152Kw
60 Toyota Sedans	3.0	141Kw
6 Toyota Wagons	3.0	141Kw
13 Toyota Landcruisers	4.2 Diesel	96Kw
3 Toyota Hilux's	2.7	108Kw
27 Ford Sedans	4.0	157Kw
7 Ford Wagons	4.0	157Kw
4 Ford Utilities	4.0	157Kw
29 Mitsubishi Sedans	3.5	150Kw
6 Mitsubishi Sedans	3.0	140Kw
12 Mitsubishi Wagons	3.5	150Kw
4 Various Makes	2.4, 2.5	78Kw

- (4) AFFA vehicles utilise unleaded petrol or diesel fuels.
- (5) No.
- (6) AFFA is developing an Environment Management System (EMS) which will incorporate measures to contain fuel consumption.
- (7) The average fuel efficiency rating is 11.20 ltrs/100kms
- (8) The actual fuel consumption is 11.925 ltrs/100kms. (a) and (b). The cost of conversion to either LPG or CNG and the higher maintenance costs associated with gas vehicles would have nullified any savings from the reduced cost of the gas.

**Department of Agriculture, Fisheries and Forestry: Information Technology Outsourcing**

**(Question No. 3469)**

**Senator O'Brien** asked the Minister representing the Minister for Agriculture, Fisheries and Forestry, upon notice, on 27 February 2001:

With reference to the outsourcing of information technology within the department:

- (1) What negotiations took place regarding project specification prior to the requests for tender being developed.
- (2) Did the Office of Asset Sales and Information Technology Outsourcing (OASITO) negotiate with AFFA separately from, or in conjunction with, external service providers.
- (3) Did any consultations take place with OASITO to develop the project specification, as part of the development of the request for tender.
- (4) (a) Was there an independent review of AFFA prior to the request for tender being developed and released; (b) who conducted that review; (c) who paid for the review and what did it cost; and (d) what role did OASITO play in the review.

- (5) Were there any changes to the project specifications from the release of the request for tender to the final version of the contract; if so, what were those changes.
- (6) Did those differences have an impact on the cost to AFFA of the outsourcing.
- (7) Did AFFA have input into the development of the project specifications, the request for tender and the final contract.
- (8) What processes were put into place to ensure that OASITO understood AFFA's business and any particular requirements AFFA had.
- (9) (a) Who was responsible for evaluating the tenders; and (b) what was the process for evaluating the tenders.
- (10) How was the process of evaluating the tenders carried out and was AFFA involved in each stage of the process; if not, from what stages of the process was AFFA excluded.
- (11) Specifically, was AFFA involved in the industry development evaluation stage of the process.
- (12) Was the involvement of AFFA in the tender evaluation process as a separate entity or as a member of a cluster grouping.
- (13) At any time in any of the tender evaluation processes, did the cluster grouping make a recommendation for a particular tenderer which did not conform with OASITO's views; if so: (a) what was the nature of the recommendation; and (b) what was the basis for the difference of opinion.
- (14) How was the difference of opinion resolved in each case, what was the outcome.
- (15) Were there any interim reports or discussion papers issued by OASITO setting out the different points of view, the basis for the differences and proposed courses of action.
- (16) Did OASITO award a contract during any process to an external service provider, which was not the service provider recommended by the agencies as a group.
- (17) Did AFFA develop, or have any role in developing, the tender evaluation reports.
- (18) Can a copy of these tender evaluation reports be made available.
- (19) What role did AFFA play in contract negotiations.
- (20) Did AFFA have its own legal representation during the contract negotiation stages.
- (21) What components were outsourced, what services does the external service provider provide to AFFA.
- (22) (a) Why was it deemed necessary to sell to the provider the hardware at the commencement of the contract and buy the hardware back from the provider at the end of the contract; and (b) is this a normal arrangement.
- (23) (a) Were both mainframe and desktop components included in the hardware transfer; (b) what is the life of AFFA's mainframe; and (c) why was the mainframe included in the transfer.
- (24) (a) What is the life of a desktop unit; (b) when did AFFA last replace its desktop units; and (c) when is the external service provider scheduled to replace AFFA's desktop units.
- (25) What is AFFA's potential liability for re-acquisition of assets at the end of the contract.
- (26) What provision is there in the AFFA contract for the adoption of new technology.
- (27) What impact do the terms of the contract have on the ability of AFFA to adopt new technology during the life of the contract.
- (28) Will AFFA be required to make additional payments in order to access new technology under the contract.
- (29) What advice did AFFA provide to the Department of Finance and Administration or OASITO in relation to potential savings from outsourcing prior to actually outsourcing.
- (30) Was any liability for the re-acquisition of assets (guaranteed buyback) at the end of a contract factored into the savings estimates.
- (31) Did AFFA's estimates of cost savings differ from OASITO's; if so, what was the quantum of the difference and how were the different figures arrived at.
- (32) Were OASITO's projections of cost savings accurate; if not, why not.
- (33) What expenditure was incurred by AFFA in preparation for outsourcing.

(34) Has outsourcing been cost effective for AFFA.

**Senator Alston**—The Minister for Agriculture, Fisheries and Forestry has provided the following answer to the honourable senator's question:

- (1) Although there were a number of preliminary discussions with OASITO regarding the nature and timing of the project, there were no direct negotiations with Agriculture, Fisheries and Forestry - Australia regarding the project's broad specifications such as model, approach taken, scope etc. These aspects were predefined by OASITO and not subject to negotiation.
- (2) This question should be directed to OASITO as the agency responsible for contract negotiation.
- (3) Yes.
- (4) No.
- (5) Yes. The removal of telecommunications and some minor modifications to the management specifications for the Desktop, Midrange and Research Information Systems.
- (6) Yes.
- (7) Although AFFA did not have any input into the development of the project specifications it did have input into the development of the request for tender and the final contract.
- (8) An evaluation, contract negotiation and Steering Committee was established at which AFFA had a representation.
- (9) (a) OASITO;  
(b) This question should be directed to OASITO
- (10) (a) OASITO has advised that the information regarding the evaluation process has already been provided to the Senate. This question should be directed to OASITO.  
(b) AFFA was excluded from the Industry Development stage.
- (11) No.
- (12) As a member of a group.
- (13) Yes  
(a) The bid selected by OASITO was not the bid preferred by AFFA and the majority of the group.  
(b) The bid preferred by AFFA and the majority of the group provided the best savings to the group as a whole. Specifically, the bid selected by OASITO provides no savings to AFFA.
- (14) AFFA was excluded from the final selection process (Industry Development) and the OASITO preferred bid was awarded the contract.
- (15) This question should be directed to OASITO.
- (16) Yes.
- (17) Yes.
- (18) AFFA does not object to the documents being made available. However, as the documents are "the property of" OASITO, the question should be directed to that agency.
- (19) OASITO conducted the Contract Negotiations. In conjunction with the other Group Agencies AFFA was involved in the preparation of some of the negotiation briefing material developed by OASITO.
- (20) No.
- (21) The contractor provides Midrange, desktop, data and research information systems services to AFFA.
- (22) This question should be directed to OASITO.
- (23) AFFA does not have a mainframe computer.
- (24)  
(a) Three years.  
(b) The majority of AFFA's desktop computers were replaced about 3 years ago.  
(c) The contractor is required to replace any desktop equipment older than 3 years.



- (25) The potential liability for re-acquisition of assets is dependent on the course of action taken by AFFA at the end of the first contract term. However, as a general rule AFFA will be required to purchase the assets from the service provider at their book value as at the end of the contract term.
- (26) The contractor is required to replace desktop equipment once the equipment becomes older than 3 years of age. AFFA is able to add and remove services to and from the scope of the agreement to take advantage of new and emerging technologies.
- (27) The terms of the contract are not expected to impact on the ability of AFFA to adopt new technology.
- (28) Yes. Although the contract price does incorporate a refresh program for desktop computers, access to any other technology improvements will be costed on a project basis.
- (29) None.
- (30) No.
- (31) AFFA's original estimate of savings was based on advice from OASITO and was in the vicinity of 40 per cent. The savings actually realised by AFFA, as identified in the tender evaluation report, are effectively nil.
- (32) No. The second part of the question should be directed to OASITO.
- (33) In the vicinity of \$1M.
- (34) This is yet to be determined.

**Australian Quarantine and Inspection Service: Information Technology Outsourcing  
(Question No. 3470)**

**Senator O'Brien** asked the Minister representing the Minister for Agriculture, Fisheries and Forestry, upon notice, on 27 February 2001:

With reference to the outsourcing of information technology within the Australian Quarantine and Inspection Service (AQIS):

- (1) What negotiations took place regarding project specification prior to the requests for tender being developed.
- (2) Did the Office of Asset Sales and Information Technology Outsourcing (OASITO) negotiate with AFFA separately from, or in conjunction with, external service providers.
- (3) Did any consultations take place with OASITO to develop the project specification, as part of the development of the request for tender.
- (4) (a) Was there an independent review of AFFA prior to the request for tender being developed and released; (b) who conducted that review; (c) who paid for the review and what did it cost; and (d) what role did OASITO play in the review.
- (5) Were there any changes to the project specifications from the release of the request for tender to the final version of the contract; if so, what were those changes.
- (6) Did those differences have an impact on the cost to AFFA of the outsourcing.
- (7) Did AFFA have input into the development of the project specifications, the request for tender and the final contract.
- (8) What processes were put into place to ensure that OASITO understood AFFA's business and any particular requirements AFFA had.
- (9) (a) Who was responsible for evaluating the tenders; and (b) what was the process for evaluating the tenders.
- (10) How was the process of evaluating the tenders carried out and was AFFA involved in each stage of the process; if not, from what stages of the process was AFFA excluded.
- (11) Specifically, was AFFA involved in the industry development evaluation stage of the process.
- (12) Was the involvement of AFFA in the tender evaluation process as a separate entity or as a member of a cluster grouping.
- (13) At any time in any of the tender evaluation processes, did the cluster grouping make a recommendation for a particular tenderer which did not conform with OASITO's views; if so: (a) what was the nature of the recommendation; and (b) what was the basis for the difference of opinion.

- (14) How was the difference of opinion resolved in each case, what was the outcome.
- (15) Were there any interim reports or discussion papers issued by OASITO setting out the different points of view, the basis for the differences and proposed courses of action.
- (16) Did OASITO award a contract during any process to an external service provider, which was not the service provider recommended by the agencies as a group.
- (17) Did AFFA develop, or have any role in developing, the tender evaluation reports.
- (18) Can a copy of these tender evaluation reports be made available.
- (19) What role did AFFA play in contract negotiations.
- (20) Did AFFA have its own legal representation during the contract negotiation stages.
- (21) What components were outsourced, what services does the external service provider provide to AFFA.
- (22) (a) Why was it deemed necessary to sell to the provider the hardware at the commencement of the contract and buy the hardware back from the provider at the end of the contract; and (b) is this a normal arrangement.
- (23) (a) Were both mainframe and desktop components included in the hardware transfer; (b) what is the life of AFFA's mainframe; and (c) why was the mainframe included in the transfer.
- (24) (a) What is the life of a desktop unit; (b) when did AFFA last replace its desktop units; and (c) when is the external service provider scheduled to replace AFFA's desktop units.
- (25) What is AFFA's potential liability for re-acquisition of assets at the end of the contract.
- (26) What provision is there in the AFFA contract for the adoption of new technology.
- (27) What impact do the terms of the contract have on the ability of AFFA to adopt new technology during the life of the contract.
- (28) Will AFFA be required to make additional payments in order to access new technology under the contract.
- (29) What advice did AFFA provide to the Department of Finance and Administration or OASITO in relation to potential savings from outsourcing prior to actually outsourcing.
- (30) Was any liability for the re-acquisition of assets (guaranteed buyback) at the end of a contract factored into the savings estimates.
- (31) Did AFFA's estimates of cost savings differ from OASITO's; if so, what was the quantum of the difference and how were the different figures arrived at.
- (32) Were OASITO's projections of cost savings accurate; if not, why not.
- (33) What expenditure was incurred by AFFA in preparation for outsourcing.
- (34) Has outsourcing been cost effective for AFFA.

**Senator Alston**—The Minister for Agriculture, Fisheries and Forestry has provided the following answer to the honourable senator's question:

The Australian Quarantine and Inspection Service (AQIS) is a business unit within Agriculture, Fisheries and Forestry – Australia (AFFA) and, as such, their IT requirements were covered by AFFA's request for tender and subsequent contract.

With regard to AFFA, the above questions are answered in Senate Question On Notice No 3469.

**Defence: Twofold Bay Naval Munitions Storage Facility  
(Question No. 3472)**

**Senator Brown** asked the Minister representing the Minister for Defence, upon notice, on 28 February 2001:

- (1) Does the Navy have any plans to build an airstrip in association with the Twofold Bay Naval Munitions Storage facility.
- (2) Is it intended to enable Hercules aircraft to land there.

**Senator Minchin**—The Minister for Defence has provided the following answer to the honourable senator's question:

- (1) No.
- (2) No.

**Solicitors' Mortgage Schemes: Investigation**  
**(Question No. 3479)**

**Senator Conroy** asked the Minister representing the Minister for Financial Services and Regulation, upon notice, on 2 March 2001:

With reference to the announcement made by the Australian Securities and Investments Commission (ASIC) that it is commencing an investigation into solicitors' mortgage schemes:

- (1) What investigation of the operation, solvency and financial status of these schemes was made prior to ASIC issuing its Policy Statement 144: Mortgage Investment Schemes.
- (2)(a) When did ASIC first become aware of problems with mortgage investment schemes; and (b) which states were those schemes operated from.
- (3)(a) How many operators of mortgage schemes has ASIC investigated since 1999; and (b) how many operators of mortgage schemes has ASIC taken enforcement action against since 1999.
- (4) ASIC has said its initial investigation is limited to runout mortgage investment schemes operated by solicitors and finance brokers throughout Australia. Is ASIC aware of any problems, or has it received any complaints, in relation to small industry supervised mortgage schemes.
- (5) Paragraph 144.58 of Policy Statement 144: Mortgage Investment Schemes, allows an operator to operate a small industry supervised scheme which is currently supervised by either the Law Institute of Victoria or the Law Society of New South Wales. Why did ASIC decide not to permit an operator to operate small industry supervised schemes supervised by other state law societies.
- (6) What relief can be given to retirees who suffered losses from the collapse of mortgage investment schemes.

**Senator Kemp**—The Minister for Financial Services and Regulation has provided the following answer to the honourable senator's question:

- (1) Towards the end of 1996 and early in 1997, significant losses from mortgage investments became apparent. The ASC commissioned a report by an industry expert. This was conducted by Balamay Pty Ltd and presented in September 1997. The report included discussion about the operation of solicitors' mortgage schemes and provided analysis of losses in the preceding 5 years.

Policy Statement 144 was released following ASIC's normal consultative processes.

- (2)(a) Significant losses from mortgage investments became apparent towards the end of 1996 and early in 1997.
- (b) At that time, the losses were concentrated in South Australia and New South Wales.
- (3)(a) Surveillances have been conducted and finalised involving 19 mortgage scheme operators (23 activities). A further 18 surveillance activities have commenced but are not complete at 14 March 2001.
- (b) Each of the completed surveillance activities resulted in some form of required remedial action. In brief, the remedial actions included directions to change internal compliance procedures, the imposition of licence conditions requiring improvement to the reporting and monitoring of operations, revocation of one licence and an enforceable undertaking given to ASIC concerning disclosure.
- (4) 140 Complaints against 80 mortgage scheme operators have been recorded by ASIC. Of them, 6 per cent were made against small industry supervised schemes.
- (5) Under Policy Statement 144, small industry supervised schemes (other than run-out schemes) are provided relief from the managed investment provisions on certain conditions, one of which is that the supervisory body applied to ASIC before 1 November 1999 to be approved as an Industry Supervisory Body. None of the state law societies other than those in New South Wales and Victoria sought ASIC's approval to be an Industry Supervisory Body.
- (6) If the solicitor (or broker in SA) has acted inappropriately, investors may have a claim against them, which could be covered by the insurance or indemnity arrangements applying to the solicitor (or broker).

If an investor has a complaint about the professional conduct of a solicitor (or broker in SA), he or she can contact the relevant State professional body:

The Law Society of New South Wales

Law Institute of Victoria

Finance Brokers Institute of South Australia

Law Society of Tasmania

Law Society of Queensland Inc

In Western Australia, an investor can contact ASIC.

If investors are seeking general information about mortgage investment issues, they can contact:

- The Financial Planning Association (FPA). The FPA will assist investors who have been negatively affected or want further information about mortgage investment schemes. Initial advice would be provided free of charge and any ongoing advice would be subject to negotiation on commercial terms.
- The National Information Centre for Retirement Investments (NICRI). NICRI provides up-to-date independent information to assist people to make the best possible investment decisions they can. It is a free, independent, confidential service.
- Centrelink's Financial Information Service (FIS). FIS provides a free, independent and expert service that is available to anyone. It will provide financial information including how to recognise and pursue financial options, make better financial decisions, and understand investment products and how they work.

### **Bougainville: Peace Process**

#### **(Question No. 3480)**

**Senator Bourne** asked the Minister representing the Minister of Foreign Affairs, upon notice, on 5 March 2001:

- (1) Can the Minister provide an update on the Australian Governments efforts to facilitate a peaceful outcome in Bougainville?
- (2) Does the Minister support the United Nations call that the Government of Papua New Guinea establish a Human Rights Commission (HRC) in that country as a matter of urgency, to enable the citizens of that country, and the people of Bougainville, to have access to a mechanism where they could submit their human rights concerns and issues; if so, what measures is the Minister taking to urge the Government of Papua New Guinea to instigate an HRC as soon as possible?
- (3) What practical assistance has the Australian Government given, or offered, to enable the Government of Papua New Guinea to form an HRC immediately?
- (4) Does the Government support the establishment of a Truth and Reconciliation Commission - Bougainville (TRC-B) within the current Bougainville peace process; if so, what practical steps is the Government taking to enable the establishment of a TRC-B?
- (5) What criteria does the Government consider a TRC-B should meet when it is established?

**Senator Hill**—The Minister for Foreign Affairs has provided the following answer to the honourable senator's question:

- (1) The Government has welcomed recent positive developments in the Bougainville peace process. Australia has made a significant contribution to advancing an agreement on the principles of a referendum to determine the political future of the province by offering some informal guidance to assist the parties. Most recently the Government facilitated the convening of one of the largest gatherings to date to discuss weapons disposal and autonomy, through hosting a meeting between the parties to the peace process in Townsville in February. Although the Townsville talks did not result in an agreement, they were an important step towards an eventual settlement on Bougainville, and saw a considerable narrowing of the differences between the parties.

Australia appreciates that the issues are complex and that reaching and implementing a settlement agreement will take time. Australia will accept whatever settlement arrangements the parties negotiate.

Australia's contribution to the peace process on Bougainville is highlighted by the work of the Peace Monitoring Group in helping to bring normality to the island.

- (2) and (3) The Government of Papua New Guinea has been working towards the establishment of an independent Human Rights Commission (HRC) for several years. Concurrent to this activity, a Legal Institution Pre-feasibility study commissioned by Australia also recommended that Australia assist PNG to set up a HRC.

Australia provided \$124,000 in 1997 for the first stage of a project to be implemented by the UN Centre for Human Rights to assist PNG establish a HRC. The first stage involved the development of a design for a project to provide assistance to the Commission once it had been established. Australia agreed in principle to provide funding for the second stage as well, subject to a satisfactory appraisal and approval.

As an interim measure Australia also provided funds to the PNG Attorney General's Department to establish a human rights desk. The legislation to create the Commission has yet to be tabled in the PNG Parliament.

