- (v) the potential implications for individual standards of living in retirement, especially for those who are over the age of 45,
- (vi) how to assist older workers plan for their retirement,
- (vii) the short- and long-term effect on the Budget of any proposals for change, and
- (viii) issues for the federal and state workplace relations systems; and
- (b) corporate governance and standards for superannuation funds.

Senator Ian Campbell to move on the next day of sitting:

That the following bill be introduced: A Bill for an Act to amend the law relating to broadcasting, and for related purposes. **Broadcasting Legislation Amendment Bill (No. 3) 2002.**

Senator Brown to move on the next day of sitting:

That there be laid on the table by the Minister for Fisheries, Forestry and Conservation, no later than noon on Thursday, 12 December 2002, all documents relating to the answers to question on notice no. 404 (Senate *Hansard*, 14 October 2002, p. 5093) and subsequent related questions on logging activities in Tasmania.

Senator IAN CAMPBELL (Western Australia—Parliamentary Secretary to the Treasurer) (3.33 p.m.)—I give notice that, on the next day of sitting, I shall move:

That the provisions of paragraphs (5) to (7) of standing order 111 not apply to the Family and Community Services Legislation Amendment (Special Benefit Activity Test) Bill 2002, allowing it to be considered during this period of sittings.

I also table a statement of reasons justifying the need for this bill to be considered during these sittings and seek leave to have the statement incorporated in *Hansard*.

Leave granted.

The statement read as follows—

FAMILY AND COMMUNITY SERVICES LEGISLATION AMENDMENT (SPECIAL BENEFIT ACTIVITY TEST) BILL 2002

Purpose of the Bill

This Bill will give effect to the measure agreed to as part of the 2000-2001 Budget to introduce activity testing arrangements for special benefit recipients who hold a temporary protection visa and who are of work-force age.

Reasons for urgency

The initiative contained in this Bill is to commence on 1 January 2003. It is critical that the Bill is passed in the 2002 Spring Sittings ahead of the commencement date so as to have sufficient time to finalise supporting administration.

(Circulated by authority of the Minister for Family and Community Services)

Senator Brown to move on the next day of sitting:

That the Senate calls on the Australian Government to urgently pursue alternatives with the Chinese Government to the death sentence handed down on Tibetan activists Trulku Tenzin Delek and Lobsang Dhondup in Karze, Sichuan province.

Senator O'Brien to move on the next day of sitting:

That the Senate—

- (a) notes that:
 - (i) on 16 October 2002 it agreed to a motion seeking documents relating to the Government's consideration of an ethanol excise and production subsidy,
 - (ii) on 21 October 2002 the Parliamentary Secretary to the Treasurer (Senator Campbell) advised the Senate that 'the government intends to comply with the order as soon as possible and fully expects to be in a position to do so shortly',
 - (iii) 50 days have passed since Senator Campbell gave the Senate a commitment the Government would respond to the order of the Senate in a timely fashion; and
- (b) calls on the Government to comply with the order of the Senate no later than 5 pm on 11 December 2002.

Senator Collins on behalf of all opposition senators, **Senator Bartlett** on behalf of all Australian Democrats senators, and **Senators Brown**, **Nettle**, **Lees**, **Harradine** and **Murphy** to move on the next day of sitting:

That the Senate—

(a) notes the evidence presented to the Select Committee on a Certain Maritime Incident regarding the central role played by the person known as Abu Quessai in organising people smuggling operations in Indonesia;

- (b) welcomes the statement by the Australian Federal Police that they have issued a further warrant for the arrest of Quessai, in relation to his involvement in people smuggling specifically in relation to the vessel known as SIEV X;
- (c) further notes that the issue of this warrant indicates the strength of evidence linking Quessai with the people smuggling aspects of SIEV X, including the procurement of the vessel, the recruiting of crew, the provision of passage on the vessel in return for payment, the loading of the vessel (including the gross overloading), and the departure of the vessel bound for Australia:
- (d) further notes that Abu Quessai is currently in prison in Indonesia for unrelated immigration offences, and is due to be released on 1 January 2003, with a high risk of him remaining out of reach of Australian legal authorities after that time; and therefore
- (e) calls on the Australian and Indonesian Governments to undertake all actions necessary prior to 1 January 2003 to ensure that Abu Quessai is immediately brought to justice:
 - (i) on all matters relating to the outstanding warrants relating to people smuggling, and
 - (ii) in relation to his involvement with the vessel known as SIEV X, including the foundering and sinking of that vessel with the resultant tragic loss of 353 lives.

Postponement

An item of business was postponed as follows:

General business notice of motion no. 287 standing in the name of the Chair of the Select Committee on Superannuation (Senator Watson) for today, relating to the reference of a matter to the Select Committee on Superannuation, postponed till 11 December 2002.

Senator O'BRIEN (Tasmania) (3.37 p.m.)—by leave—I move:

That business of the Senate notices of motion nos 2, 3 and 4 standing in my name for today, relating to the disallowance of certain regulations, be postponed till the next day of sitting.

Question agreed to.

BUSINESS

Rearrangement

Senator IAN CAMPBELL (Western Australia—Manager of Government Business in the Senate) (3.38 p.m.)—I move:

That___

- (1) On Tuesday, 10 December 2002:
 - (a) the hours of meeting shall be 2 pm to 6.30 pm and 7.30 pm to 11.10 pm;
 - (b) the routine of business from 7.30 pm to 10.30 pm shall be government business only; and
 - (c) the question for the adjournment of the Senate shall be proposed at 10.30 pm.
- (2) On Wednesday, 11 December 2002, the hours of meeting shall be 9.30 am to adjournment, and standing order 54(5) shall apply to the adjournment debate as if it were Tuesday.

Question agreed to.

COMMITTEES

Economics Legislation Committee Extension of Time

Senator FERRIS (South Australia) (3.39 p.m.)—At the request of Senator Brandis, I move:

That the time for the presentation of the report of the Economics Legislation Committee on the provisions of the Financial Sector Legislation Amendment Bill (No. 2) 2002 be extended to 12 December 2002.

Question agreed to.

BUSINESS

Consideration of Legislation

Senator IAN CAMPBELL (Western Australia—Manager of Government Business in the Senate) (3.39 p.m.)—I move:

That the provisions of paragraphs (5) to (7) of standing order 111 not apply to the following bills, allowing them to be considered during this period of sittings:

Aviation Legislation Amendment Bill 2002

Copyright Amendment (Parallel Importation)
Bill 2002

Crimes Legislation Amendment (People Smuggling, Firearms Trafficking and Other Measures) Bill 2002

Ouestion	

The S	enate divi	ded.	[3.45 p.m	.]
(The Hogg)	Deputy	President-	—Senator	J.J.
			1.0	

Ayes	10
Noes	<u>45</u>
Majority	35

AYES

Allison, L.F. *	Bartlett, A.J.J.
Brown, B.J.	Cherry, J.C.
Greig, B.	Lees, M.H.
Murray, A.J.M.	Nettle, K.
Ridgeway, A.D.	Stott Despoja, N.

NOES

Bishop, T.M.
Brandis, G.H.
· · · · · · · · · · · · · · · · · · ·
Campbell, G.
Carr, K.J.
Colbeck, R.
Crossin, P.M.
Eggleston, A.
Forshaw, M.G.
Hutchins, S.P.
Kirk, L.
Lightfoot, P.R.
Lundy, K.A.
Marshall, G.
McGauran, J.J.J.
Moore, C.
O'Brien, K.W.K.
Ray, R.F.
Santoro, S.
Sherry, N.J.
Tchen, T.
Troeth, J.M.
Webber, R.

* denotes teller

Question negatived.

ENVIRONMENT: WALLA WEIR IRRIGATION PROJECT

Senator BARTLETT (Queensland—Leader of the Australian Democrats) (3.49 p.m.)—I move:

That there be laid on the table no later than 4 pm on Thursday, 12 December 2002, the following documents:

(a) the agreement signed by the Commonwealth for the Walla Weir Irrigation Project, funded under the Sugar Industry Infrastructure Package; and

(b) any materials relating to compliance with the terms of the agreement.

Question agreed to.