- (4) and (5) The question of a Truth and Reconciliation Commission for Bougainville is a matter for consideration by the parties to the peace process, the Government of Papua New Guinea and Bougainvillean leaders. Should the parties agree to establish such a body, the Australian Government would consider requests for assistance with the establishment and conduct of the commission.

### **Education: Overseas Universities**

#### **(Question No. 3487)**

**Senator Carr** asked the Minister representing the Minister for Education, Training and Youth Affairs, upon notice, on 5 March 2001:

- (1) What is the current status of the following institutions?
- Bircham International College or University,  
Oracle University,  
Pacific International University,  
Australian Open Theological College Ltd (alternatively Tyndale College),  
IOND University and International Hypnosis College,  
University of Seven Rays,  
Australian School of Esoteric Astrology,  
Australian College of Trans-Himalayan Wisdom,  
Esoteric Sciences and Creative Educational Foundation,  
Global Virtual University, and  
The Open University in Australia.
- (2) Do any of these entities operate within Australia?
- (3) Do any of these entities offer degrees - if so, at what level?
- (4) Have any of these entities sought accreditation in Australia with any education authority - if so, when?
- (5) Have any of these entities secured accreditation within Australia for any qualifications that they issue?

**Senator Ellison**—The Minister for Education, Training and Youth Affairs has provided the following answer to the honourable senator's question:

- (1) After consultation with State and Territory accreditation authorities DETYA advises that:
- Bircham International College is an on line education provider operating from New Zealand. It is not known to be operating in Australia and is not accredited as a higher education provider in any Australian State or Territory.
  - Oracle is a vocational education & training (VET) provider, registered in Victoria under the name of Oracle Corporation Australia Pty Ltd. The organisation is not approved or known to operate as a university in Australia. Oracle corporation uses the term "Oracle University" in its international marketing for courses. It no longer appears to use the term in relation to its Australian activities.

- Pacific International University is a distance education provider operating from Missouri, USA. It is not known to be operating in Australia, and is not accredited to offer higher education courses in any Australian State or Territory.
- Australian Open Theological College Ltd (also known as Tyndale College) advertises on its website that it is incorporated in NSW as a non-profit educational institution delivering courses by distance education at Certificate, Diploma and Degree levels.

DETYA has referred the matter to the NSW Department of Education for information and action as appropriate. DETYA has been advised that the NSW Recognition Services Directorate is investigating the matter.

- Both IOND University and International Hypnosis College operate from Japan, as distance education providers offering courses via the Internet. They are not known to be operating in Australia and are not accredited as higher education providers in any Australian State or Territory.
  - University of Seven Rays advertises seminar courses in South Australia, NSW and Queensland, although it appears to be incorporated and operating from the United States of America. DETYA has referred their usage of the term 'degree' and related higher education nomenclature to South Australian accreditation authorities for information and action as appropriate. The Queensland Office of Higher Education is currently looking into the institution's operations in Queensland.
  - Australian School of Esoteric Astrology (also known as Australian College of Trans-Himalayan Wisdom) is referred to on the University of Seven Rays' website as an affiliated organisation operating in Australia. The organisation is not registered or accredited as a higher education provider in Australia.
  - Esoteric Sciences and Creative Educational Foundation appears to be affiliated with the University of Seven Rays. The organisation appears to be operating in South Australia. DETYA has referred the matter to South Australian accreditation authorities for information and action as appropriate. South Australian authorities advise that there are several registered business names associated with this organisation, although there does not appear to be any breach of South Australian legislation (Business Names or Associations Incorporations Acts). The organisation is not registered or accredited as a higher education provider in Australia.
  - Global Virtual University is a virtual provider of postgraduate education, incorporated in the USA with an administration office in New Zealand. It has approached the Queensland government for advice on accreditation and an application is expected in late 2001, depending upon financial and technology issues. It is not presently accredited to operate in Australia.
  - The Open University in Australia was listed in the White Pages as located in South Australia. DETYA has referred the matter to South Australia authorities and has been advised that South Australia Accreditation and Registration Council is pursuing the matter in collaboration with the Office of Business and Consumer Affairs.
- (2) Australian Open Theological College, Esoteric Sciences and Creative Educational Foundation and The Open University in Australia appear to be operating in Australia. The matters have been referred to the NSW and South Australian governments for information and action as appropriate.
- As stated in the answer to question one, Oracle presently operates as a VET provider in Victoria. DETYA is not aware of the remaining institutions operating within Australia.
- (3) The courses advertised by the Australian Open Theological College have been noted in the response to question one. DETYA has no further information on the offerings of the other institutions that appear to be operating here.
- (4) Global Virtual University (GVU) first approached Queensland accreditation authority staff in 1999 for advice on accreditation. GVU has no authorisation to use the title "university" in Queensland and is aware of the legislative protection on use of the title "university" in Australia. GVU has not yet made a formal application for accreditation.
- Oracle Corporation Australia is an accredited Registered Training Organisation in the state of Victoria. It was accredited for a five year period beginning on 09 October 2000. It is not listed on any AQF register as an institution accredited to offer higher education courses.
- Current advice from State and Territory accreditation authorities indicates that the remaining institutions have not sought higher education accreditation in Australia.
- (6) To the best of DETYA's knowledge, none of the institutions listed in question one have secured accreditation within Australia to issue higher education qualifications.

**Delegation to Philippines: Representatives  
(Question No. 3488)**

**Senator O'Brien** asked the Minister representing the Minister for Foreign Affairs, upon notice, on 7 March 2001:

- (1) Did Federal Government representatives meet with members of the Philippine Government in the city of Cebu on 15 and 16 November 1999? If so, who represented the Australian Government and who represented the Philippine Government?
- (2) If the Australian delegation included representatives of the states and territories as well as the business community, who were those representatives and in what capacity did they participate in the 2-day meeting?

**Senator Hill**—The Minister for Foreign Affairs has provided the following answer to the honourable senator's question:

- (1) The Third Philippine-Australia Dialogue (PAD) was held in Cebu on 14-16 November 1999. The PAD is a one-and-a-half track meeting, organised by universities, which brings together representatives of government, business and academia from Australia and the Philippines. The purpose of the discussion is to raise awareness of each other's societies and to advance the bilateral relationship.  
Australian Government representatives were: the Hon Alexander Downer MP, Minister for Foreign Affairs; HE Mr John Buckley, Australian Ambassador to the Philippines; and Ms Gillian Bird, First Assistant Secretary of DFAT's South and South-East Asia Division.  
Philippine Government representatives were: the Hon Domingo L. Siazon, Secretary of Foreign Affairs; the Hon Edgardo Angara, Secretary of Agriculture; HE Mrs Delia Domingo-Albert, Philippine Ambassador to Australia; and Dr Thomas Aquino, Governor of the Board of Investments. The Vice President, HE Gloria Macapagal-Arroyo, made a speech at the Dialogue lunch on 15 November.
- (2) The Hon Mick Palmer MLA, Minister for Primary Industry and Fisheries of the Northern Territory Government, was a participant in the Dialogue.

**Child-care Rebate: Back Payment  
(Question No. 3502)**

**Senator Chris Evans** asked the Minister representing the Minister for Community Services, upon notice, on 8 March 2001:

- (1) As at 1 July 2000: (a) how many families with children in care during the 1998-99 and 1999-2000 financial years were eligible to claim a back payment of child care rebate and how many children were eligible for the back payment (please provide a breakdown of the eligible number of families and children by family income brackets of \$10 000 bands); (b) what is the total back payment payable by the Commonwealth if all eligible families submitted claims; and (c) what was the average back payment: (i) per family, and (ii) per child, based on all eligible families submitting claims.
- (2) Between 1 July and 29 December 2000: (a) how many families claimed a back payment of child care rebate (please provide a breakdown of families claiming the payment by family income brackets of \$10 000 bands); (b) what was the total back payment made by the Commonwealth; and (c) what was the average back payment made (i) per family; and (ii) per child, over this period.

**Senator Vanstone**—The answer to the honourable senator's question is as follows:

Childcare Rebate was only available as a retrospective payment on presentation of receipts for care already paid for. All rebate payments were therefore "back" payments.

- (1) (a) Available data on Childcare Rebate customers relates to those families who have claimed the rebate. It is difficult to estimate those families who were eligible to receive the rebate because in the normal course of events they only identified themselves by actually making a claim.  
(b) Data not available  
(c) (i) 1998/99, \$444; 1999/00, \$453

(ii) Data not available

- (2) (a) As at 22 March 2001, 147,694 families claimed Childcare Rebate from 1 July 2000 to the end of December 2000. (This includes families whose claim was received prior to the end of December, but was not processed until after that date).

A breakdown of families claiming the rebate by income brackets of \$10,000 bands is not available. However, approximately 81,232 families received the 30% rebate and 66,462 families received the 20% rebate. A rebate percentage of 30% applied to families whose taxable income was below the Family Tax Initiative income cut-offs (\$70,000 for one child families plus \$3000 for each additional child).

(b) As at 22 March 2001, the total amount of rebate for the period 1 July 2000 to the end of December 2000 was \$17,962,299. (This figure also takes into account the rebate paid for claims received prior to the end of December 2000 but not processed until after that date).

(c) (i) The average rebate payment for that period was \$122, (ii) Data not available.

### **National Archives**

#### **(Question No. 3505)**

**Senator Denman** asked the Minister representing the Minister for Arts and the Centenary of Federation, upon notice, on 13 March 2001:

- (1) Are there any plans to institute similar changes to those seen in South Australia's National Archives Office (Archives) in any other state in Australia.
- (2) (a) What is the extent of any changes mooted in terms of shredding material; and (b) how much will be lost in Australia's centenary year.
- (3) Can the Minister guarantee there will be no job losses in Queensland, New South Wales, Tasmania and Victoria.
- (4) Is it true that some researchers have to wait over 30 days for material and are not informed of this when they originally request information.
- (5) Is it true that requests for information are being referred to the Canberra office even if the information is held in the state office.
- (6) How can the Archives outside of Canberra operate effectively when they are unsure what percentage of a reference inquiry is answered by a particular region.
- (7) Given many of the inquiries are of a personal nature, why does there appear to be a move to centralise records and requests to Canberra, thus removing the personalised capacity of Archives.

**Senator Alston**—The Minister for Arts and the Centenary of Federation has provided the following answer to the honourable senator's question:

- (1) Yes, the relinquishment of the Archives' repository in the Adelaide suburb of Collinswood represents the first in a program that will see the National Archives move from the majority of its repositories to new facilities in the next five years. This is part of a broader strategy to improve the management of property and, more importantly, to reassess the value of the material in the collection in order to provide better access to the material of confirmed archival value. The Archives will continue to maintain a presence in each State capital providing improved facilities for both the public and the collection.
- (2) (a) and (b) As is entirely proper for any significant collecting organisation, the Archives reassesses its collection to identify and dispose of records of no continuing historical or administrative value. The Archives applies modern archival appraisal techniques to make decisions about what records need to be kept to satisfy the needs of accountability, the community and government business.

Of all government records created, the National Archives presently keeps between five and ten per cent. Equivalent institutions in countries with which the Archives compares itself — New Zealand, Canada, the UK, the USA and a number of European countries — usually retain between one and five per cent.

It is expected that administrative material from the 1960s to 1980s transferred to the Archives without adequate evaluation will be disposed of, after consultation with the appropriate agency.



The Archives does not set quotas or targets to quantify how much of the collection is no longer retained.

Resources saved from the storage, documentation and care of material appraised as having no on-going value will be devoted to enhancing access in various ways, including developing a far better knowledge of the collection, improving the information available about it, and large-scale digitisation.

- (3) There will be no job losses in these States in the foreseeable future as a result of relocations of National Archives of Australia premises.
- (4) The National Archives of Australia's Service Charter, which is available on the Archives' website, details the standards of service that apply to those seeking access to the Archives collection. For those unable to visit an Archives reading room to undertake their own research, the Archives is committed to answering inquiries about material in the collection within 30 days. If a response will be delayed beyond 30 days inquirers are advised of the reasons for the delay. All researchers who contact the Archives by phone or email are informed of the 30-day response time. In 1999-2000, 96 per cent of 73 846 inquiries received were answered within 30 days.
- (5) All reference inquiries received nationally by the National Archives are currently being forwarded to Canberra for registration and allocation to the office holding the relevant records. The Archives is trialing the central registration and allocation of reference inquiries to assess whether this allows the Archives to respond to an increasing number of reference inquiries in the most efficient, equitable and consistent manner. Once registered, reference inquiries are sent to the office holding relevant records for response.

Researchers do not necessarily know which of the eight offices of the Archives hold records relevant to their research. With all reference inquiries coming to a central address, they can be matched to the holdings of a particular office and sent to that office for reply ensuring that the researcher receives a complete response to their inquiry rather than being directed to contact another office.

- (6) All reference inquiries received by the National Archives are registered on a computer database on receipt. The database records which office or offices are responding to each inquiry or a part of it. Archives reference staff, wherever located, can access this database and readily determine if other offices are responding to all or part of any inquiry. All Archives reference staff have email and telephone access to the team in Canberra which registers reference inquiries, and to staff in the other state offices, and can readily consult and confer when responding to reference requests.
- (7) The central receipt and processing of reference inquiries aims to provide an efficient, equitable and consistent level of service to all persons seeking to access the Archives' collection. All inquiries received by the Archives receive an individual response from the office or offices holding relevant records. The trial has not depersonalised responses.

### **Bougainville: Development Funding**

#### **(Question No. 3506)**

**Senator Bourne** asked the Minister representing the Minister for Foreign Affairs, upon notice, on 13 March 2001:

- (1) Is the Minister aware that several essential services, including telephones, in Bougainville are being cut due to a lack of funding.
- (2) Can the Minister confirm that of the K3.8 million Bougainville should have received, it has only received under K1 million which is as a result of the provincial government not receiving its recurrent and development funds.
- (3) Is the Minister aware of how this lack of funds is impacting on the peace process.
- (4) Can the Minister outline any diplomatic influence he is able to exert to ensure the flow of funds to those who are relying on it.

**Senator Hill**—The answer to the honourable senator's questions is as follows:

- (1) to (4) Bougainville is in a unique situation among the PNG provinces in that it has to share its budgetary allocation to some extent with the Bougainville Peace and Restoration Office, the national government agency that administers Bougainville policy. Bougainville is also recovering from its

ten year conflict during which its infrastructure was largely destroyed. These factors make any budget fluctuations more acute.

The budget for Bougainville is split into three parts: recurrent expenditure, special appropriations and the provincial investment program. In the 2000 financial year the Bougainville Interim Provincial Government had a shortfall of K1.2 million in recurrent expenditure (K22.68 million), received K2 million of the K4.22 million special appropriation grant but received the whole K2 million provincial investment program allocation.

The shortfalls have meant periodic interruption of services, including telephone services, on Bougainville.

The Australian High Commission in Port Moresby frequently raises the question of budget shortfalls and shortages with government officials and ministers, including with the Bougainville Affairs Minister, Moi Avei. In doing so the High Commission draws attention to the impact these shortfalls have on the capacity of the Bougainville provincial authorities to deliver services and support to the local population. This impact is understood but PNG Government officials also note that the same problems are faced by nearly all provincial administrations in Papua New Guinea.

The Australian Government will continue to encourage the PNG Government to meet budget appropriations allocated to Bougainville in full.

### **Jobs, Education and Training Program: Child Care**

#### **(Question No. 3507)**

**Senator Chris Evans** asked the Minister for Family and Community Services, upon notice, on 13 March 2001:

- (1) What are the criteria for eligibility for child care assistance funding from the Jobs, Education and Training Program (JET).
- (2) Are two-parent families who hold temporary protection visas eligible for JET child care funding; if not, why not.
- (3) (a) Is the Minister aware of claims that some such families experience difficulty in participating in English classes, looking for work etc, because of the cost of child care; and (b) are these claims correct.
- (4) Does the Minister intend to extend JET child care eligibility to couple families who hold temporary protection visas; if not, why not.

**Senator Vanstone**—The answer to the honourable senator's question is as follows:

- (1) All customers receiving the following income support payments through Centrelink are eligible to participate in the Jobs, Education and Training (JET) program:
  - Parenting Payment;
  - Widow Allowance;
  - Partner Allowance;
  - Widow B Pension; and
  - Carer Payment.

- Recipients of Special Benefit are also eligible providing that the only reason they are not qualified for Parenting Payment is that they do not satisfy the residence requirements.

Clients receiving the above payments are eligible for all JET services. Following Ministerial approval in December 1999, ABSTUDY recipients became eligible for the child care assistance part of JET.
- (2) A holder of a temporary protection visa who is a member of a two parent family would be eligible for JET providing they are receiving Special Benefit and the only reason they are not qualified for Parenting Payment is that they do not satisfy the residence requirements.
- (3) (a) & (b) Families holding temporary protection visas face the same child care costs as other child care users. Affordability will depend on many factors, including service charges, income and eligibility for Child Care Benefit.

- (4) JET child care assistance is available to a holder of a temporary protection visa if they are receiving Special Benefit and the only reason they are not qualified for Parenting Payment is that they do not satisfy the residence requirements.

**Trade Portfolio: Parliament House Employees**  
**(Question No. 3511)**

**Senator Faulkner** asked the Minister representing the Minister for Trade, upon notice, on 13 March 2001:

- (1) How many Australian Public Service (APS) officers whose salary is being paid, either in whole or in part, by the department or any portfolio agency, are currently employed in any capacity in Parliament House (excluding all persons employed under the Members of Parliament (Staff) Act).
- (2) For each of those persons currently employed in Parliament, and without naming those persons, please provide: (a) the capacity in which they are acting; (b) the senator's or member's office in which they are employed, or the functional area if they are employed in a parliamentary department; (c) the APS salary level paid to that person; and (d) the period of employment.
- (3) Please provide the same details for any such persons not currently employed but who have been so employed at any time during the past year.

**Senator Hill**—The following is the answer to the honourable senator's question:

The Australian Trade Commission (Austrade)

- (1) One (employed under the Australian Trade Commission Act 1985)
- (2) (a) Austrade Liaison Officer (ALO)  
(b) Mr Vaile's Office  
(c) \$77,716 per annum  
(d) from 26 April 2000.
- (3) from 27 January 1998 to 20 April 2000, paid at \$68,536 per annum.

Foreign Affairs and Trade

- (1) One
- (2) (a) Departmental Liaison Officer  
(b) Mr Vaile's Office  
(c) APS 6 - \$47,549  
(d) From 11 December 2000
- (3) Departmental Liaison Officer, Mr Vaile's Office, Executive Level 2 - \$67,461 later SES Band 1 - \$92,801, from 4 May 2000 until 8 December 2000.

The usual practice is for Portfolio Departments to provide staff to relieve Minister's personal staff while on approved leave of less than 12 weeks. Under this arrangement, the Department has provided short-term placements over the past year to cover such absences.

**Defence Portfolio: Parliament House Employees**  
**(Question No. 3514)**

**Senator Faulkner** asked the Minister representing the Minister for Defence, upon notice, on 13 March 2001:

- (1) How many Australian Public Service (APS) officers whose salary is being paid, either in whole or in part, by the department or any portfolio agency, are currently employed in any capacity in Parliament House (excluding all persons employed under Members of Parliament (Staff) Act).
- (2) For each of those persons currently employed in Parliament, and without naming those persons, please provide: (a) the capacity in which they are acting; (b) the senator's or member's office in which they are employed, or the functional area if they are employed in a parliamentary department; (c) the APS salary level paid to that person; and (d) the period of employment.
- (3) Please provide the same details for any such persons not currently employed but who have been so employed at any time during the past year.

**Senator Minchin**—The Minister for Defence has provided the following answer to the honourable senator's question:

(1) 9

(2) (a) to (d)

POSITION	SENATOR/MEMBER'S OFFICE	SALARY LEVEL	PERIOD OF EMPLOYMENT
Departmental Liaison Officer (DLO)	The Hon Peter Reith MP - Minister for Defence	Executive Level (EL) 2 (\$68,250 - \$81,326) + Parliamentary allowance (\$11,424 pre July 2000, \$13,017 from July 2000)	April 2000 – current
DLO	The Hon Peter Reith MP - Minister for Defence	October 2000 – current EL2 (\$68,250 - \$81,326) + Parliamentary allowance (\$13,017) November 1998 – October 2000 EL1 (\$56,357 - \$60,855) + Parliamentary allowance (\$11,424 pre July 2000, \$13,017 from July 2000)	November 1998 – current
Escort Officer (Australian Defence Force)	The Hon Peter Reith MP - Minister for Defence	Lieutenant – Navy (\$41,647 - \$49,683)	January 2001 – current
DLO	The Hon Bruce Scott MP - Minister Assisting the Minister for Defence	October 2000 – current EL2 (\$68,250 - \$81,326) + Parliamentary allowance (\$13,017) June 2000 – October 2000 EL 1 (\$56,357 - \$60,855) + Parliamentary allowance (\$11,424 pre July 2000, \$13,017 from July 2000)	June 2000 – current
Escort Officer (Australian Defence Force)	The Hon Bruce Scott MP - Minister Assisting the Minister for Defence	Captain – Army (\$41,647 - \$49,683)	December 2000 – current
Graduate Administrative Assistant (GAA)	The Hon Bruce Scott MP - Minister Assisting the Minister for Defence	GAA (\$30,183 - \$33,472)	February 2001 – May 2001
DLO	The Hon Brendan Nelson MP - Parliamentary Secretary to the Minister for Defence	EL 2 (\$68,250 - \$81,326) + Parliamentary allowance (\$13,017)	February 2001 – current
Defence Adviser on the Joint Standing Committee on Foreign Affairs, Defence and Trade (Australian Defence Force)		Lieutenant Colonel – Army (\$73,774 - \$76,183)	January 2001 – current
Visiting Defence Fellow (Australian Defence Force) - various 3 month placements		Lieutenant Colonel – Army (\$73,774 - \$76,183)	January – December 2001

(3)

POSITION	SENATOR/MEMBER'S OFFICE	SALARY LEVEL	PERIOD OF EMPLOYMENT
DLO	The Hon John Moore	EL2 (\$65,000 - \$73,693) + Parliamentary allowance (\$11,424)	May 1998 – April 2000
Escort Officer	The Hon John Moore	Flight Lieutenant – Air Force	January – December 2000

POSITION	SENATOR/MEMBER'S OFFICE	SALARY LEVEL	PERIOD OF EMPLOYMENT
(Australian Defence Force) DLO	The Hon Bruce Scott MP	(\$41,647 - \$49,683) EL1 (\$56,357 - \$60,855) + Parliamentary allowance (\$11,424)	January 2000 – June 2000
Escort Officer (Australian Defence Force) GAA	The Hon Bruce Scott MP	Lieutenant – Navy (\$41,647 - \$49,683) GAA (\$30,183 - \$33,472)	December 1999 – December 2000
DLO	Senator the Hon Eric Abetz	October 2000 – February 2001 EL2 (\$68,250 - \$81,326) + Parliamentary allowance (\$13,017) January 2000 – October 2000 EL1 (\$56,357 - \$60,855) + Parliamentary allowance (\$11,424 pre July 2000, \$13,017 from July 2000)	January 2000 – February 2001
Defence Adviser on the Joint Standing Committee on Foreign Affairs, Defence and Trade (Australian Defence Force)		Lieutenant Colonel – Army (\$73,774 - \$76,183)	January – December 2000

Note: APS officers in the Department of Defence are called upon from time to time to 'fill in' for short periods in the Ministers' and Parliamentary Secretary's offices at times of staff absence or illness.

### Foreign Affairs Portfolio: Parliament House Employees

#### (Question No. 3515)

**Senator Faulkner** asked the Minister representing the Minister for Foreign Affairs, upon notice, on 13 March 2001:

- (1) How many Australian Public Service (APS) officers whose salary is being paid, either in whole or in part, by the department or any portfolio agency, are currently employed in any capacity in Parliament House (excluding all persons employed under the Members of Parliament (Staff) Act).
- (2) For each of those persons currently employed in Parliament, and without naming those persons, please provide: (a) the capacity in which they are acting; (b) the senator's or member's office in which they are employed, or the functional area if they are employed in a parliamentary department; (c) the APS salary level paid to that person; and (d) the period of employment.
- (3) Please provide the same details for any such persons not currently employed but who have been so employed at any time during the past year.

**Senator Hill**—The answer to the honourable senator's question is as follows:

- (1) Four
- (2) (a) Departmental Liaison Officer (DLO)  
Assistant Departmental Liaison Officer  
Departmental Liaison Officer (DLO) (from AusAID)  
Departmental Liaison Officer (from AusAID)
- (b) Mr Downer's Office  
Mr Downer's Office  
Mr Downer's Office (from AusAID)

Senator Patterson's Office (from AusAID)

- (c) Executive Level 2 - \$75,769

APS 4 - \$39,736

Executive Level 1 - \$60,451 (AusAID)

APS 6 - \$46,733 (AusAID)

- (d) from 6 December 1999

from 24 January 2001

from 15 July 1999 (AusAID)

from 27 March 2000 (AusAID).

- (3) Assistant Departmental Liaison Officer, Mr Downer's Office, APS 4 - \$39,736, from 13 July 1998 to 23 January 2001.

Departmental Liaison Officer, Senator Patterson's Office, 29 February 2000 to 4 April 2000, paid by AusAID as APS 6 - \$45,043.

The usual practice is for Portfolio Departments to provide staff to relieve Minister's personal staff while on approved leave of less than 12 weeks. Under this arrangement, the Department has provided short-term placements over the past year to cover such absences.

#### **Finance and Administration Portfolio: Parliament House Employees**

##### **(Question No. 3517)**

**Senator Faulkner** asked the Minister representing the Minister for Finance and Administration, upon notice, on 13 March 2001:

- (1) How many Australian Public Service (APS) officers whose salary is being paid, either in whole or in part, by the department or any portfolio agency, are currently employed in any capacity in Parliament House (excluding all persons employed under the Members of Parliament (Staff) Act).
- (2) For each of those persons currently employed in Parliament, and without naming those persons, please provide: (a) the capacity in which they are acting; (b) the senator's or member's office in which they are employed, or the functional area if they are employed in a parliamentary department; (c) the APS salary level paid to that person; and (d) the period of employment.
- (3) Please provide the same details for any such persons not currently employed but who have been so employed at any time during the past year.

**Senator Abetz**—The Minister for Finance and Administration has supplied the following answer to the honourable senator's question:

- (1) 17

- (2) (a) There are currently four Departmental Liaison Officers (DLOs), two officers working in Building and Operations area of the Ministerial Wing Support Unit and eleven officers working in the Ministerial Wing Communications Unit.
- (b) Of the 17 officers working in Parliament House, four work as Departmental Liaison Officers in the Portfolio Ministers Offices. There are two Departmental Liaison Officers deployed in the Minister for Finance and Administration's office, one deployed in the Special Minister of State's office and one deployed in the Parliamentary Secretary to the Minister for Finance and Administration's office.

(c) and (d)—

Capacity of Employment	(c) APS salary level	(d) Period of employment
Manager Building & Operations, Ministerial Wing Support Unit	Executive Level 1	August 1996 to date
Support Officer, Ministerial Wing Support Unit	APS Level 6	February 1998 to date
Director, Ministerial Wing Communications	Executive Level 2	March 1999 to date
Project Manager, Ministerial Wing Communications	Executive Level 1	December 2000 to date

Capacity of Employment	(c) APS salary level	(d) Period of employment
Operations Manager, Ministerial Wing Communications	APS Level 6	March 1999 to date
Security and Administration Manager, Ministerial Wing Communications	APS Level 6	March 1999 to date
Senior Project Technician, Ministerial Wing Communications	APS Level 5	March 1999 to date
Senior Operations Technician, Ministerial Wing Communications	APS Level 5	April 2000 to date
Cable Network Technician, Ministerial Wing Communications	APS Level 4	November 2000 to date
Operations Technician, Ministerial Wing Communications	APS Level 4	December 2000 to date
Operations Technician, Ministerial Wing Communications	APS Level 4	December 2000 to date
Assistant Custodian/Purchasing Officer, Ministerial Wing Communications	APS Level 4	December 2000 to date
Senior Help Desk Technician, Ministerial Wing Communications	APS Level 4	May 2000 to date
Departmental Liaison Officer, Minister for Finance and Administration	Executive Level 1	September 2000 to date
Departmental Liaison Officer, Minister for Finance and Administration	APS Level 6	March 2001 to date
Departmental Liaison Officer, Special Minister of State	APS Level 6	March 2000 to date
Departmental Liaison Officer, Parliamentary Secretary to the Minister for Finance and Administration	APS Level 6	September 2000 to date

(3) Nil.

**Education, Training and Youth Affairs Portfolio: Parliament House Employees  
(Question No. 3518)**

**Senator Faulkner** asked the Minister representing the Minister for Education, Training and Youth Affairs, upon notice, on 13 March 2001:

- (1) How many Australian Public Service (APS) officers whose salary is being paid, either in whole or in part, by the department or any portfolio agency, are currently employed in any capacity in Parliament House (excluding all persons employed under the Members of Parliament (Staff) Act).
- (2) For each of those persons currently employed in Parliament, and without naming those persons, please provide: (a) the capacity in which they are acting; (b) the senator's or member's office in which they are employed, or the functional area if they are employed in a parliamentary department; (c) the APS salary level paid to that person; and (d) the period of employment.
- (3) Please provide the same details for any such persons not currently employed but who have been so employed at any time during the past year.

**Senator Ellison**—The Minister for Education, Training and Youth Affairs has provided the following answer to the honourable senator's question:

- (1) There are four (4) officers currently employed in the Minister's and Parliamentary Secretary's offices whose salaries are paid by the Department of Education, Training and Youth Affairs.

## (2) Officer 1

- (a) Departmental Liaison Officer (DLO)
- (b) Dr David Kemp's office
- (c) Executive Level 2 (Senior Officer Grade B) \$69 435-\$80 083
- (d) 15 January 2001 – 31 December 2001

## Officer 2

- (a) Departmental Liaison Officer (DLO)
- (b) Dr David Kemp's office
- (c) Executive Level 1 (Senior Officer Grade C) \$59 663-\$64 250
- (d) 6 November 2000 – 2 January 2002

## Officer 3

- (a) Out-posted Schools Liaison Officer
- (b) Dr David Kemp's office
- (c) DETYA Level 2 (APS 5) \$38 723-\$44 456
- (d) DL2 (APS 5) 11 January 2001 – 13 July 2001

## Officer 4

- (a) Departmental Liaison Officer (DLO)
- (b) Ms Trish Worth's office
- (c) Executive Level 2 (Senior Officer Grade B) \$69 435-\$80 083
- (d) 22 June 2000 – 21 June 2001

Please note that DLO positions attract a ministerial allowance of \$12 485 p/a in addition to the usual salary for that level.

## (3) Details of occupants of these positions over the past year are listed below:

- (a) Departmental Liaison Officer (DLO)
- (b) Dr David Kemp's office
- (c) Executive Level 2 (Senior Officer Grade B) \$69 435-\$80 083
- (d) 4 January 2000 – 17 January 2001
- (a) Departmental Liaison Officer (DLO)
- (b) Dr David Kemp's office
- (c) Executive Level 1 (Senior Officer Grade C) \$59 663-\$64 250
- (d) 6 September 1999 – 17 November 2000
- (a) Out-posted Schools Liaison Officer
- (b) Dr David Kemp's office
- (c) DETYA Level 2 (APS 5) \$38 723-\$44 456
- (d) 24 January 2000 – 15 January 2001
- (a) Departmental Liaison Officer (DLO)
- (b) Ms Trish Worth's office
- (c) Executive Level 2 (Senior Officer Grade B) \$69 435-\$80 083
- (d) 1 January 2000 – 25 June 2000

In addition to these positions an officer at the DETYA level 2 (APS5) has provided relief for Departmental and MOPS staff for short periods in both the Minister's and Parliamentary Secretary's offices, ie approximately 30 days in total over the past year.

**Attorney-General's Portfolio: Parliament House Employees****(Question No. 3520)**

**Senator Faulkner** asked the Minister representing the Attorney-General, upon notice, on 13 March 2001:



- (1) How many Australian Public Service (APS) officers whose salary is being paid, either in whole or in part, by the department or any portfolio agency, are currently employed in any capacity in Parliament House (excluding all persons employed under the Members of Parliament (Staff) Act).
- (2) For each of those persons currently employed in Parliament, and without naming those persons, please provide: (a) the capacity in which they are acting; (b) the senator's or member's office in which they are employed, or the functional area if they are employed in a parliamentary department; (c) the APS salary level paid to that person; and (d) the period of employment.
- (3) Please provide the same details for any such persons not currently employed but who have been so employed at any time during the past year.

**Senator Ellison**—The Attorney-General has provided the following answer to the honourable senator's question:

Attorney-General's Department

- (1) Three
- (2) (a) Departmental Liaison Officer
- (2) (b)-(d) Two officers are employed in the Attorney-General's Office:  
Executive Level 2: 26 February 2001 (continuing)  
Executive Level 2: 19 February 2001 (continuing)  
One officer is employed in the Office of the Minister for Justice and Customs:  
Executive Level 2: 2-19 January 2001; 24 January 2001 (continuing)
- (3) (a) Departmental Liaison Officer
- (3) (b)-(d) Five officers were employed in the Attorney-General's Office:  
Executive Level 2: 3 July 2000 – 1 September 2000  
Executive Level 2: 25 September 2000 – 13 October 2000  
Executive Level 2: 7 February 2001 – 23 February 2001  
Executive Level 2: 13 March 2000 – 2 March 2001  
Executive Level 1: 27 March 2000 – 2 March 2001  
One officer was employed in the Office of the Minister for Justice and Customs:  
Principal Legal Officer: 13 March 2000 - 11 February 2001

Australian Customs Service

- (1) One
- (2) (a) Customs Liaison Officer
- (2) (b)-(d) One officer is employed in the Office of the Minister for Justice and Customs:  
Executive Level 2: 25 October 1999 (continuing)
- (3) (a) Customs Liaison Officer
- (3) (b)-(d) Two officers were employed in the Office of the Minister for Justice and Customs:  
Executive Level 2: 10 July 2000 – 4 August 2000  
Executive Level 1: 16-20 October 2000.

**Reconciliation and Aboriginal and Torres Strait Islander Affairs Portfolio: Parliament House Employees  
(Question No. 3522)**

**Senator Faulkner** asked the Minister representing the Minister for Reconciliation and Aboriginal and Torres Strait Islander Affairs, upon notice, on 13 March 2001:

- (1) How many Australian Public Service (APS) officers whose salary is being paid, either in whole or in part, by the department or any portfolio agency, are currently employed in any capacity in Parliament House (excluding all persons employed under the Members of Parliament (Staff) Act).
- (2) For each of those persons currently employed in Parliament, and without naming those persons, please provide: (a) the capacity in which they are acting; (b) the senator's or member's office in

which they are employed, or the functional area if they are employed in a parliamentary department; (c) the APS salary level paid to that person; and (d) the period of employment.

- (3) Please provide the same details for any such persons not currently employed but who have been so employed at any time during the past year.

**Senator Hill**—The Aboriginal and Torres Strait Islander Commission has provided the following information in response to the honourable senator's question:

Aboriginal and Torres Strait Islander Commission

- (1) One
- (2)
  - (a) Departmental Liaison Officer
  - (b) Minister for Aboriginal and Torres Strait Islander Affairs/Minister for Reconciliation and Aboriginal and Torres Strait Islander Affairs
  - (c) Executive Level 1 on a salary of \$63,272 plus DLO allowance of \$12,237 per annum
  - (d) 26 November 1998 to 30 June 2001
- (3) Not applicable

Department of Reconciliation and Aboriginal and Torres Strait Islander Affairs

- (1) One
- (2)
  - (a) Departmental Liaison Officer
  - (b) Minister for Reconciliation and Aboriginal and Torres Strait Islander Affairs
  - (c) Executive Level 1 on salary of \$59,000 plus DLO allowance of \$12,200 per annum
  - (d) 30 January 2001 to 30 November 2001
- (3) Not applicable as the department was established on 30 January 2001.

**Agriculture, Fisheries and Forestry Portfolio: Parliament House Employees  
(Question No. 3523)**

**Senator Faulkner** asked the Minister representing the Minister for Agriculture, Fisheries and Forestry, upon notice, on 13 March 2001:

- (1) How many Australian Public Service (APS) officers whose salary is being paid, either in whole or in part, by the department or any portfolio agency, are currently employed in any capacity in Parliament House (excluding all persons employed under the Members of Parliament (Staff) Act).
- (2) For each of those persons currently employed in Parliament, and without naming those persons, please provide: (a) the capacity in which they are acting; (b) the senator's or member's office in which they are employed, or the functional area if they are employed in a parliamentary department; (c) the APS salary level paid to that person; and (d) the period of employment.
- (3) Please provide the same details for any such persons not currently employed but who have been so employed at any time during the past year.

**Senator Alston**—The Minister for Agriculture, Fisheries and Forestry has provided the following answer to the honourable senator's question:

- (1) 4.
- (2)

(a) Capacity	(b) Office	(c) Salary	(d) Period
Departmental Liaison Officer	Hon Warren Truss MP	DPIE BAND 3 AFFA Level 8(A)	From 20 July 1999
Departmental Liaison Officer	Hon Warren Truss MP	DPIE BAND 3 AFFA Level 8(A)	From 2 March 2001
Departmental Liaison Officer	Hon Wilson Tuckey MP	DPIE BAND 3 AFFA Level 8(A)	From 23 November 2000
Departmental Liaison Officer	Senator the Hon Judith Troeth	DPIE BAND 3 AFFA Level 7	From 7 December 2000

- (3) The following is a list of APS officers who, since 1 March 2000, held a position in Parliament House. It does not include staff provided under short term relief arrangements.

(a) Capacity	(b) Office	(c) Salary	(d) Period
Departmental Liaison Officer	Hon Warren Truss MP	DPIE BAND 3 AFFA Level 9	8 May 2000 to 2 March 2001
Departmental Liaison Officer	Hon Wilson Tuckey MP	DPIE BAND 3 AFFA Level 8(A)	28 September 1999 to 11 December 2000
Departmental Liaison Officer	Senator the Hon Judith Troeth	DPIE BAND 3 AFFA Level 7	20 December 1999 to 11 December 2000
Departmental Liaison Officer	Hon Warren Truss MP	DPIE BAND 3 Level 8	20 July 1999 to 10 May 2000

**Veterans' Affairs Portfolio: Parliament House Employees**  
(Question No. 3526)

**Senator Faulkner** asked the Minister representing the Minister for Veterans' Affairs, upon notice, on 13 March 2001:

- (1) How many Australian Public Service (APS) officers whose salary is being paid, either in whole or in part, by the department or any portfolio agency, are currently employed in any capacity in Parliament House (excluding all persons employed under the Members of Parliament (Staff) Act).
- (2) For each of those persons currently employed in Parliament, and without naming those persons, please provide: (a) the capacity in which they are acting; (b) the senator's or member's office in which they are employed, or the functional area if they are employed in a parliamentary department; (c) the APS salary level paid to that person; and (d) the period of employment.
- (3) Please provide the same details for any such persons not currently employed but who have been so employed at any time during the past year.

**Senator Minchin**—The Minister for Veterans' Affairs has provided the following answer to the honourable senator's question:

- (1) Two.
- (2) Details are:
  - (a) Departmental Liaison Officer (DLO);
  - (b) Office of the Minister for Veterans' Affairs, Parliament House, Canberra;
  - (c) Executive Level 1 (\$57,304-63,799) plus DLO Allowance at an annual rate of \$12,727; and
  - (d) since 6 November 2000.
  - (a) Graduate Australian Public Service (GAPS) employee;
  - (b) Office of the Minister for Veterans' Affairs, Parliament House, Canberra;
  - (c) APS 2 \$32,240; and
  - (d) since 5 February 2001.
- (3) The previous DLO joined the Office on 5 October 1999. There have been previous GAPS placements of 2-4 months duration.

**Austrade: Agrifood**  
(Question No. 3528)

**Senator O'Brien** asked the Minister representing the Minister for Trade, upon notice, on 22 March 2001:

- (1) Does Austrade develop agrifood related plans at a post and regional level?
- (2) (a) How are these plans developed? (b) who is consulted as part of the process of developing these plans?
- (3) Does each plan developed at a post or regional level contain quantitative key performance indicator (KPI) targets?
- (4) Do the plans provide for regular reporting at a post and regional level against these KPI targets?
- (5) (a) What process of analysis of these KPI targets is undertaken? (b) How often is this data analysis undertaken? (c) To what use is the analysis of this data put?

**Senator Hill**—The Minister for Trade has provided the following answers to the honourable senator's questions:

- (1) Yes, for those posts/regions that identify a market opportunity for specific agrifood products or services, sufficient to warrant the allocation of resources.
- (2) (a) Austrade is a market-focussed organisation and does not centrally determine resource allocation or targets by industry sector unless there is an agreed Government program or purchaser/provider agreement in place. Austrade does, however, take the Government's key action agendas for industry into account when setting its market research and development objectives.  
(b) The plans are developed by Austrade's overseas network on an individual post or regional basis:
  - taking account of Australian supply capability, and matching that to an identified market opportunity;
  - drawing information from a number of sources, including Austrade's Agribusiness team (which includes food) in the Australian Operations Division of Austrade;
  - co-ordinating international business development initiatives with Commonwealth departments and bodies such as the Department of Foreign Affairs and Trade, the Department of Agriculture, Fisheries and Forestry-Australia and Supermarket to Asia Ltd. This consultation is on an ongoing basis, as well as through fora such as Austrade's Agribusiness Export Advisory Panel, which is made up of industry representatives, and through the departmental Market Development Task Force;
  - in consultation with statutory marketing authorities/producer owned groups, industry associations, state primary industry and state development departments as appropriate.
- (3) Yes. This is a requirement of Austrade's business planning.
- (4) Austrade has a range of performance requirements:
  - At a corporate level there is monthly reporting to senior management of KPIs and other performance results. The Board also receives a six monthly report on corporate performance.
  - At a regional and post level there is reporting against plans - KPIs against targets as a total and also performance against specific strategies as appropriate.
  - Regional management will also have performance discussions with the post managers against their plans on a regular basis.
- (5) As per question 4, this data is reported regularly and is analysed by individual posts, regions and industry specialists in annual planning as required.

#### **Farm Family Restart Scheme: Review**

##### **(Question No. 3532)**

**Senator O'Brien** asked the Minister representing the Minister for Agriculture, Fisheries and Forestry, upon notice, on 22 March 2001:

- (1) Did the department engage a consultant to review the Farm Family Restart Scheme; if so: (a) who did the review; (b) when did the work commence; and (c) when was the report provided to the department.
- (2) (a) What were the key recommendations from the consultant; (b) which recommendations have been accepted; (c) which have been rejected; and (d) which recommendations are still under consideration.
- (3) When will a decision be made to accept or reject those recommendations still being considered.

**Senator Alston**—The Minister for Agriculture, Fisheries and Forestry has provided the following answer to the honourable senator's question:

- (1) The department of Agriculture, Fisheries and Forestry engaged a consultant to review the Farm Family Restart Scheme (FFRS).
  - (a) The South Australian Centre for Economic Studies was commissioned to conduct a mid-term review of the FFRS.
  - (b) The consultant commenced in the review in December 1999.
  - (c) The review concluded with the provision of a report to the department in March 2000.

- (2) (a) The consultants did not provide a final list of recommendations in the report, rather they provided the results of focused observations of the scheme and identified issues relating to improving the content and outcomes of the scheme. The consultants identified two distinct FFRS client groups, with Group A consisting of farmers who do not want to leave farming and Group B consisting of farmers wanting to exit farming. One additional sub-group, Group C, represented FFRS participants who want to exit farming but who would not be eligible for the re-establishment grant because they own farm or non-farm assets above the program's threshold of \$167,500.
- (b) The following proposed issues for consideration from the report focusing on both administrative and client group issues were accepted and have been incorporated into the FFRS successor – the AAA Farm Help – Supporting Families Through Change program:
- Consideration be given to an end of program follow-up with individuals to assess outcomes of advice given, actions planned or undertaken and changes to viability.  
The implementation of Centrelink case management of AAA Farm Help customers and the development of activity plans by farmers on the scheme will ensure farmers receive appropriate guidance and support while on the scheme and that their adherence to advice is monitored and followed up. The Restart Re-establishment Grant Scheme Amendment 2000 No.3 and the Farm Household Support Amendment Act 2000, which commenced on 18 December 2000, provide for the requirement that farmers whose farms are assessed as not viable under the mandatory advice session must develop and act in accordance with an activity plan. The activity plan must be developed to either assist the farmer to exit farming or improve the farm's viability. A farmer with a viable farm has the option of the development of an activity plan to assist with planning for their future. A post program assessment of farmers as they leave the program, currently under development, will assess program outcomes through individual analysis.
  - Extend the time to sell the farm.  
The Restart Re-establishment Grant Scheme Amendment 2000 No.3, of 18 December 2000, allows ministerial discretion to be exercised in special cases when the sale of the farm occurs after the 12-month period allowed, due to circumstances beyond the farmer's control.
  - Allow farmers who have lost control of their farm enterprise to be considered eligible for FFRS.  
This issue was addressed prior to the mid-term review in the Restart Re-establishment Grant Scheme Amendment 1999 No. 1, which enables farmers who lose control of their farm access to AAA Farm Help under certain circumstances. Since 21 July 1999, a farmer can either enter into a voluntary foreclosure agreement or an arrangement under Part 10 of the Bankruptcy Act 1966 after they commence on the AAA Farm Help program and prior to selling the farm and not be precluded from the grant. By entering into an arrangement voluntarily, a farmer can be seen to be in control of decisions regarding exiting the farming industry.  
However, it is the intention of AAA Farm Help to be an incentive for farmers to leave non-viable farms and exit out of the industry before their assets become severely depleted. The situation where farmers lose control of their farms and subsequently wish to access the scheme as a 'last resort' option is inconsistent with the intention of the scheme.
  - Consider the asset limit with a view to raising the limit, partly to address the older farmer who may want to leave farming and is likely to have accumulated a higher asset base than the younger farmer.  
In recognition of this recommendation, on 1 July 2000 the Restart Re establishment Grant Scheme Amendment 2000 No.2 provided for an increase to the asset threshold to obtain the maximum re-establishment grant from \$90,000 to \$100,000. The asset threshold was limited to this amount as the scheme is targeted towards farmers who are in severe financial difficulty. It is reasonable to expect that farmers with assets higher than the asset limit set for the re-establishment grant should, like other members of the community, first rely upon their own resources before seeking taxpayer-funded assistance.

- Farmers deciding to exit farming should be encouraged to access career training and education and advisors should promote this requirement more actively.

Re-establishment grant recipients and their spouses have access to the retraining grant, which provides up to \$3,500 in financial assistance to assist with the costs of re-skilling for work within other industries. The grant has been available since 18 December 2000 and is provided for in the Restart Re-establishment Grant Scheme Amendment 2000 No.3. Centrelink, through case management, will promote the retraining grant and the option for obtaining career counselling under the AAA Farm Help professional advice component. Case management assists farmers identify re-training and education options.

- Encourage a health assessment under the counselling and HealthCare Card component.

Upon their initial contact with Centrelink, farmers with health issues would be advised of the most appropriate payment for their individual circumstances. This is in line with Centrelink's 'life events' approach to service delivery. If that payment is AAA Farm Help, the farmer could utilise the scheme's professional advice component, such as personal advice, for a health assessment if necessary.

- Improve the level of information to rural advisors about FFRS.

During February 2001, the department distributed to all current rural financial counsellors a AAA Farm Help information kit, including Centrelink fact sheets. Centrelink participates in State rural financial counsellor workshops and provides information to counsellors through Centrelink publications such as newsletters and rural magazines. Centrelink, in consultation with AFFA, is considering the utilisation of information technology as a means of improving communication to rural counsellors.

- Farmers whose farm or non-farm assets are too high for them to take the re-establishment grant be allowed to have access to the counselling and education components of the scheme.

Farmers who qualify for AAA Farm Help income support but who do not qualify for the re-establishment grant have, since the beginning of the scheme, been able to access other elements of AAA Farm Help, such as counselling or financial advice. Farmers who are not eligible for the grant due to their total assets (farm and off-farm assets) are still able to access these elements of the scheme as long as they fall within limits set for non-farm assets and income. Farmers must provide a bank certificate from a financial institution to verify that they can no longer borrow against their assets to be eligible for the program.

- The consultants recommend that farmers who do not want to leave farming be moved to another program such as FarmBis. Related to this refocussing, the report suggests that there is a need to match farmers' circumstances to the appropriate elements of FFRS.

Through the development of an activity plan, farmers will be assisted to identify their options for increasing the viability of their farms, including accessing other assistance programs such as FarmBis. Case management provides farmers with access to other assistance through a referral service. Once the farmer's options have been identified, the case managers can provide the most appropriate referrals.

- The consultants recommend aged farmers or those considering succession planning be eligible for Retirement Assistance for Farmers Scheme (RAFS) where aged over 65; and/or assistance with succession planning.

This comment was made in the context of RAFS not being extended. The Government has extended the RAFS scheme until 30 June 2001, which provides assistance with succession planning for farmers wanting to pass the farm to the next generation.

- (c) The following issue for consideration set out in the report was not seen as appropriate for the scheme:

- Farm owners relative to farmers leasing a property need to be treated equitably under the asset limit test.

In line with mainstream welfare payment guidelines, AAA Farm Help aims to assist those farmers in severe financial difficulty regardless of their age and farm structure. It

is reasonable that farmers, like other members of the community, first rely upon their own resources before seeking taxpayer-funded assistance.

- (d) There are no issues for consideration from the report still under consideration.
- (3) There are no outstanding decisions regarding the issues for consideration from the report.

### **Environment Australia: Tree Fern Exports**

#### **(Question No. 3533)**

**Senator Brown** asked the Minister for the Environment and Heritage, upon notice, on 23 March 2001:

- (1) Why is Environment Australia facilitating the proposal to export tree ferns from Tasmania.
- (2) Who wants the export trade.
- (3) What volume is proposed to be exported.
- (4) What will be the environmental impact in: (a) Tasmania; and (b) the export destination countries.

**Senator Hill**—The answer to the honourable senator's question is as follows:

- (1) Environment Australia has received a "Tree Fern Management Plan for the Harvesting, Transport or Trading of *Dicksonia antarctica* in Tasmania" for consideration under section 10A (controlled specimens) of the Wildlife Protection (Regulation of Exports and Imports) Act 1982. The Plan has been circulated for public comment as required by the Act and is currently being assessed by Environment Australia. On completion of Environment Australia's assessment and provided that I am satisfied that the Plan meets the requirements of the Act, the Plan will be approved to enable the export of tree ferns harvested in Tasmania.
- (2) The Plan has been prepared jointly by the Tasmanian Forest Practices Board and the Tasmanian Department of Primary Industries, Water and Environment.
- (3) The exact volumes to be exported are not known at this time. The Plan allows for the salvage harvest of tree ferns from forestry areas, roads and clearings which will be subject to authorised timber removal. The quantities of tree ferns will be determined on a site by site basis.
- (4) The environmental impact in Tasmania will be minimal as the harvest is restricted to salvage operations in cases where the tree ferns would otherwise be destroyed by normal forestry activities. The impact in destination countries is considered minimal as the tree ferns are primarily exported to northern hemisphere nations for use in the nursery trade. There are no known instances of Australian tree ferns becoming weeds in other countries.

### **Essendon Airport: Sale**

#### **(Question No. 3534)**

**Senator Allison** asked the Minister representing the Minister for Finance and Administration, upon notice, on 26 March 2001:

- (1) What is the current status of the privatisation of Essendon Airport.
- (2) (a) On what date were expressions of interest called for; and (b) was this advertised widely.
- (3) Was the sale of Essendon Airport Limited, with its emphasis on property development and aviation potential, advertised in the national print media such as the Australian Financial Review.
- (4) If the sale has not been advertised in the national print media then why not.
- (5) (a) What is the closing date for expressions of interest; and (b) can expressions of interest be lodged after the closing date.
- (6) How many expressions of interest have been received.
- (7) Can copies of the information material given to prospective tenders be provided.
- (8) Have consultants been appointed to handle the tendering process; if so: (a) who are the consultants; and (b) what is their fee.
- (9) What experience do the consultants have in relation to assessing the value of an airport and effectively marketing the sale of such a facility.
- (10) Are the consultants marketing Essendon Airport Limited to prospective overseas buyers.

- (11) Under the stated objective of commitment to the continued development of the site as an operational airport, what is the anticipated increase in air traffic over: (a) the next 10 years; and (b) the next 20 years.
- (12) Will the Government support proposals to increase development of non-aviation, commercial and industrial uses within the airport; if so: (a) will there be any constraints on the area or location of land to be so developed; and (b) what are those constraints.
- (13) As the city of Moonee Valley does not have a policy on the operation of Essendon Airport, what consultation has taken place with residents adversely affected by the operations of the airport.
- (14) What is the current value of Essendon Airport Limited.
- (15) What is the current value of the real property (valued for aviation and related purposes) known as 'Essendon Airport'.
- (16) What is the current value of the real property (valued for non-aviation purposes) known as 'Essendon Airport'.
- (17) What is the annual lease rent paid by Essendon Airport Limited for the real property known as 'Essendon Airport'.
- (18) Is the rental return received from Essendon Airport Limited a reasonable yield on the real property asset valued for aviation purposes.
- (19) Is the rental return received from Essendon Airport Limited a reasonable return on the real property asset valued for non-aviation purposes.
- (20) What are the terms of the lease from the Commonwealth to Essendon Airport Limited of the Essendon Airport site.
- (21) What were the total losses incurred during the period 1 July 1975 to 30 June 2000 by Essendon Airport Limited and its predecessor entity in operating Essendon Airport.
- (22) If Essendon Airport Limited is sold will it, or businesses operating on the site, have to pay local government rates to the city of Moonee Valley.
- (23) Are the costs of providing aviation-related services at Essendon Airport by Airservices Australia being fully recovered from persons or entities operating or using aviation services, or do these continue to be subsidised by the taxpayer.
- (24) If Essendon Airport Limited is sold, is the Federal Government committed to provide further capital funding assistance at the airport site.
- (25) Because the Essendon Airport site is owned by the Commonwealth, will this mean that businesses on the airport are able to obtain a competitive advantage over similar businesses not located on the airport site; if so, what is the Federal Government going to do to achieve a level playing field for business.
- (26) Given that the lease of the airport for 99 years is virtually granting the lessee freehold ownership of the site, how is the Government addressing valuation issues relating to potential windfalls to the lessee entering into long-term leases with sub-lessees.
- (27) (a) Is the scoping study undertaken by the Government consultants recommending the sale of the airport publicly available; if not, why not; and (b) can a copy of this scoping study be provided.
- (28) Does the Federal Government acknowledge that Essendon Airport has one of the worst safety records of any airport on the Australian mainland; if not, which airports on the Australian mainland have a poorer safety record than Essendon Airport.
- (29) What action is the Federal Government going to take to reduce the number of aviation safety incidents (based on information provided by the Australian Transport Safety Bureau covering the period 1 January 1993 to 20 August 2000) that are occurring on average once every 10 days.
- (30) (a) What will the Government do to improve safety at Essendon Airport; and (b) why is it that improving safety is not one of the objectives of the sale.
- (31) In the sale process, will the Government require that fire and emergency services be sited at the airport.
- (32) In line with the 1987 general aviation plan that 1 200 hectares is a safe size for an airport equivalent to Essendon Airport, does the Government propose to acquire an additional 900 hectares to provide an acceptable buffer zone; if not, why not.



**Senator Abetz**—The Acting Minister for Finance and Administration has supplied the following answer to the senator's question:

- (1) Non-binding indicative offers have been sought from interested parties for the sale of Essendon Airport Limited.
- (2) (a) 26 February 2001, (b) Yes. (See response to question 3)
- (3) Yes. A media advertisement in relation to the sale of the Commonwealth's shares in Essendon Airport Limited was placed in the press. The advertisement appeared in the Australian Financial Review on 17 April 2001.
- (4) See answer to question 3.
- (5) (a) Expressions of Interest can be submitted throughout the non-binding indicative offer period. Non-binding indicative offers are to be lodged by 18 May 2001, (b) Expressions of Interest cannot be submitted after the lodgment date for non-binding indicative offers.
- (6) As at 12 April 2001, over 20 Expressions of Interest have been received.
- (7) No.
- (8) Yes, (a) Deutsche Bank AG and Clayton Utz, (b) Total contract value for Deutsche Bank AG is \$1,000,000 and Clayton Utz \$510,000.
- (9) Deutsche Bank AG is an investment bank with considerable experience in advising clients on general corporate finance matters including the buying and selling of airports.
- (10) No.
- (11) As advised by my department, in consultation with DOTRS, in relation to both (a) and (b), Essendon Airport will continue to cater principally for general aviation activities and emergency services such as Air Ambulance Victoria and the Victorian Police Wing. At Essendon Airport during 2000 there was a total of 66,940 aircraft movements comprising mainly fixed wing light aircraft, (84%) and helicopters, (12%). Over the last 10 years the growth rate in aircraft movements has been 1.7% per annum. It is not expected that future growth will differ substantially from past trends.
- (12) As advised by my department, in consultation with DOTRS, in relation to both (a) and (b), Essendon Airport is to remain a general aviation airport to be regulated under the Airports Act 1996 with the development of the land to be in accordance with the Act and associated lease provisions. The Airport Lessee may undertake commercial and industrial development provided it is consistent with the provisions of the Act.
- (13) The Commonwealth is aware of a diversity of local community views on Essendon Airport.
- (14) Any valuation of Essendon Airport Limited is confidential to the Commonwealth as vendor for commercial reasons.
- (15) See answer to question 14.
- (16) See answer to question 14.
- (17) On 1 July 1998, Essendon Airport Limited acquired the lease of Essendon Airport including certain assets associated with the business. As consideration, shares to the value of \$15 million were issued to the Commonwealth. This amount included an upfront premium for the 50 year lease and the 49 year renewal option. No additional rental or lease premium payments are required to be made by Essendon Airport Limited under the lease.
- (18) No ongoing rental or lease premium payments are made by Essendon Airport Limited to the Commonwealth.
- (19) See answer to question 18.
- (20) The lease is publicly available from the Land Titles Office in Victoria (Registration number W786494P)
- (21) As advised by my department, itemised financial statements showing the individual contributions of each airport were produced only from January 1988. From 1 January 1988 to 30 June 1998, when controlled by the Federal Airports Corporation, accumulated losses before interest and tax totalled \$14.7 million. From date of incorporation of Essendon Airport Limited, in July 1998 up until 30 June 2000 accumulated earnings before interest and tax of \$788,000 were recorded.

(22) As advised by my department, in consultation with DOTRS, the Airport Lease provides for the Airport Lessee to make a payment in lieu of rates as the land will continue to be owned by the Commonwealth.

(23) As advised by my department, in consultation with DOTRS, at present, Airservices Australia does not fully recover the costs of the provision of the air traffic control (ATC) tower service at Essendon through its terminal navigation charges applied to aviation users. To meet the shortfall at Essendon, Airservices will be receiving a subsidy of \$1,064,892 for the 2000/2001 financial year. The cost of this subsidy is recovered through an excise applied to aviation fuels, which is currently 0.44 cents per litre.

(24) No.

(25) As advised by my department, in consultation with DOTRS, under the terms of Airport Leases for former Federal airports, the airport lessees must pay all rates, land and other taxes which are legally levied by the States / Territories and local Governments. Where local Government rates and State land taxes cannot be levied by these authorities because the airport site continues to be owned by the Commonwealth, the lessee is required to make an ex gratia payment in lieu of rates to the local Government authority and to make payments in lieu of land tax to the Commonwealth. All airports sold by leasehold, including Essendon Airport, are subject to these requirements. These requirements were designed to ensure that businesses on the airport would not be able to obtain a competitive advantage.

(26) The Commonwealth is offering Essendon Airport Limited (EAL) for sale and expects all valuation issues to be addressed in the sale price.

(27) (a) No. The Scoping Study was used as the basis of provision of advice to government, (b) No.

(28) No. As advised by my department, in consultation with DOTRS, it is difficult to draw an analogy between airports when inferring relative levels of safety as there are many factors that influence safety and these may include; weather conditions, terrain, the type of aviation operations conducted, the density of air traffic, and whether an air traffic control service is provided. Essendon is not heavily trafficked and operates as a General Aviation airport with aircraft up to 45 tonnes, but without training circuits being performed.

(29) As advised by my department, in consultation with DOTRS, the Civil Aviation Safety Authority (CASA) is the agency that is directly responsible for air safety regulation and the day to day safety oversight of the industry.

To perform its function CASA regulates aviation safety, including the administration of requirements in relation to the operation of aerodromes (and the issue of airport licences) and airport safety. In performing its functions, CASA is required to give high priority to safety and does this by:

- Setting aviation standards and rules;
- Licensing pilots and aviation engineers;
- Certifying aircraft and operators;
- Carrying out safety surveillance;
- Enforcing safety standards and rules;
- Providing regulatory oversight of the national airways system, air traffic services and rescue and fire fighting services; and
- Actively assisting the aviation industry to adopt and maintain high safety levels through education, training advice and consultations

Essendon Airport, like other licensed aerodromes, is required to meet regulations and standards set by CASA for the safe operation of an airport and CASA carries out compliance checks on the Airport's application of its standards.

(30) (a) As advised by my department, in consultation with DOTRS, in order to meet one of the principal objectives for the sale, 'the continued operation of Essendon Airport principally as a general aviation airport, to facilitate rural and regional access to Melbourne', Essendon, like other licensed aerodromes, will be required to meet regulations and standards set by the Civil Aviation Safety Authority for the safe operation of an airport, (b) Safety is a matter for aerodrome regulation, not commercial sale processes.

(31) No. As advised by my department, in consultation with DOTRS, as is the case with all General Aviation Airports, Essendon Airport has no dedicated aviation rescue or fire fighting service. The

Airport has well rehearsed Aerodrome emergency procedures developed in accordance with Civil Aviation Regulations and in consultation with Victoria Police, the Metropolitan Fire and Emergency Services Board, the Ambulance Service of Victoria and other agencies. Those procedures have local emergency services notified by Airservices Australia air traffic controllers when local fire, ambulance and police units are required at the Airport. They also provide for airport administrative arrangements to assist emergency services personnel attending, and operating on, the Airport. An Aerodrome Emergency exercise is held annually and the procedures are reviewed at least semi annually as well as after any live emergency or training exercises. These arrangements would continue under any new operator.

- (32) No. As advised by my department, in consultation with DOTRS, Essendon Airport, like any other licensed aerodrome, is required to meet regulations and standards set by the Civil Aviation Safety Authority (CASA) for the safe operation of an airport.

**Army Recruit Training: Bank Accounts**

**(Question No. 3535)**

**Senator Ludwig** asked the Minister representing the Minister Assisting the Minister for Defence, upon notice, on 27 March 2001:

Are recruits entering the Army's General Entry Military (Recruit) Training Course required to have a bank account with a specified minimum balance prior to commencing training.

**Senator Minchin**—The Minister Assisting the Minister for Defence has provided the following answer to the honourable senator's question:

The Army Recruit Training Centre requires recruits to arrange a bank account prior to marching in for recruit training for the purposes of Net Pay Deposit. It is the banks who impose the requirement for a minimum balance.

**Army Recruit Training: Clothing Purchases**

**(Question No. 3536)**

**Senator Ludwig** asked the Minister representing the Minister Assisting the Minister for Defence, upon notice, on 27 March 2001:

Are recruits entering the Army's General Entry Military (Recruit) Training Course required to purchase items of personal clothing of a particular type and design prior to commencing their training; if so, (a) what type and design; and (b) what is the expected cost of these purchases.

**Senator Minchin**—The Minister Assisting the Minister for Defence has provided the following answer to the honourable senator's question:

The Army Recruit Training Centre does not require recruits to purchase any special types of clothing. They are issued with sufficient equipment and clothing to complete training.

Recruits may need to purchase items of civilian clothing if they do not own the appropriate level of civilian attire.

Recruits are given the opportunity to purchase memorabilia associated with their training platoon, however, this is voluntary.

**Tasmania: Regional Forest Agreement**

**(Question No. 3538)**

**Senator Brown** asked the Minister representing the Prime Minister, upon notice, on 29 March 2001:

With reference to the Prime Minister's assertion, in 1997, that the Tasmanian Regional Forest Agreement 'will directly deliver 550 new jobs and indirectly deliver another 400 or 500':

- (1) How and where have these jobs been created.
- (2) How many jobs have been shed in the forestry industry since 1997.
- (3) Has the rate of export woodchipping grown since 1997; if so: (a) by how much; and (b) how many extra jobs have been created by this increase; if not, how many jobs have been lost.
- (4) (a) How many people were employed by Forestry Tasmania in 1997; and (b) how many are employed now.

- (5) (a) How much of the Plantations and Industry Package of \$80 million has been spent; (b) on what was it spent; and (c) what is the timeline for spending the remainder.
- (6) (a) How much of the \$30 million for protection of private land forests has been spent; and (b) what is the timeline for spending the remainder.

**Senator Hill**—The Prime Minister has provided the following answer to the honourable senator's question:

I am advised by my department as follows:

- (1) This will be analysed as part of the five-year review of the Tasmanian Regional Forest agreement due by the end of 2002.
  - (2) The Commonwealth is not aware of forest industry jobs having been shed in Tasmania since the signing of the RFA in November 1997.
  - (3) and 3(a) In 1996-97 Tasmania exported 1.335 million tonnes of woodchips, 1.911 million tonnes in 1997-98 and 1.754 million tonnes in 1998-99. The latest figures for 1999-2000 are not available, as they have been classified confidential by the Australian Bureau of Statistics.  
(b) Employment figures linked to the export of woodchips are not available.
  - (4) (a) I am advised that Forestry Tasmania had 627 employees in 1997, with a small contract force engaged in silvicultural work.  
(b) As at 30 June 2000 Forestry Tasmania employed 586 people directly, with an additional 280 silvicultural contractors and 436 harvesting contractors.
  - (5) (a) I am advised that just over \$40 million has been spent under the Plantations and Industry Package.  
(b) The Plantations and Industry Package has established approximately half of the targeted plantation area and provided funding for roads, management of new reserves, tourism infrastructure and industry development.  
(c) The remainder of plantations will be established over the next three years (with sufficient funds to be retained for the maintenance of plantations during the first rotation) with the balance of the programme to be committed over the next two years.
- Full details on the package are contained in the December 2000 Annual Report on the Implementation of the Tasmanian Regional Forest Agreement.
- (6) (a) Of the \$30 million set aside for the Private Forest Reserves Program, \$10 million was provided up-front to Tasmania to be held in a trust fund with a further \$20 million to be provided from the Natural Heritage Trust. Of the \$20 million Natural Heritage Trust allocation, \$5,093,675 has been approved for purchases of land, the establishment of covenants and the implementation of management agreements of approved proposals. Of this, \$4,666,675 has already been forwarded to Tasmania and a further \$427,000 has been committed as a result of recent approvals.  
(b) The timeline for expenditure of the \$20 million Natural Heritage Trust funds allocated to the Private Forest Reserves Program is as for other expenditure under the Natural Heritage Trust, that is, 31 December 2002. The remainder of non-Natural Heritage Trust programme funds will be fully expended or committed by 31 December 2003.

**G & K O'Connor Meatworks: Afghan Employees**  
**(Question No. 3539)**

**Senator Carr** asked the Minister representing the Minister for Immigration and Multicultural Affairs, upon notice, on 29 March 2001:

- (1) How many Afghan refugees have been employed by G&K O'Connor in Pakenham, Victoria, in the past 18 months.
- (2) What has been the duration of their employment.
- (3) How many are currently employed.
- (4) What assistance has the department provided to either: (a) G&K O'Connor to employ these people; or (b) to individual refugees (or their agents) to secure employment at G&K O'Connor.
- (5) What consultation has taken place between the department and the Department of Employment, Workplace Relations and Small Business about the employment of these people.

(6) Were any of these people recruited from the Maribyrnong Detention Centre.

**Senator Ellison**—The Minister for Immigration and Multicultural Affairs has provided the following answer to the honourable senator's question:

- (1) Once granted a visa, whether a permanent protection or temporary protection visa (granted either onshore or offshore), refugees are able to move freely in Australia and take advantage of the employment opportunities open to them. The Department of Immigration and Multicultural Affairs (DIMA) does not keep information on the number of refugees employed in particular industries nor the number employed by specific employers.
- (2) This information is not collected by DIMA.
- (3) This information is not collected by DIMA.
- (4) (a) and (b) DIMA has not provided assistance to G&K O'Connor to employ Afghan refugees or to any Afghan refugees (or their agents) to be employed by G&K O'Connor.
- (5) There has been no consultation with the Department of Employment, Workplace Relations and Small Business in regard to the employment of Afghan refugees at G&K O'Connor in Pakenham, Victoria.
- (6) DIMA has not authorised nor is DIMA aware of any employment recruitment activities in relation to these people at Maribyrnong Detention Centre. When in detention these people were able to communicate privately with relatives and friends in the community.

**G & K O'Connor Meatworks: Employees**

**(Question No. 3540)**

**Senator Carr** asked the Minister representing the Minister for Employment, Workplace Relations and Small Business, upon notice, on 29 March 2001:

- (1) How many Afghan refugees have been employed by G & K O'Connor in Pakenham, Victoria, in the past 18 months.
- (2) Have any of these individuals been dismissed in the course of their employment and for what reasons.
- (3) Have any of these individuals been employed under Australian Workplace Agreements; if so, at what rates of pay.

**Senator Alston**—The Minister for Employment, Workplace Relations and Small Business has provided the following answer to the honourable senator's question:

- (1), (2) and (3) Not Known.

**Meat Processing Industry: Trainees**

**(Question No. 3541)**

**Senator Carr** asked the Minister representing the Minister for Education, Training and Youth Affairs, upon notice, on 2 April 2001:

What is the number of trainees currently in the meat processing industry in Australia.

**Senator Ellison**—The Minister for Education, Training and Youth Affairs has provided the following answer to the honourable senator's question:

The National Centre for Vocational Education Research has advised the Department that as at 31 December 2000 there were 8,938 persons engaged in meat processing New Apprenticeships in Australia.

**Meat Processing Industry: Trainees**

**(Question No. 3542)**

**Senator Carr** asked the Minister representing the Minister for Education, Training and Youth Affairs, upon notice, on 2 April 2001:

Of the trainees currently in the meat processing industry in Australia, how many are working in each state and territory, and, of these, at what Australian qualifications framework levels are they being trained.

**Senator Ellison**—The Minister for Education, Training and Youth Affairs has provided the following answer to the honourable senator's question:

The National Centre for Vocational Education Research has provided the Department with a breakdown of New Apprenticeships in training in the meat processing by the Australian Qualifications Framework (AQF) and State/Territory as at 31 December 2000:

	AQF I	AQF II	AQF III	AQF IV	Not Known	Total
New South Wales						
4511-00 Meat Tradespersons	0	0	0	0	0	0
4511-01 Supervisor Meat Tradespersons	0	0	0	23	0	23
4511-11 Butcher	0	0	741	0	0	741
4511-13 Smallgoods Maker	0	3	33	0	0	36
4511-15 Slaughterperson	0	0	402	0	0	402
4511-81 Apprentice Butcher	0	0	0	0	0	0
4511-85 Apprentice Slaughterperson	0	0	0	0	0	0
9213-11 Meatworks Labourer	0	1,165	0	0	0	1,165
9213-13 Meat Boner & Slicer	0	0	229	0	0	229
9213-15 Poultry Process Worker	0	0	0	0	0	0
Totals	0	1168	1405	23	0	2596
Victoria						
4511-00 Meat Tradespersons	0	0	0	0	0	0
4511-01 Supervisor Meat Tradespersons	0	0	0	0	0	0
4511-11 Butcher	0	0	514	0	0	514
4511-13 Smallgoods Maker	0	0	23	0	0	23
4511-15 Slaughterperson	0	6	177	94	0	277
4511-81 Apprentice Butcher	0	0	0	0	0	0
4511-85 Apprentice Slaughterperson	0	0	0	0	0	0
9213-11 Meatworks Labourer	0	792	0	0	0	792
9213-13 Meat Boner & Slicer	0	7	116	0	0	123
9213-15 Poultry Process Worker	0	0	0	0	0	0
Totals	0	805	830	94	0	1729
Queensland						
4511-00 Meat Tradespersons	0	0	0	0	0	0
4511-01 Supervisor Meat Tradespersons	0	0	0	37	0	37
4511-11 Butcher	0	0	440	0	0	440
4511-13 Smallgoods Maker	0	27	7	0	0	34
4511-15 Slaughterperson	0	0	215	0	0	215
4511-81 Apprentice Butcher	0	0	0	0	0	0
4511-85 Apprentice Slaughterperson	0	0	0	0	0	0
9213-11 Meatworks Labourer	0	1,474	31	0	0	1,505
9213-13 Meat Boner & Slicer	0	0	360	0	0	360
9213-15 Poultry Process Worker	0	0	0	0	0	0
Totals	0	1501	1053	37	0	2591
Western Australia						
4511-00 Meat Tradespersons	0	0	0	0	0	0
4511-01 Supervisor Meat Tradespersons	0	0	0	0	0	0
4511-11 Butcher	0	0	258	0	0	258
4511-13 Smallgoods Maker	0	0	0	0	0	0
4511-15 Slaughterperson	0	0	0	0	0	0
4511-81 Apprentice Butcher	0	0	0	0	0	0
4511-85 Apprentice Slaughterperson	0	0	0	0	0	0
9213-11 Meatworks Labourer	0	362	0	0	0	362
9213-13 Meat Boner & Slicer	0	1	68	0	0	69
9213-15 Poultry Process Worker	0	0	0	0	0	0
Totals	0	363	326	0	0	689

	AQF I	AQF II	AQF III	AQF IV	Not Known	Total
South Australia						
4511-00 Meat Tradespersons	0	0	0	0	0	0
4511-01 Supervisor Meat Tradespersons	0	0	0	0	0	0
4511-11 Butcher	0	0	143	0	19	162
4511-13 Smallgoods Maker	0	626	276	4	1	907
4511-15 Slaughterperson	0	0	35	0	2	37
4511-81 Apprentice Butcher	0	0	0	0	0	0
4511-85 Apprentice Slaughterperson	0	0	0	0	0	0
9213-11 Meatworks Labourer	0	0	0	0	0	0
9213-13 Meat Boner & Slicer	0	21	0	0	0	21
9213-15 Poultry Process Worker	0	0	0	0	0	0
Totals	0	647	454	4	22	1127
Tasmania						
4511-00 Meat Tradespersons	0	5	38	0	0	43
4511-01 Supervisor Meat Tradespersons	0	0	0	0	0	0
4511-11 Butcher	0	0	80	0	0	80
4511-13 Smallgoods Maker	0	0	0	0	0	0
4511-15 Slaughterperson	0	0	0	0	0	0
4511-81 Apprentice Butcher	0	0	0	0	0	0
4511-85 Apprentice Slaughterperson	0	0	3	0	0	3
9213-11 Meatworks Labourer	0	1	0	0	0	1
9213-13 Meat Boner & Slicer	0	8	1	0	0	9
9213-15 Poultry Process Worker	0	0	0	0	0	0
Totals	0	14	122	0	0	136
Australian Capital Territory						
4511-00 Meat Tradespersons	0	0	0	0	0	0
4511-01 Supervisor Meat Tradespersons	0	0	0	0	0	0
4511-11 Butcher	0	0	37	17	0	54
4511-13 Smallgoods Maker	0	0	0	0	0	0
4511-15 Slaughterperson	0	0	0	0	0	0
4511-81 Apprentice Butcher	0	0	0	0	0	0
4511-85 Apprentice Slaughterperson	0	0	0	0	0	0
9213-11 Meatworks Labourer	0	0	0	0	0	0
9213-13 Meat Boner & Slicer	0	0	0	0	0	0
9213-15 Poultry Process Worker	0	0	0	0	0	0
Totals	0	0	37	17	0	54
Northern Territory						
4511-00 Meat Tradespersons	0	0	0	0	0	0
4511-01 Supervisor Meat Tradespersons	0	0	0	0	0	0
4511-11 Butcher	0	0	16	0	0	16
4511-13 Smallgoods Maker	0	0	0	0	0	0
4511-15 Slaughterperson	0	0	0	0	0	0
4511-81 Apprentice Butcher	0	0	0	0	0	0
4511-85 Apprentice Slaughterperson	0	0	0	0	0	0
9213-11 Meatworks Labourer	0	0	0	0	0	0
9213-13 Meat Boner & Slicer	0	0	0	0	0	0
9213-15 Poultry Process Worker	0	0	0	0	0	0
Totals	0	0	16	0	0	16

**Sri Venkateswara Temple Association: Workers Entitlements****(Question No. 3543)**

**Senator Carr** asked the Minister representing the Minister for Immigration and Multicultural Affairs, upon notice, on 29 March 2001:

- (1) In regard to the eight Indian workers sponsored by the Sri Venkateswara Temple Association to work on the construction of a temple in the Illawarra region: (a) were any superannuation payments contributed by the employer on their behalf; if not, is this a breach of federal legislation; and (b) what action has been initiated by the department to remedy this flouting of Australian law.
- (2) The president of the sponsoring employer, Dr Janarthanan, has previously been a director of at least two companies that have gone into liquidation owing workers wages and entitlements: (a) what checks are made by the department regarding prospective sponsors of guest workers; and (b) specifically, what checks were made of Dr Janarthanan in respect to his previous industrial record and its implications for the treatment of guest workers under his employment.
- (3) Has the employer of these workers breached any Australian industrial laws or undertakings entered into with the department in respect to Australian labour law, awards, statutory obligations, medical insurance, workers compensation insurance or any other matter: if so, what action has been initiated against the offending employers; if no action has been initiated, why is this the case.
- (4) (a) Have any other cases of complaints by or about guest workers and their exploitation been raised with the department; if so, how many; and (b) what action has the department taken to ensure full compliance with Australian labour laws and other statutory requirements.
- (5) In light of numerous complaints, has the department undertaken any review of the operations of the '457 visa program'.
- (6) When considering the extent of this visa program, does the department take into account the state of the labour market in Australia and the rate of unemployment, in particular, industries before issuing visas.

**Senator Ellison**—The Minister for Immigration and Multicultural Affairs has provided the following answer to the honourable senator's question:

- (1) (a) In an interview conducted by my Department with the Sri Venkateswara Temple Association (SVTA) on 28 February 2001, it became apparent that they may not have been making superannuation payments on behalf of the workers. Failure to provide superannuation contributions would be a breach of the *Superannuation Guarantee (Administration) Act*, which came into effect in July 1992.
- (b) On 5 March 2001 my Department wrote to the Sydney office of the Australian Tax Office (ATO) providing details of the apparent breaches and seeking comments on the matter. My Department has followed this up and been advised that investigations have not yet been finalised.
- (2) (a) One of the requirements for approval as a business sponsor is that the business is operating lawfully in Australia. Sponsors are required to provide a certificate of their business registration, company extract or equivalent as evidence of satisfying this requirement.

The registration of companies and their directors falls within the *Corporations Act 1989* and *Corporations Law*. The Australian Securities and Investment Commission (ASIC) is responsible for administering this Act, including monitoring and enforcement. Under section 201B of the *Corporations Law*, persons must not act as a director (or manage a company without Court consent) for five years if they have been declared bankrupt or if convicted of offences under company law, such as insolvent trading or breach of duties as a company director. Directors must also be over 18. Bankruptcy information is maintained by the Insolvency Trustee Service Australia (ITSA) on the *National Personal Insolvency Index* (NPII). As the watchdog of the *Corporations Act*, ASIC is responsible for taking action against persons acting as directors where the company is in liquidation or where fraud is suspected.

Associations (as opposed to companies) are registered with relevant State government authorities, rather than ASIC. For associations to be registered, they are required to lodge financial documents, such as annual statements and details of office holders. The SVTA is currently registered



with the NSW Department of Fair Trading. Their records show that SVTA has been registered since 1983.

In the absence of conflicting advice, officers of my Department accept a current business registration certificate, or equivalent, as proof that the sponsor meets registration requirements to lawfully operate as a business. My Department has contacted the NSW Department of Fair Trading seeking their advice on the checks they make regarding office holders of associations registered in NSW in general, and any adverse information they hold regarding Dr Janarthanan.

(b) Departmental databases were checked as part of the sponsorship approval and revealed no adverse information on the sponsor. Regulation 1.20D(2)(d) of the Migration Act requires that, for a sponsorship to be approved, the Department of Immigration and Multicultural Affairs (DIMA) decision-maker must be satisfied that "nothing adverse is known about the business background of the applicant". Where there is doubt regarding the ability of the prospective sponsor to meet this criterion, current policy states that the decision-maker should make direct checks on the employer's standing with bodies including ASIC (and ASX and ATO).

- (3) On 28 February 2001, officers of my Department interviewed separately the Indian workers and members of SVTA. As a result of the information obtained, my Department wrote to the NSW Department of Industrial Relations seeking their views on whether there had been a breach of industrial relations laws, in this case believed to be the *Building Tradesmen (State) Construction Award* and the *NSW Industrial Relations Act 1996*. My Department also wrote to the ATO seeking their advice on whether taxation laws may have been breached.

My Department has also contacted the Country South District Office of WorkCover NSW over this matter. They have been supplied with details of the complaints, and are conducting investigations into possible breaches of occupational health and safety (OH&S) and workers compensation laws.

Although relevant agencies have yet to confirm actual breaches occurred, given admissions by the sponsor, my Department wrote to the sponsor on 8 March 2001 advising them that it appeared they had breached their sponsorship undertakings in relation to the 8 workers. They were requested to provide a response within 35 days as to why their sponsorship status should not be revoked under s137B of the Migration Act 1958. No reply was received within the 35-day limit. My Department is now considering options for resolving this case.

- (4) (a) Although over 30,000 overseas workers come to Australia each year on long-stay temporary business visas (subclass 457), only 12 cases of alleged exploitation have come to the Department's attention in 2000/01, either as a result of regular monitoring activity, or reports from unions and others in the community. For January and February 2001, DIMA Business Centres undertook 39 site visits and cancelled 97 visas. DIMA is currently compiling monitoring data for March 2001.
- (b) All employers who sponsor overseas workers sign an undertaking that they agree to meet certain responsibilities in relation to overseas employees they sponsor, including financial responsibility for obligations to the Commonwealth (such as payment of tax and superannuation), compliance with Australian industrial relations laws and conditions of employment, and responsibility for medical and hospital costs.

My Department processes around 10,000 business sponsorships a year. Enforcement of laws and other statutory requirements including those relating to employment is similarly the responsibility of the relevant government agency. Where possible breaches of industrial relations laws, OH&S requirements and other legislative breaches are identified, these are referred to the relevant agency. To assist in this, my Department undertakes targeted monitoring of employers, including site visits, to provide additional assurance that employers are honouring their sponsorship undertakings. My Department also works closely with the community and unions to ensure overseas workers are only employed when they have an appropriate work right, and that employment is in accordance with Australian awards and conditions.

- (5) In July 2000, I announced a review would be conducted into the Temporary Residence Program (including the 457 visa category) to examine ways to further streamline entry and enhance integrity of this program. Public submissions to the Review were invited through advertisements in the national press, and a discussion paper was forwarded to a range of stakeholders, including em-

employers and major users of these visas, employer organisations, unions, relevant Government departments and other interested groups. Almost 100 submissions were received, including from unions such as the Construction, Forestry, Mining and Energy Union (CFMEU).

The review will be finalised soon and I will be making announcements on the outcome of this review in due course.

- (6) The state of the labour market is taken into account in the 457 visa category. Procedures under this category are designed to strike a balance between the needs of business in Australia to quickly bring in overseas personnel with skills and experience that are not readily available locally, while safeguarding job opportunities for Australian citizens and permanent residents.

Labour market testing is required under the 457 category unless the position to be filled is considered "key", is on the Migration Occupations in Demand List (MODL), or is for less than 12 months. "Key" activities are those that are essential to the business operations of the employer, and include specialist skills. The Department of Employment, Workplace Relations and Small Business (DEWR) develops the MODL to identify and target skilled occupations that have a continuing Australia wide labour shortage. The MODL takes a longer term view of the Australian labour market, rather than reacting to short term fluctuations.

In addition to labour market testing requirements, to be approved as a business sponsor of overseas temporary workers, the business must demonstrate that:

- they are lawfully operating in Australia;
- there would be benefit to Australia in terms of employment creation, expansion in trade, development of international business links or improved competitiveness;
- they have a satisfactory record of training Australians or else will be introducing new technology; and
- they have a satisfactory record of compliance with immigration laws.

These arrangements have worked well. Over 85 per cent of visa category 457 entrants are granted to people to fill professional and managerial positions. The expanding ICT industry alone accounts for a quarter of these visas.

### **Education, Training and Youth Affairs Portfolio: Grants or Payments to Employers (Question No. 3544)**

**Senator Carr** asked the Minister representing the Minister for Education, Training and Youth Affairs, upon notice, on 2 April 2001:

- (a) What Commonwealth monies have been paid, during 1999 and 2000, by the department, under any program, to the employers listed below; and (b) what liabilities does the Commonwealth have to any of these employers during 2001:

Ararat Abattoirs (Aust) P/L; Australia Meat Holdings; Barossa Fine Foods; Bindaree Beef (Inverell); CMG, Rockhampton; Cargill Foods Australia; Cargill Meat Processors P/L; Cooma Abattoir; Essex Oaks P/L; Fine Meats P/L; Fletcher International, Dubbo and Mt Barker; Cowra Abattoir; Chapmans; Chisholms; Conroys (Pt Pirie and Adelaide); Frews, Stawell and Kyneton; Gateway Meat; A J Green and Sons; Glenloth Meats; Gundagai Meat Processors; Hardwick Abattoir; Hurstbridge Abattoir; Lobethal Abattoir; Killarney Abattoir; Perfect Pork; Metro Meats; Midfield Meats; Myrtleford Abattoirs P/L; Mt Shank; G&K O'Connor; Penny and Lange; Q Meat; Ryans Quality Meats; Southern Meats (Goulburn and Harden); SBA Foods; Tatiara Meats; and Teys Brothers.

**Senator Ellison**—The Minister for Education, Training and Youth Affairs has provided the following answer to the honourable senator's question:

The Department is able to provide information (below) on Commonwealth New Apprenticeships Incentives payments made to the listed organisations for the calendar years 1999, 2000 and 2001 (to 6 April 2001). The Department is unable to provide information on liabilities as these are contingent on New Apprentices successfully continuing and completing their training and employers claiming the Incentive payments.

The amounts relate to the year in which the payment was processed, which is not necessarily the year in which the payment was attracted. Employers have up to twelve months to lodge a claim, for example, after the completion of a New Apprenticeship.

Employer name as indicated in Question on Notice	Employer name as indicated in Department records.	Incentives Paid 1999	Incentives Paid 2000	Incentives Paid 2001 (to date)
	ARARAT ABATTOIRS (AUST) PTY LTD			
Ararat Abattoirs (Aust) P/L	LTD	\$ 309,750	\$ 135,000	\$ 1,500
A J Green and Sons	GREEN E G & SONS	\$ 6,000	\$ 39,000	Nil
Australia Meat Holdings	AUSTRALIA MEAT HOLDINGS	Nil	Nil	Nil
Barossa Fine Foods	BAROSSA FINE FOODS	Nil	Nil	Nil
Bindaree Beef (Inverell)	YOLARNO PTY LTD	\$ 31,250	\$ 91,500	\$ 79,950
Cargill Foods Australia	CARGILL AUSTRALIA LTD	\$ 60,500	\$ 62,750	\$ 80,825
	CARGILL MEAT PROCESSORS PTY LTD			
Cargill Meat Processors P/L	LTD	\$ 271,000	\$ 65,750	\$ 58,850
Chapmans	CHAPMAN'S QUALITY MEATS (SHEAFWOOD PTY LTD)	Nil	\$ 2,750	Nil
Chisholms	UNKNOWN - NO MATCH FOUND	Nil	Nil	Nil
CMG, Rockhampton	UNKNOWN - NO MATCH FOUND	Nil	Nil	Nil
Conroys (Pt Pirie and Adelaide)	CONROY'S SMALLGOODS PTY LTD	Nil	Nil	Nil
Cooma Abattoir	MONBEEF PTY LTD	\$ 20,250	\$ 44,200	\$ 16,250
Cowra Abattoir	COWRA ABATTOIRS LTD	Nil	\$ 500	Nil
Essex Oaks P/L	ESSEX OAKS PTY LTD	\$ 60,750	\$ 6,250	\$ 19,250
Fine Meats P/L	FINE MEATS PTY LTD	\$ 96,750	\$ 159,975	\$ 70,600
Fletcher International, Dubbo and Mt Barker	FLETCHER INTERNATIONAL EXPORTS PTY LTD	\$ 291,750	\$ 219,125	\$ 77,975
Frews, Stawell and Kyneton	FREW KYNETON MEATWORKS	Nil	Nil	Nil
	FREW KYNETON PTY LTD	\$ 154,000	\$ 104,750	\$ 22,550
	FREW WHOLESALE MEATS	Nil	Nil	Nil
	FREW WHOLESALE MEATS	Nil	Nil	Nil
G&K O'Connor	G. & K. O'CONNOR PTY. LTD.	Nil	\$ 58,750	Nil
Gateway Meat	GATEWAY MEATS PTY LTD	Nil	Nil	Nil
Glenloth Meats	GLENLOTH GAME	Nil	Nil	Nil
Gundagai Meat Processors	GUNDAGAI MEAT PROCESSORS	\$ 48,000	Nil	Nil
Hardwick Abattoir	HARDWICK ABATTOIRS	\$ 30,000	\$ 5,000	Nil
	HARDWICK MEAT WORKS PTY LTD	Nil	Nil	Nil
Hurstbridge Abattoir	HURSTBRIDGE ABBATOIR	\$ 56,000	\$ 63,750	Nil
Killarney Abattoir	KILLARNEY ABBATOIR PTY LTD	\$ 23,000	\$ 4,000	Nil
Lobethal Abattoir	LOBETHAL ABATTOIRS	\$ 41,500	\$ 8,875	\$ 1,375
Metro Meats	METRO MEATS INTERNATIONAL	\$ 36,750	Nil	Nil
	METRO MEATS INTERNATIONAL LTD	\$ 2,500	Nil	Nil
	MIDFIELD MEAT INTERNATIONAL PTY LTD			
Midfield Meats	PTY LTD	\$ 29,750	\$ 37,950	\$ 10,725
	MIDFIELD MEAT WHOLESALERS (SA) PTY LTD	\$ 1,250	\$ 4,125	Nil
	MIDFIELD MEAT WHOLESALERS PTY LTD	\$ 1,250	\$ 5,000	Nil
	MIDFIELD MEATS INTERNATIONAL PTY LTD	\$ 6,000		
Mt Shank	UNKNOWN - NO MATCH FOUND	Nil	Nil	Nil
Myrtleford Abattoirs P/L	MYRTLEFORD ABATTOIRS PTY LTD	Nil	\$ 1,250	Nil
Penny and Lange	PENNEY AND LANG PTY LTD	\$ 220,250	\$ 66,575	\$ 4,125
Perfect Pork	PERFECT PORK	\$ 82,250	\$ 43,000	Nil
Q Meat	UNKNOWN - NO MATCH FOUND	Nil	Nil	Nil
Ryans Quality Meats	UNKNOWN - NO MATCH FOUND	Nil	Nil	Nil
SBA Foods	SBA AMALGAMATED	Nil	\$ 5,250	Nil
	SBA FOODS AUSTRALIA	Nil	Nil	Nil
	SBA FOODS PTY LTD	\$ 85,000	\$ 27,150	\$ 9,625

Employer name as indicated in Question on Notice	Employer name as indicated in Department records.	Incentives Paid 1999	Incentives Paid 2000	Incentives Paid 2001 (to date)
Southern Meats (Goulburn and Harden)	SOUTHERN MEATS PTY LTD	\$ 12,500	\$ 140,750	\$ 49,975
Tatiara Meats	TATIARA MEAT COMPANY	Nil	Nil	Nil
	TATIARA MEAT COMPANY PTY LTD	\$ 57,750	\$ 80,525	\$ 29,150
Teys Brothers	TEYS BROS	\$ 259,000	\$ 13,375	\$ 46,575
	TEYS BROS (BEENLEIGH) PTY LTD	\$ 51,000	\$ 22,875	\$ 32,750

### Meat Processing Industry: Training Providers (Question No. 3546)

**Senator Carr** asked the Minister representing the Minister for Education, Training and Youth Affairs, upon notice, on 2 April 2001:

Who are the training providers for each of the following meatworks:

Ararat Abattoirs (Aust) P/L; Australia Meat Holdings; Barossa Fine Foods; Bindaree Beef (Inverell); CMG, Rockhampton; Cargill Foods Australia; Cargill Meat Processors P/L; Cooma Abattoir; Essex Oaks P/L; Fine Meats P/L; Fletcher International, Dubbo and Mt Barker; Cowra Abattoir; Chapmans; Chisholms; Conroys (Pt Pirie and Adelaide); Frews, Stawell and Kyneton; Gateway Meat; A J Green and Sons; Glenloth Meats; Gundagai Meat Processors; Hardwick Abattoir; Hurstbridge Abattoir; Lobethal Abattoir; Killarney Abattoir; Perfect Pork; Metro Meats; Midfield Meats; Myrtleford Abattoirs P/L; Mt Shank; G&K O'Connor; Penny and Lange; Q Meat; Ryans Quality Meats; Southern Meats (Goulburn and Harden); SBA Foods; Tatiara Meats; and Tey's Brothers.

**Senator Ellison**—The Minister for Education, Training and Youth Affairs has provided the following answer to the honourable senator's question:

The Department does not collect data on the training providers of employers and as such is unable to provide a response to this question.

### Meat Processing Industry: Trainees (Question No. 3547)

**Senator Carr** asked the Minister representing the Minister for Education, Training and Youth Affairs, upon notice, on 2 April 2001:

- (1) What was the breakdown, by the following workplaces, of trainees in the meat processing industry during 1999 and 2000:

Ararat Abattoirs (Aust) P/L; Australia Meat Holdings; Barossa Fine Foods; Bindaree Beef (Inverell); CMG, Rockhampton; Cargill Foods Australia; Cargill Meat Processors P/L; Cooma Abattoir; Essex Oaks P/L; Fine Meats P/L; Fletcher International, Dubbo and Mt Barker; Cowra Abattoir; Chapmans; Chisholms; Conroys (Pt Pirie and Adelaide); Frews, Stawell and Kyneton; Gateway Meat; A J Green and Sons; Glenloth Meats; Gundagai Meat Processors; Hardwick Abattoir; Hurstbridge Abattoir; Lobethal Abattoir; Killarney Abattoir; Perfect Pork; Metro Meats; Midfield Meats; Myrtleford Abattoirs P/L; Mt Shank; G&K O'Connor; Penny and Lange; Q Meat; Ryans Quality Meats; Southern Meats (Goulburn and Harden); SBA Foods; Tatiara Meats; and Tey's Brothers.

- (2) What were the numbers of each Australian qualification framework level at each company.
- (3) What are the equivalent figures for February and March 2001.

**Senator Ellison**—The Minister for Education, Training and Youth Affairs has provided the following answer to the honourable senator's question:

Estimated in-training figures by employer and Australian Qualification Framework are provided below, with data for 1999 and 2000 provided as at 31 December in each year. The figures are from the Department's records and are based on commencements and completions notified to New Apprenticeships Centres. Due to lags with notification of commencements and early completions these figures should be taken as being indicative. The Department generally relies on data from the National Centre for Vocational Education Research (NCVER) for in-training figures, however, NCVER is unable to provide data by employer.

The attached figures include all New Apprentices engaged by the listed employers, including those undertaking training unrelated to the meat industry, such as office administration.

As at 31 December 1999:

Employer name as indicated in Question on Notice	Employer name as indicated in Department records.	Locality	AQF 1	AQF 2	AQF 3	AQF 4	TOTAL
Ararat Abattoirs (Aust) P/L	ARARAT ABATTOIRS (AUST) PTY LTD	ARARAT	0	2	11	0	13
A J Green and Sons	GREEN E G & SONS	HARVEY	0	6	7	0	13
Australia Meat Holdings	AUSTRALIA MEAT HOLDINGS	ABERDEEN SALISBURY	0	0	0	0	0
Barossa Fine Foods	BAROSSA FINE FOODS	SOUTH	0	1	0	0	1
Bindaree Beef (Inverell)	YOLARNO PTY LTD	INVERELL	0	55	19	4	78
Cargill Foods Australia	CARGILL AUSTRALIA LTD	WAGGA	0	107	10	0	117
Cargill Meat Processors P/L	CARGILL MEAT PROCESSORS PTY LTD	TAMWORTH	0	177	7	0	184
	CHAPMAN'S QUALITY MEATS (SHEAFWOOD PTY LTD)	MOUNT BARKER	0	0	1	0	1
Chapmans	UNKNOWN - NO MATCH FOUND						
Chisholms	UNKNOWN - NO MATCH FOUND						
CMG, Rockhampton	FOUND						
Conroys (Pt Pirie and Adelaide)	CONROY'S SMALLGOODS PTY LTD	BOWDEN	0	0	0	0	0
Cooma Abattoir	MONBEEF PTY LTD	COOMA	0	15	21	0	36
Cowra Abattoir	COWRA ABATTOIRS LTD	COWRA	0	0	2	0	2
Essex Oaks P/L	ESSEX OAKS PTY LTD	GARFIELD	0	4	0	0	4
Fine Meats P/L	FINE MEATS PTY LTD	GOULBURN	0	38	125	0	163
	FLETCHER						
Fletcher International, Dubbo and Mt Barker	INTERNATIONAL EXPORTS PTY LTD	DUBBO	0	251	9	0	260
Frews, Stawell and Kyneton	FREW KYNETON MEATWORKS	KYNETON	0	1	0	0	1
	FREW KYNETON PTY LTD	KYNETON	0	9	11	0	20
	FREW WHOLESALE MEATS	WESTALL	0	0	0	0	0
	FREW WHOLESALE MEATS	MELTON	0	0	1	0	1
	G. & K. O'CONNOR PTY. LTD.	PAKENHAM	0	34	8	15	57
G&K O'Connor	GATEWAY MEATS PTY LTD	WAIKERIE	0	0	0	0	0
Gateway Meat		WYCHEPRO					
Glenloth Meats	GLENLOTH GAME	OF	0	0	0	0	0
Gundagai Meat Processors	GUNDAGAI MEAT PROCESSORS	GUNDAGAI	0	1	9	0	10
Hardwick Abattoir	HARDWICK ABATTOIRS	KYNETON	0	13	20	4	37
	HARDWICK MEAT WORKS PTY LTD	KYNETON	0	0	0	0	0
		HURSTBRIDGE					
Hurstbridge Abattoir	HURSTBRIDGE ABBATOIR	GE	0	0	18	0	18
	KILLARNEY ABBATOIR						
Killarney Abattoir	PTY LTD	KILLARNEY	0	0	2	0	2

Employer name as indicated in Question on Notice	Employer name as indicated in Department records.	Locality	AQF 1	AQF 2	AQF 3	AQF 4	TOTAL
Lobethal Abattoir	LOBETHAL ABATTOIRS	LOBETHAL	0	42	0	0	42
	METRO MEATS	MURRAY					
Metro Meats	INTERNATIONAL	BRIDGE	0	0	0	0	0
	METRO MEATS						
	INTERNATIONAL LTD	WOOROLOO	0	0	1	0	1
	MIDFIELD MEAT	WARRNAMB					
Midfield Meats	INTERNATIONAL PTY LTD	OOL	0	4	0	0	4
	MIDFIELD MEAT						
	WHOLESALEERS (SA) PTY LTD	MODBURY	0	0	1	0	1
	MIDFIELD MEAT	WARRNAMB					
	WHOLESALEERS PTY LTD	OOL	0	0	0	0	0
	MIDFIELD MEATS	WARRNAMB					
	INTERNATIONAL PTY LTD	OOL	0	4	1	0	5
	UNKNOWN - NO MATCH						
Mt Shank	FOUND						
Myrtleford Abattoirs P/L	MYRTLEFORD	MOUNT					
	ABATTOIRS PTY LTD	BEAUTY	0	0	1	0	1
	PENNEY AND LANG PTY LTD	CARISBROO					
Penny and Lange	LTD	K	0	0	2	0	2
		LAVERTON					
Perfect Pork	PERFECT PORK	NORTH	0	3	0	0	3
	UNKNOWN - NO MATCH						
Q Meat	FOUND						
	UNKNOWN - NO MATCH						
Ryans Quality Meats	FOUND						
		BAYSWATE					
SBA Foods	SBA AMALGAMATED	R	0	0	1	1	2
		ALTONA					
	SBA FOODS AUSTRALIA	NORTH	0	0	0	0	0
	SBA FOODS PTY LTD	LONGFORD	0	37	37	0	74
Southern Meats (Goulburn and Harden)	SOUTHERN MEATS PTY LTD	GOULBURN	0	20	89	0	109
	TATIARA MEAT COMPANY	LAVERTON	0	1	0	0	1
Tatiara Meats	TATIARA MEAT COMPANY PTY LTD	BORDERTO	0	65	79	0	144
	TEYS BROS	BILOELA	0	58	56	0	114
Teys Brothers	TEYS BROS (BEENLEIGH) PTY LTD	BEENLEIGH	0	71	37	0	108

As at 31 December 2000:

Employer name as indicated in Question on Notice	Employer name as indicated in Department records.	Locality	AQF 1	AQF 2	AQF 3	AQF 4	TOTAL
Ararat Abattoirs (Aust) P/L	ARARAT ABATTOIRS (AUST) PTY LTD	ARARAT	0	0	0	0	0
A J Green and Sons	GREEN E G & SONS	HARVEY	0	28	4	0	32
	AUSTRALIA MEAT HOLDINGS	ABERDEEN	0	0	0	0	0
Australia Meat Holdings		SALISBURY					
Barossa Fine Foods	BAROSSA FINE FOODS	SOUTH	0	0	0	0	0
Bindaree Beef (Inverell)	YOLARNO PTY LTD	INVERELL	0	172	129	3	304
		WAGGA					
Cargill Foods Australia	CARGILL AUSTRALIA LTD	WAGGA	0	125	23	2	150

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Employer name as indicated in Question on Notice	Employer name as indicated in Department records.	Locality	AQF 1	AQF 2	AQF 3	AQF 4	TOTAL
Cargill Meat Processors P/L	CARGILL MEAT PROCESSORS PTY LTD	TAMWORTH	0	99	50	0	149
Chapmans	CHAPMAN'S QUALITY MEATS (SHEAFWOOD PTY LTD)	MOUNT BARKER	0	0	1	0	1
Chisholms	UNKNOWN - NO MATCH FOUND						
CMG, Rockhampton	UNKNOWN - NO MATCH FOUND						
Conroys (Pt Pirie and Adelaide)	CONROY'S SMALLGOODS PTY LTD	BOWDEN	0	0	0	0	0
Cooma Abattoir	MONBEEF PTY LTD	COOMA	0	13	17	5	35
Cowra Abattoir	COWRA ABATTOIRS LTD	COWRA	0	0	2	0	2
Essex Oaks P/L	ESSEX OAKS PTY LTD	GARFIELD	0	2	0	0	2
Fine Meats P/L	FINE MEATS PTY LTD	GOULBURN	0	29	116	0	145
Fletcher International, Dubbo and Mt Barker	FLETCHER INTERNATIONAL EXPORTS PTY LTD	DUBBO	0	156	127	0	283
Frews, Stawell and Kyneton	FREW KYNETON MEATWORKS	KYNETON	0	0	0	0	0
	FREW KYNETON PTY LTD	KYNETON	0	18	2	0	20
	FREW WHOLESALE MEATS	WESTALL	0	0	0	0	0
	FREW WHOLESALE MEATS	MELTON	0	0	1	0	1
G&K O'Connor	G. & K. O'CONNOR PTY. LTD.	PAKENHAM	0	79	9	38	126
Gateway Meat	GATEWAY MEATS PTY LTD	WAIKERIE	0	0	0	0	0
		WYCHEPROO					
Glenloth Meats	GLENLOTH GAME	F	0	0	0	0	0
Gundagai Meat Processors	GUNDAGAI MEAT PROCESSORS	GUNDAGAI	0	0	3	0	3
Hardwick Abattoir	HARDWICK ABATTOIRS	KYNETON	0	0	0	3	3
	HARDWICK MEAT WORKS PTY LTD	KYNETON	0	2	6	32	40
		HURSTBRIDGE					
Hurstbridge Abattoir	HURSTBRIDGE ABBATOIR	E	0	0	0	0	0
	KILLARNEY ABBATOIR PTY LTD	KILLARNEY	0	0	3	0	3
Killarney Abattoir	LOBETHAL ABATTOIRS	LOBETHAL	0	14	0	0	14
Lobethal Abattoir	METRO MEATS	MURRAY					
Metro Meats	INTERNATIONAL	BRIDGE	0	0	0	0	0
	METRO MEATS INTERNATIONAL LTD	WOOROLOO	0	0	1	0	1
	MIDFIELD MEAT	WARRNAMB					
Midfield Meats	INTERNATIONAL PTY LTD	OOL	0	44	16	0	60
	MIDFIELD MEAT WHOLESALE (SA) PTY LTD	MODBURY	0	0	5	0	5
	MIDFIELD MEAT WHOLESALE PTY LTD	WARRNAMB					
	WHOLESALE PTY LTD	OOL	0	0	0	0	0
	MIDFIELD MEATS INTERNATIONAL PTY LTD	WARRNAMB					
	INTERNATIONAL PTY LTD	OOL	0	24	1	0	25
Mt Shank	UNKNOWN - NO MATCH						

Employer name as indicated in Question on Notice	Employer name as indicated in Department records.	Locality	AQF 1	AQF 2	AQF 3	AQF 4	TOTAL
	<b>FOUND</b>						
Myrtleford Abattoirs P/L	MYRTLEFORD ABATTOIRS PTY LTD	MOUNT BEAUTY	0	0	0	0	0
Penny and Lange	PENNEY AND LANG PTY LTD	CARISBROOK LAVERTON	0	14	0	0	14
Perfect Pork	PERFECT PORK	NORTH	0	0	0	0	0
Q Meat	<b>UNKNOWN - NO MATCH</b>						
Ryans Quality Meats	<b>FOUND</b>						
SBA Foods	<b>UNKNOWN - NO MATCH</b>						
	<b>FOUND</b>						
	SBA AMALGAMATED	BAYSWATER ALTONA	0	0	0	0	0
	SBA FOODS AUSTRALIA	NORTH	0	0	0	0	0
	SBA FOODS PTY LTD	LONGFORD	0	9	37	0	46
Southern Meats (Goulburn and Harden)	SOUTHERN MEATS PTY LTD	GOULBURN	0	13	98	0	111
Tatiara Meats	TATIARA MEAT COMPANY	LAVERTON	0	5	0	0	5
	TATIARA MEAT COMPANY PTY LTD	BORDERTOW N	0	119	81	0	200
Teys Brothers	TEYS BROS	BILOELA	0	61	4	0	65
	TEYS BROS (BEENLEIGH) PTY LTD	BEENLEIGH	0	82	16	0	98

As at 28 February 2001:

Employer name as indicated in Question on Notice	Employer name as indicated in Department records.	Locality	AQF 1	AQF 2	AQF 3	AQF 4	TOTAL
	ARARAT						
Ararat Abattoirs (Aust) P/L	ABATTOIRS (AUST) PTY LTD	ARARAT	0	0	0	0	0
A J Green and Sons	GREEN E G & SONS	HARVEY	0	22	5	0	27
Australia Meat Holdings	AUSTRALIA MEAT HOLDINGS	ABERDEEN	0	0	0	0	0
Barossa Fine Foods	BAROSSA FINE FOODS	SALISBURY SOUTH	0	0	0	0	0
Bindaree Beef (Inverell)	YOLARNO PTY LTD	INVERELL	0	164	131	3	298
Cargill Foods Australia	CARGILL AUSTRALIA LTD	WAGGA	0	135	23	3	161
	CARGILL MEAT PROCESSORS PTY LTD	TAMWORTH	0	113	35	0	148
	CHAPMAN'S QUALITY MEATS (SHEAFWOOD PTY LTD)	MOUNT BARKER	0	0	1	0	1
Chisholms	<b>UNKNOWN - NO MATCH</b>						
CMG, Rockhampton	<b>FOUND</b>						
Conroys (Pt Pirie and Adelaide)	<b>UNKNOWN - NO MATCH</b>						
	<b>FOUND</b>						
	CONROY'S SMALLGOODS	BOWDEN	0	0	0	0	0



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Employer name as indicated in Question on Notice	Employer name as indicated in Department records.	Locality	AQF 1	AQF 2	AQF 3	AQF 4	TOTAL
	PTY LTD						
	MONBEEF PTY LTD	COOMA	0	15	12	5	32
Cooma Abattoir	COWRA						
	ABATTOIRS LTD	COWRA	0	0	2	4	6
Cowra Abattoir	ESSEX OAKS PTY LTD	GARFIELD	0	2	0	0	2
Essex Oaks P/L	FINE MEATS PTY LTD	GOULBURN	0	31	109	0	140
Fine Meats P/L	FLETCHER INTERNATIONAL						
	EXPORTS PTY LTD	DUBBO	0	196	125	36	357
Fletcher International, Dubbo and Mt Barker	FREW KYNETON MEATWORKS	KYNETON	0	0	0	0	0
Frews, Stawell and Kyneton	FREW KYNETON PTY LTD	KYNETON	0	21	4	0	25
	FREW WHOLESALE MEATS	WESTALL	0	0	0	0	0
	FREW WHOLESALE MEATS	MELTON	0	0	1	0	1
	G. & K. O'CONNOR PTY. LTD.	PAKENHAM	0	65	9	38	112
G&K O'Connor	GATEWAY MEATS PTY LTD	WAIKERIE	0	0	0	0	0
Gateway Meat	GLENLOTH GAME	WYCHEPROOF	0	0	0	0	0
Glenloth Meats	GUNDAGAI MEAT PROCESSORS	GUNDAGAI	0	0	3	0	3
Gundagai Meat Processors	HARDWICK ABATTOIRS	KYNETON	0	0	0	3	3
Hardwick Abattoir	HARDWICK MEAT WORKS PTY LTD	KYNETON	0	2	5	32	39
	HURSTBRIDGE	HURSTBRIDGE					
Hurstbridge Abattoir	ABBATOIR	E	0	0	0	0	0
	KILLARNEY ABATTOIR PTY LTD	KILLARNEY	0	1	7	0	8
Killarney Abattoir	LOBETHAL ABATTOIRS	LOBETHAL	0	11	6	0	17
Lobethal Abattoir	METRO MEATS INTERNATIONAL	MURRAY BRIDGE	0	0	0	0	0
Metro Meats	METRO MEATS INTERNATIONAL LTD	WOOROLOO	0	0	0	0	0
	MIDFIELD MEAT INTERNATIONAL PTY LTD	WARRNAMBOOL	0	55	20	0	75
Midfield Meats	MIDFIELD MEAT WHOLESALE	MODBURY	0	0	5	0	5

Employer name as indicated in Question on Notice	Employer name as indicated in Department records.	Locality	AQF 1	AQF 2	AQF 3	AQF 4	TOTAL
	(SA) PTY LTD						
	MIDFIELD MEAT						
	WHOLESALEERS	WARRNAMBO					
	PTY LTD	OL	0	0	0	0	0
	MIDFIELD MEATS						
	INTERNATIONAL	WARRNAMBO					
	PTY LTD	OL	0	24	3	0	27
Mt Shank	UNKNOWN - NO MATCH FOUND						
	MYRTLEFORD						
Myrtleford Abattoirs P/L	ABATTOIRS PTY LTD	MOUNT BEAUTY	0	0	0	0	0
	PENNEY AND						
Penny and Lange	LANG PTY LTD	CARISBROOK	0	15	0	0	15
		LAVERTON					
Perfect Pork	PERFECT PORK	NORTH	0	0	0	0	0
	UNKNOWN - NO MATCH FOUND						
Q Meat	UNKNOWN - NO MATCH FOUND						
Ryans Quality Meats	UNKNOWN - NO MATCH FOUND						
	SBA						
SBA Foods	AMALGAMATED	BAYSWATER	0	0	0	0	0
	SBA FOODS	ALTONA					
	AUSTRALIA	NORTH	0	0	0	0	0
	SBA FOODS PTY LTD	LONGFORD	0	7	37	0	44
Southern Meats (Goulburn and Harden)	SOUTHERN MEATS PTY LTD	GOULBURN	0	16	90	0	106
	TATIARA MEAT						
Tatiara Meats	COMPANY	LAVERTON	0	5	0	0	5
	TATIARA MEAT COMPANY PTY LTD	BORDERTOWN					
		N	0	132	79	0	211
Teys Brothers	TEYS BROS	BILOELA	0	65	4	0	69
	TEYS BROS (BEENLEIGH)						
	PTY LTD	BEENLEIGH	0	81	15	0	96

As at 31 March 2001:

Employer name as indicated in Question on Notice	Employer name as indicated in Department records.	Locality	AQF 1	AQF 2	AQF 3	AQF 4	TOTAL
Ararat Abattoirs (Aust) P/L	ARARAT ABATTOIRS (AUST) PTY LTD	ARARAT	0	0	0	0	0
A J Green and Sons	GREEN E G & SONS	HARVEY	0	22	5	0	27
	AUSTRALIA MEAT						
Australia Meat Holdings	HOLDINGS	ABERDEEN	0	0	0	0	0
		SALISBURY					
Barossa Fine Foods	BAROSSA FINE FOODS	SOUTH	0	0	0	0	0
Bindaree Beef (Inverell)	YOLARNO PTY LTD	INVERELL	0	157	129	3	289
	CARGILL AUSTRALIA						
Cargill Foods Australia	LTD	WAGGA WAGGA	0	142	23	3	168
Cargill Meat Processors P/L	CARGILL MEAT PROCESSORS PTY LTD	TAMWORTH	0	108	35	0	143

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Employer name as indicated in Question on Notice	Employer name as indicated in Department records.	Locality	AQF 1	AQF 2	AQF 3	AQF 4	TOTAL
Chapmans	CHAPMAN'S QUALITY MEATS (SHEAFWOOD PTY LTD)	MOUNT BARKER	0	0	1	0	1
Chisholms	UNKNOWN - NO MATCH FOUND						
CMG, Rockhampton	UNKNOWN - NO MATCH FOUND						
Conroys (Pt Pirie and Adelaide)	CONROY'S SMALLGOODS PTY LTD	BOWDEN	0	0	0	0	0
Cooma Abattoir	MONBEEF PTY LTD	COOMA	0	15	12	5	32
Cowra Abattoir	COWRA ABATTOIRS LTD	COWRA	0	0	2	4	6
Essex Oaks P/L	ESSEX OAKS PTY LTD	GARFIELD	0	0	0	0	0
Fine Meats P/L	FINE MEATS PTY LTD	GOULBURN	0	26	114	0	140
Fletcher International, Dubbo and Mt Barker	FLETCHER INTERNATIONAL EXPORTS PTY LTD	DUBBO	0	197	117	36	350
Frews, Stawell and Kyneton	FREW KYNETON MEATWORKS	KYNETON	0	0	0	0	0
	FREW KYNETON PTY LTD	KYNETON	0	26	4	0	30
	FREW WHOLESAL MEATS	WESTALL	0	0	0	0	0
	FREW WHOLESAL MEATS	MELTON	0	0	1	0	1
G&K O'Connor	G. & K. O'CONNOR PTY. LTD.	PAKENHAM	0	55	9	37	101
Gateway Meat	GATEWAY MEATS PTY LTD	WAIKERIE	0	0	0	0	0
Glenloth Meats	GLENLOTH GAME	WYCHEPROOF	0	0	0	0	0
Gundagai Meat Processors	GUNDAGAI MEAT PROCESSORS	GUNDAGAI	0	0	3	0	3
Hardwick Abattoir	HARDWICK ABATTOIRS	KYNETON	0	0	0	3	3
	HARDWICK MEAT WORKS PTY LTD	KYNETON	0	2	5	32	39
Hurstbridge Abattoir	HURSTBRIDGE ABBATOIR	HURSTBRIDGE	0	0	0	0	0
Killarney Abattoir	KILLARNEY ABATTOIR PTY LTD	KILLARNEY	0	1	7	0	8
Lobethal Abattoir	LOBETHAL ABATTOIRS	LOBETHAL	0	11	6	0	17
Metro Meats	METRO MEATS INTERNATIONAL	MURRAY BRIDGE	0	0	0	0	0
	METRO MEATS INTERNATIONAL LTD	WOOROLOO	0	0	0	0	0
Midfield Meats	MIDFIELD MEAT INTERNATIONAL PTY LTD	WARRNAMBOOL	0	55	20	0	75
	MIDFIELD MEAT WHOLESALERS (SA) PTY LTD	MODBURY	0	0	5	0	5
	MIDFIELD MEAT WHOLESALERS PTY	WARRNAMBOOL	0	0	0	0	0

Employer name as indicated in Question on Notice	Employer name as indicated in Department records.	Locality	AQF 1	AQF 2	AQF 3	AQF 4	TOTAL
	LTD						
	MIDFIELD MEATS						
	INTERNATIONAL PTY LTD	WARRNAMBOOL	0	24	3	0	27
	<b>UNKNOWN - NO MATCH FOUND</b>						
Mt Shank	MYRTLEFORD						
Myrtleford P/L	ABATTOIRS PTY LTD	MOUNT BEAUTY	0	0	0	0	0
	PENNEY AND LANG PTY LTD	CARISBROOK	0	16	0	0	16
Penny and Lange		LAVERTON					
Perfect Pork	PERFECT PORK	NORTH	0	0	0	0	0
	<b>UNKNOWN - NO MATCH FOUND</b>						
Q Meat	<b>UNKNOWN - NO MATCH FOUND</b>						
Ryans Quality Meats	<b>UNKNOWN - NO MATCH FOUND</b>						
SBA Foods	SBA AMALGAMATED	BAYSWATER	0	0	0	0	0
	SBA FOODS						
	AUSTRALIA	ALTONA NORTH	0	0	0	0	0
	SBA FOODS PTY LTD	LONGFORD	0	7	37	0	44
Southern Meats (Goulburn and Harden)	SOUTHERN MEATS PTY LTD	GOULBURN	0	14	92	0	106
	TATIARA MEAT COMPANY	LAVERTON	0	5	0	0	5
Tatiara Meats	TATIARA MEAT COMPANY PTY LTD	BORDERTOWN	0	129	11	0	140
Teys Brothers	TEYS BROS	BILOELA	0	61	4	0	65
	TEYS BROS						
	(BEENLEIGH) PTY LTD	BEENLEIGH	0	81	15	0	96

**Goods and Services Tax: Veterans Transport Drivers  
(Question No. 3549)**

**Senator Schacht** asked the Minister representing the Minister for Veterans' Affairs, upon notice, on 30 March 2001:

- (1) Can the Minister explain why a car driver, contracted to transport veterans, must charge the department the goods and services tax (GST) on the fare, and complete all the relevant paperwork.
- (2) Why would the government, which collects the GST, also pay the GST.

**Senator Minchin**—The Minister for Veterans' Affairs has provided the following answer to the honourable senator's question:

- (1) A registered entity providing a taxable supply must charge GST to its customers. This amount less any input tax credits must then be forwarded to the Australian Taxation Office.  
The liability for collecting GST rests with each registered business entity along the supply chain. Registered suppliers do not bear the cost of the GST because it is passed on in the price of their goods and services.
- (2) Government entities are no longer able to claim an exemption from tax, as they could previously under the Wholesale Sales Tax regime. Under the New Tax System government entities are treated like any other business.

**Australian Competition and Consumer Commission: Hobart**  
**(Question No. 3554)**

**Senator Brown** asked the Minister representing the Minister for Financial Services and Regulation, upon notice, on 2 April 2001:

With reference to the answer to question on notice No. 2955 (Senate *Hansard*, 5 December 2000, p.20778):

- (1) With reference to 3(c): who was this business person or which business did the person represent.
- (2) With reference to (5): has the Australian Competition and Consumer Commission (ACCC) in Hobart ever advised a business that verbal contracts are unenforceable.
- (3) Has any officer ever asserted that business should be based on the provision of order numbers; if so, what are the details.
- (4) (a) How many commercial interests or business people were interviewed in this matter before Mr Hassett was formally interviewed on 2 June 2000; and (b) why was Mr Hassett not interviewed earlier.
- (5) What action has the ACCC taken in the matter of a practice known as 'telephone blowing', detailed in Hobart's Mercury of 12 October 2000, p.15.

**Senator Kemp**—The Minister Financial Services and Regulation has provided the following answer to the honourable senator's question:

- (1) It is the ACCC's firm policy not to disclose the names of complainants as to do so would prejudice the operations of the ACCC as an effective law enforcement agency. The majority of the ACCC's investigations of potential contraventions of the Trade Practices Act 1974 are initiated as a result of persons contacting the ACCC and providing information about potentially unlawful conduct. If the ACCC was to disclose the names of complainants, it is likely that in future persons would be significantly less inclined to contact the ACCC and provide details of potentially unlawful conduct for fear of publicity or possible retribution.
- (2) No.
- (3) No.
- (4) (a) Mr Hassett was formally interviewed by the ACCC on 23 June 2000, not 2 June 2000. Prior to Mr Hassett's formal interview, the ACCC specifically interviewed 21 commercial interests or business people in this matter and made inquiries with a number of other parties.  
(b) For a complaint to be a matter that is likely to lead to ACCC involvement in seeking a resolution, enquiries need first to be made by the ACCC to determine if the alleged conduct was an isolated instance or if it was part of a wider pattern. The ACCC's enquiries quickly uncovered further alleged contraventions of the Trade Practices Act by Commercial and General Publications, and based on this the ACCC determined that the allegation warranted full ACCC investigation. Out of fairness to Mr Hassett, the ACCC had to be satisfied that there was a sufficient evidentiary basis before contacting him and alleging contraventions of the Trade Practices Act.
- (5) The ACCC is very concerned about the practice of 'telephone blowing' and has taken action under the Trade Practices Act against a number of persons and businesses engaging in this form of conduct, which usually involves asserting a right to payment for placement of an advertisement in a publication without a reasonable basis for asserting such a right. Apart from actions taken directly by the ACCC against 'telephone blowers', the ACCC also refers allegations of 'telephone blowing' to the State Consumer Affairs or Fair Trading agency in the State where the 'blowing' originated for follow-up and possible prosecution, where appropriate.

**Community Development Employment Program**  
**(Question No. 3559)**

**Senator Crossin** asked the Minister representing the Minister for Reconciliation and Aboriginal and Torres Strait Islander Affairs, upon notice, on 4 April 2001:

With reference to the Community Development Employment Program (CDEP):

- (1) How many places under this program are currently allocated to the Northern Territory.

- (2) How many places are allocated to each town or community in the Northern Territory.
- (3) What is the annual CDEP funding to each town or community in the Northern Territory.

**Senator Hill**—The Aboriginal and Torres Strait Islander Commission (ATSIC) has provided the following information in response to the honourable senator's question:

- (1) As at 1 April 2001, 8,262 (or about 24%) of the 34,175 Community Development Employment Projects (CDEP) scheme participant places available nationally are allocated to the Northern Territory.
- (2) ATSIC Regional Councils allocate CDEP places to CDEP Organisations. Some CDEP Organisations in the Northern Territory provide CDEP services to a single town or community whilst others are set up to provide services to several towns or communities. In some cases several CDEPs will service a single town or community.

As a consequence, I am unable to provide you with the number of places allocated to each town or community in the Northern Territory. However, I am able to provide you the attached table which illustrates the number of places currently allocated to CDEP community organisations operating in the Northern Territory.

- (3) For reasons outlined in my answer to your 2nd question, I am unable to provide you with annual CDEP funding to towns and communities of the Northern Territory. In the attached table you will find the 2000-01 current funding allocations for each CDEP organisation operating in the Northern Territory. CDEP funding consists of two components, CDEP Wages and Oncost funding. The final amount of funding for CDEP wages will depend on the daily number of participants each CDEP had on their project throughout 2000-01. The amount shown for CDEP Oncost funding represents recurrent needs, capital injections and one-off initiatives. The local ATSIC Regional Council determines the level of CDEP Oncost funding to each CDEP organisation. CDEP Oncost funding is not strictly linked to the places currently allocated to each CDEP organisation.

Table 1: CDEP Organisations operating in the Northern Territory in 2000-01.

Organisation	Participant Ceilings	CDEP Oncosts	CDEP Wages	Total Allocation 2000/01
	April-01	\$	\$	\$
Alawa Aboriginal Corp	100	284,820	935,291	1,220,111
Ali-Curung Council Assoc Inc.	95	355,427	862,941	1,218,368
Alpurrurulam Community Gov't Council	120	404,722	1,045,117	1,449,839
Aputula Housing Assoc Inc	60	249,962	571,385	821,347
Arltarlpita Community Gov't Council	55	249,340	540,845	790,185
Arrernte Council Of Central Australia Aboriginal Corp	220	628,000	2,124,751	2,752,751
Barrah CDEP Inc	100	171,141	252,954	424,095
Bawinanga Aboriginal Corporation	512	1,574,400	5,094,349	6,668,749
Canteen Creek Owairtilla Assoc Inc	65	176,169	623,234	799,403
Daguragu Community Gov't Council	160	515,343	1,522,335	2,037,678
Darwin Regional CDEP Incorporated	265	588,399	1,975,580	2,563,979
Deewin Kurim Aboriginal Corp	77	236,775	766,142	1,002,917
Demed Association Inc	173	531,975	1,721,333	2,253,308
Djabuluku Association Inc	122	375,150	1,213,888	1,589,038
Engawala Community Inc	40	196,592	377,695	574,287
Galiwinku Community Inc	151	390,300	1,502,434	1,892,734
Gapuwiyak Community Inc	68	255,719	676,593	932,312
Gulin Gulin & Weemol Community Council Aboriginal Corp	86	221,342	855,691	1,077,033

Organisation	Participant Ceilings	CDEP Oncosts	CDEP Wages	Total Allocation 2000/01
	April-01	\$	\$	\$
Gumatj Association Inc	118	317,655	1,174,088	1,491,743
Gurungu Council Aboriginal Corp	120	284,581	1,006,764	1,291,345
Ingkerreke Outstation Resource Service Aboriginal Corp	60	254,571	576,127	830,698
Jilkminggan Community Gov't Council	76	224,220	736,293	960,513
Julalikari Buramana Aboriginal Corp	110	254,768	901,293	1,156,061
Julalikari Council Aboriginal Corp	176	673,000	1,687,528	2,360,528
Kalano Community Assoc Inc	165	516,961	1,522,335	2,039,296
Kardu Numida Community Inc	164	488,925	1,581,626	2,070,551
Kunbarllanjja Community Gov't Council	100	307,500	994,990	1,302,490
Laramba Community Inc	50	319,470	484,225	803,695
Laynhapuy Homelands Association Inc	360	1,017,167	3,581,964	4,599,131
Ltyentye Apurte Community Gov't Council	150	456,985	1,361,772	1,818,757
Mabunji Aboriginal Resource Assoc Inc	210	606,000	1,930,281	2,536,281
Manyallaluk Aboriginal Corp	45	178,176	537,295	715,471
Marthakal Homeland and Resource Centre Assoc	272	816,566	2,706,372	3,522,938
Milikapiti Community Gov't Council	137	421,275	1,363,136	1,784,411
Milingimbi Community Inc	155	589,872	1,542,234	2,132,106
Milyakburra Community Council Inc	49	137,200	487,545	624,745
Mungoorbada Aboriginal Corp	94	278,760	915,391	1,194,151
Naiyu Nambiyu Community Gov't Council	142	436,650	1,412,886	1,849,536
Ngadunggay Homeland Resource Cen- tre Aboriginal Corp	84	219,517	835,791	1,055,308
Ngaliwurru-Wuli Assoc	270	905,434	2,686,473	3,591,907
Nguiu Community Gov't Council	248	762,600	2,467,575	3,230,175
Ntaria Council Inc	45	396,500	338,000	734,500
Numbulwar Numburindi Community Gov't Council	80	281,651	795,992	1,077,643
Nyangatjatjara Aboriginal Corp	45	336,344	435,802	772,146
Papulu Apparr-Kari Aboriginal Corp	95	255,031	862,941	1,117,972
Papunya Community Council Inc.	50	561,008	482,898	1,043,906
Pine Creek Aboriginal Advancement Assoc	39	119,925	388,046	507,971
Pirlangimpi Community Gov't Council	97	298,275	965,140	1,263,415
Ramingining Homelands Resource Centre Aboriginal Corp	144	631,450	1,432,785	2,064,235
Rrumburriya Malandari Council Abo- riginal Corp	65	213,750	746,243	959,993
Tangentyere Council Incorporated	260	777,929	2,517,968	3,295,897

Organisation	Participant Ceilings	CDEP Oncosts	CDEP Wages	Total Allocation 2000/01
	April-01			
		\$	\$	\$
Tapatjatjaka Community Gov't Council	90	875,832	871,604	1,747,436
Tjuwanpa Outstation Resource Centre Aboriginal Corp	300	888,853	2,904,524	3,793,377
Umbakumba Community Council Inc	127	488,694	1,263,637	1,752,331
Walangeri Ngumpinku Community Gov't Council	130	435,950	1,293,487	1,729,437
Wallace Rockhole Community Gov't Council	40	179,300	383,032	562,332
Wugularr Community Gov't Council	166	480,560	1,512,385	1,992,945
Yirrkala Dhanbul Community Assoc Inc	110	343,885	1,094,489	1,438,374
Yuelamu Community Inc	60	333,580	579,478	913,058
Yuendumu Community Gov't Council	70	353,356	965,796	1,319,152
Yugul Mangi Community Gov't Council	275	922,201	2,736,223	3,658,424
	8262	27,047,503.00	77,727,012.00	104,774,515.00

**Children: Northern Territory Funding**  
(Question No. 3561)

**Senator Crossin** asked the Minister representing the Minister for Education, Training and Youth Affairs, upon notice, on 5 April 2001:

- (1) What is the amount of funding currently provided to the Northern Territory by the Commonwealth Government for special education services for children with an intellectual disability.
- (2) Is there a requirement that the Territory Government contribute towards a pool of funding for this purpose; if so, in what ratio.
- (3) (a) Which agency or agencies receive and administer this funding; and  
(b) if more than one agency, how much money does each agency receive.
- (4) What are the acquittal and outcome reporting requirements for agencies administering this funding.
- (5) What evaluation of the effectiveness of the funding does the Commonwealth itself undertake.

**Senator Ellison**—The Minister for Education, Training and Youth Affairs has provided the following answer to the honourable senator's question:

- (1) The Commonwealth makes a significant contribution to support the work of schools in improving the learning outcomes of all young Australians and will provide approximately \$311 million in 2001 under the Strategic Assistance for Improving Student Outcomes Programme. In 2001 the Northern Territory share of this funding is expected to be approximately \$5.38 million.

The Strategic Assistance for Improving Student Outcomes Programme was introduced in 2001 and combines funding formerly provided under the Commonwealth's literacy and numeracy and special education school support fixed and per capita programmes. The objective of the programme is to improve the learning outcomes of educationally disadvantaged students, particularly in literacy and numeracy, and the educational participation and outcomes of students with disabilities, including students with an intellectual disability.

State and Territory government and non-government education authorities are responsible for the detailed administration of this funding. They have the flexibility to decide which students and schools have the greatest need for support and to direct funds accordingly.



In addition to funding provided under the Strategic Assistance for Improving Student Outcomes Programme, the Commonwealth will provide \$82,000 to the Northern Territory under the Special Education – Non-government Centre Support Programme. The objective of this programme is to improve the educational opportunities, learning outcomes and personal development of children with disabilities who need services provided at or in connection with non-government centres.

- (2) No. The Commonwealth funding is supplementary. State and Territory Governments have primary responsibility for school education and it is expected that they would be providing funding to support the education of students with a disability.
- (3) (a) In the Northern Territory government, Catholic and independent education authorities are responsible for the detailed administration of the Strategic Assistance for Improving Student Outcomes Programme in their sectors. These authorities are the Northern Territory Department of Education, the Catholic Education Office Northern Territory and the Association of Independent Schools of the Northern Territory.

The breakdown of funding under this programme by sector is provided in question 3 part (b) of this answer.

The Northern Territory Department of Education is the sole agent for administering funding provided under the Special Education – Non-government Centre Support Programme.

(b) In 2001 funding provided to the Northern Territory under the Strategic Assistance for Improving Student Outcomes Programme is expected to be approximately \$5.38 million. Of this, the expected approximate amounts for each agency are \$4.03 million for the Northern Territory Department of Education, \$0.91 million for the Catholic Education Office Northern Territory, and \$0.44 million for the Association of Independent Schools of the Northern Territory.

- (4) The financial and educational accountability and reporting requirements for education authorities administering Strategic Assistance for Improving Student Outcomes Programme are as for Commonwealth Programmes for Schools more generally.

Funding agreements between the Commonwealth and education authorities specify that funds must be spent in accordance with programme guidelines and contain accountability and reporting requirements.

Financial accountability requirements are for a Financial Accountability certificate signed by an authorised person to be provided by 30 June of the year following the programme year for which the funds were provided.

Educational accountability is largely met through participation in the preparation of a national report on the outcomes of schooling (the Annual National Report on Schooling in Australia or ANR), including the provision information for inclusion in the ANR addressing the performance information requirements set out in the regulations to the States Grants (Primary and Secondary Assistance) Act 2000.

Funding provided under the Special Education – Non-government Centre Support Programme for a particular year must be acquitted by 30 June of the following year.

- (7) Participation by funding recipients in the evaluation of outcomes of financial assistance, as required by the Commonwealth Minister, is an educational accountability requirement.

### **Cairns International University Pty Ltd**

#### **(Question No. 3562)**

**Senator Carr** asked the Minister representing the Minister for Education, Training and Youth Affairs, upon notice, on 5 April 2001:

- (1) What is the current status within Australia as a higher education institution of Cairns International University Pty Ltd.
- (2) Does this entity award degrees in Australia; if so, at what level.
- (3) Does it enjoy accreditation with any Australian education authority; if so, with which authority.
- (4) With reference to the Minister's previous advice that the word 'university' is protected under the Corporations Regulations and that protocols exist when applications are made to use this word: (a) has Cairns International University Pty Ltd applied to use the word 'university'; if so, what was the decision of the delegate for the Minister for Financial Services and Regulation at the Depart-

ment of Treasury; (b) was the Department of Education Training and Youth Affairs consulted, either formally or informally; (c) was the Queensland Office of Higher Education consulted; and (d) if no application has been made, what action has been taken to curtail the use of the word by this company.

**Senator Ellison**—The Minister for Education, Training and Youth Affairs has provided the following answer to the honourable senator's question:

The Queensland Office of Higher Education has provided the following information in relation to questions 1 to 3, and 4(d):

- (1) Cairns I.U. Pty Ltd (CIU) is not an approved higher education institution at this stage. The formal assessment of CIU's application to be recognised as a private university in Queensland is anticipated to commence in 2001.
- (2) The organisation does not award degrees in Australia.
- (3) The organisation is not accredited to deliver higher education courses anywhere in Australia at this stage.
- (4) (a) It is our understanding that the organisation was registered in February 1994 as Australian Proprietary Company, Limited By Shares under the name Cairns I.U. Pty Ltd (ACN 063 573 277). The company has not applied for approval to use the word 'university' in its title and has never been approved to do so.
  - (b) See (a) above.
  - (c) See (b) above.
  - (d) The Office of Higher Education has drawn to the company's attention the fact that the Queensland State Cabinet has only authorised use of the words 'proposed international university' for marketing and fundraising purposes.

### **Commonwealth Flood Insurance Taskforce**

#### **(Question No. 3568)**

**Senator Crossin** asked the Minister representing the Minister for Financial Services and Regulation, upon notice, on 19 April 2001:

With reference to reports in the Northern Territory media in the week beginning 8 April 2001 that a Commonwealth Flood Insurance Taskforce has been established:

- (1) When was the decision to form a taskforce taken.
- (2) When was the taskforce established.
- (3) Who are the members of the taskforce.
- (4) What are the objectives of the taskforce.
- (5) Will the taskforce be looking at the need for an inquiry into flood insurance.
- (6) Will the taskforce examine the adequacy of the existing legislative framework in protecting insurers against losses related to water damage.
- (7) Will the taskforce examine the case for an insurance ombudsman's office to be established.
- (8) When will the taskforce be reporting on progress.

**Senator Kemp**—The Minister for Financial Services and Regulation has provided the following answer to the honourable senator's question:

- (1) - (8) No decision has been taken to establish a Commonwealth Flood Insurance Taskforce.