IMMIGRATION: PEOPLE-SMUGGLING

Senator FAULKNER (New South Wales—Leader of the Opposition in the Senate) (3.50 p.m.)—I, and also on behalf of the Leader of the Australian Democrats and Senators Harradine, Murphy, Brown and Nettle, move:

That the Senate—

- (a) expresses:
 - (i) its support for the majority findings in the report of the Select Committee on a Certain Maritime Incident and calls on the Commonwealth Government to immediately implement all of the recommendations contained in that report, and
 - (ii) its serious concern at the apparent inconsistencies in evidence provided to the committee and estimates committees by Commonwealth agencies in relation to the People Smuggling Disruption Program and in relation to Suspected Illegal Entry Vessels (SIEVs), including the boat known as SIEV X; and
- (b) calls on the Commonwealth Government to immediately establish a comprehensive, independent judicial inquiry into all aspects of the People Smuggling Disruption Program operated by the Commonwealth Government and agencies from 2000 to date, including:
 - (i) all funding and other resources put to the program, both within Australia and overseas,
 - (ii) the involvement and activities of all Australian Departments and agencies involved in the program, both within Australia and overseas,
 - (iii) the extent of ministerial knowledge of, and authorisation for, the program,
 - (iv) allegations raised in the media in relation to the program, including by the Sunday program,
 - (v) the nature of the co-operative relationship between the Australian and Indonesian Governments and

agencies, including the operation of agreements and protocols, the funding and resources provided under those arrangements, and the activities of individual Australian and Indonesian citizens,

- (vi) the use of Australian equipment and resources in the program, including use by persons outside of Australian agencies,
- (vii) the effect of the program on persons seeking asylum from Indonesia or Australia, including the effect on means of transport, and
- (viii) the circumstances and outcomes of all departures from Indonesia of all boats carrying asylum-seekers, including the circumstances of the sinking of SIEV X.

Question agreed to.

MINISTERIAL CONDUCT: SENATOR COONAN

Senator FAULKNER (New South Wales—Leader of the Opposition in the Senate) (3.51 p.m.)—I move:

That there be laid on the table, no later than immediately after motions to take note of answers on Thursday, 12 December 2002, all documents relating to the inquiries undertaken by the Department of the Prime Minister and Cabinet into the possible conflict of interest between the ministerial responsibilities of the Minister for Revenue and Assistant Treasurer (Senator Coonan) and the commercial activities of Endispute Pty Ltd (including, but not limited to, a copy of the report of those inquiries furnished to the Prime Minister (Mr Howard) and referred to by him during question time in the House of Representatives on Tuesday, 3 December 2002).

Question agreed to.

ENVIRONMENT: TOWNSVILLE TROUGH

Senator BARTLETT (Queensland—Leader of the Australian Democrats) (3.52 p.m.)—I move:

That there be laid on the table no later than 4 pm on Thursday, 12 December 2002, all materials prepared by Geoscience Australia in response to the proposal by TGS-NOPEC to conduct seismic testing in the Townsville Trough.

Question agreed to.

MILITARY DETENTION: AUSTRALIAN CITIZENS

Senator NETTLE (New South Wales) (3.52 p.m.)—as amended, by leave—I move the motion as amended:

That the Senate—

- (a) notes its profound concern that Mr David Hicks and Mr Mamdouh Habib remain incarcerated in Camp X-Ray at Guantanemo Bay, Cuba, without having been charged or brought before the courts for trial;
- (b) notes that Article 9 of the Universal Declaration of Human Rights states that, "No-one shall be subject to arbitrary arrest, detention or exile";
- (c) recalls the commitment that the Minister for Defence and the Attorney-General made on 14 December 2001 that, "If Mr Hicks has committed a crime against Australian law, the Australian Government will do whatever is necessary to bring him to justice"; and
- (d) calls on the Australian government as a matter of urgency to take whatever steps are required to return both Mr Hicks and Mr Habib to Australia to determine whether they should be freed or face trial, as is their right.

Question, as amended, agreed to.

INTERNATIONAL HUMAN RIGHTS DAY

Senator NETTLE (New South Wales) (3.53 p.m.)—I move:

That the Senate—

- (a) notes that 10 December 2002 is International Human Rights Day and joins with the many thousands around the world who are participating in events on this day to:
 - (i) condemn the ongoing abuse of human rights worldwide,
 - (ii) extend our sympathy to the victims of these abuses, and
 - (iii) support the defence of those rights both in Australia and overseas; and
- (b) condemns the Government's appalling record in the field of human rights and, in particular, the Government's: