



COMMONWEALTH OF AUSTRALIA

# SENATE

## Hansard

**THURSDAY, 22 JUNE 2006**

### CORRECTIONS

This is a **PROOF ISSUE**. Suggested corrections for the Official Hansard and Bound Volumes should be lodged in writing with the Director, Chambers, Department of Parliamentary Services **as soon as possible but not later than:**

**Thursday, 29 June 2006**

<b>Facsimile:</b>	Senate	(02) 6277 2977
	House of Representatives	(02) 6277 2944
	Main Committee	(02) 6277 8368

BY AUTHORITY OF THE SENATE

# PROOF

**Response**

The Government does not support the committee's recommendation.

The Government notes that the Wine Industry Relations Committee, a joint committee of the Winemakers' Federation of Australia and Wine Grape Growers of Australia, has resolved to develop a voluntary code of conduct. The Government considers that a voluntary code is the preferred approach and is supportive of these efforts on the part of wine grape growers and winemakers.

**Recommendation 4**

The committee recommends that any national wine industry body should be separate from a winemakers' representative body.

**Response**

The Government notes the committee's recommendation.

The Government funded the development of a business plan for the new grape growers' peak body after the previous peak wine grape growing organisation, the Wine Grape Grower's Council of Australia, was wound up in 2003-04. Following consultation with wine grape growers and winemakers, the consultants developing the business plan recommended a combined peak industry body be formed as it would be more efficient and effective than two separate bodies.

The Government considers the make-up of a peak wine industry body is a matter for industry to decide.

**PETROLEUM RESOURCE RENT TAX  
ASSESSMENT AMENDMENT BILL 2006**

**PETROLEUM RESOURCE RENT TAX  
(INSTALMENT TRANSFER INTEREST  
CHARGE IMPOSITION) BILL 2006**

**Report of Economics Legislation Committee**

**The DEPUTY PRESIDENT**—Pursuant to standing order 38, I present a report of the Economics Legislation Committee on the Petroleum Resource Rent Tax Assessment Amendment Bill 2006 and a related bill, together with the *Hansard* record of proceedings and documents presented to the committee, which were presented to the Deputy President when the Senate adjourned yesterday. In accordance with the terms of the standing order, the publication of the report was authorised.

Ordered that the report be printed.

**TAX LAWS AMENDMENT (2006 MEASURES No. 3) BILL 2006**

**Report of Economics Legislation Committee**

**The DEPUTY PRESIDENT**—Pursuant to standing order 38, I present a report of the Economics Legislation Committee on the Tax Laws Amendment (2006 Measures No. 3) Bill 2006, together with the *Hansard* record of proceedings and documents presented to the committee, which were presented to the Deputy President when the Senate adjourned yesterday. In accordance with the terms of the standing order, the publication of the report was authorised.

~~Ordered that the report be printed.~~

**COMMITTEES**

**Reports: Government Responses**

**The DEPUTY PRESIDENT**—In accordance with the usual practice, I table a report of parliamentary committee reports to which the government has not responded within the prescribed period. The report has been circulated to honourable senators. With the concurrence of the Senate, the report will be incorporated in *Hansard*.

*The document read as follows—*

**PRESIDENT'S REPORT TO THE SENATE ON  
GOVERNMENT RESPONSES OUTSTANDING TO  
PARLIAMENTARY COMMITTEE REPORTS**

AS AT 22 JUNE 2006

**PREFACE**

This document continues the practice of presenting to the Senate twice each year a list of government responses to Senate and joint committee reports as well as responses which remain outstanding.

The practice of presenting this list to the Senate is in accordance with the resolution of the Senate of 14 March 1973 and the undertaking by successive governments to respond to parliamentary committee reports in timely fashion. On 26 May 1978 the then Minister for Administrative Services (Senator Withers) informed the Senate that within six months of the tabling of a committee report, the responsible minister would make a statement in the Parliament outlining the action the government proposed to take in relation to the report. The period for responses was reduced from six months to three months in 1983 by the then incoming government. The then Leader of the Government in the Senate announced this change on 24 August 1983. The method of response continued to be by way of statement. Subsequently, on 16 October 1991 [tabled 5 Nov 1991] the then government advised that responses to committee reports would be made by letter to a committee chair, with the letter being tabled in the Senate at the earliest opportunity. The current government in June 1996 affirmed its commitment to respond to relevant parliamentary committee reports within three months of their presentation.

This list does not usually include reports of the Parliamentary Standing Committee on Public Works or the following Senate Standing Committees: Appropriations and Staffing, Selection of Bills, Privileges, Procedure, Publications, Regulations and Ordinances, Senators' Interests and Scrutiny of Bills. However, such reports will be included if they require a response. Government responses to reports of the Public Works Committee are normally reflected in motions in the House of Representatives for the approval of works after the relevant report has been presented and considered.

Reports of the Joint Committee of Public Accounts and Audit (JCPAA) primarily make administrative recommendations but may make policy recommendations. A government response is required in respect of such policy recommendations made by the committee. However, responses to administrative recommendations are made in the form of an executive minute provided to, and subsequently tabled by, the committee. Agencies responding to administrative recom-

mentations are required to provide an executive minute within 6 months of the tabling of a report. The committee monitors the provision of such responses.

An entry on this list for a report of the JCPAA containing only administrative recommendations is annotated to indicate that the response is to be provided in the form of an executive minute. Consequently, any other government response is not required. However, any reports containing policy recommendations are included in this report as requiring a government response.

Legislation and other committees report on bills and the provisions of bills. Only those reports in this category that make recommendations which cannot readily be addressed during the consideration of the bill, and therefore require a response,

are listed. The list also does not include reports by legislation committees on estimates or scrutiny of annual reports, unless recommendations are made that require a response.

A guide to the legend used in the 'Date response presented/made to the Senate' column

\* See document tabled in the Senate on 22 June 2006, entitled Government Responses to Parliamentary Committee Reports—Response to the schedule tabled by the President of the Senate on 8 December 2005, for Government interim/final response.

\*\* Report contains administrative recommendations only – response is to be provided direct to the committee in the form of an executive minute.

Committee and title of report	Date report tabled	Date response presented/made to the Senate	Response made within specified period (3 months)
<b>A Certain Maritime Incident (Select)</b> Report on a Certain Maritime Incident	<b>23.10.02</b>	*(interim)	No
<b>Administration of Indigenous Affairs (Senate Select)</b> After ATSIC—Life in the mainstream?	<b>8.3.05</b>	*(interim)	No
<b>ASIO, ASIS and DSD (Joint Statutory)</b> Private review of agency security arrangements	<b>13.10.03</b>	*(interim)	No
<b>Review of the listing of six terrorist organisations</b>	<b>7.3.05</b>	*(interim)	No
<b>Review of the listing of four terrorist organisations</b>	<b>5.9.05</b>	*(interim)	No
<b>ASIO's questioning and detention powers — Review of the operation, effectiveness and implications of Division 3 of Part III in the <i>Australian Security Intelligence Organisation Act 1979</i></b>	<b>30.11.05</b>	<b>30.3.06</b>	No
<b>Australian Crime Commission (Joint Statutory)</b> Cybercrime	<b>24.3.04</b>	<b>9.2.06</b>	No
<b>Inquiry into the trafficking of women for sexual servitude</b>	<b>24.6.04</b>	*(interim)	No
<b>Examination of the annual report for 2003-04 of the Australian Crime Commission</b>	<b>23.6.05</b>	*(interim)	No
<b>Supplementary report to the inquiry into the trafficking of women for sexual servitude</b>	<b>11.8.05</b>	*(interim)	No
<b>Review of the <i>Australian Crime Commission Act 2002</i></b>	<b>10.11.05</b>	*(interim)	No
<b>Community Affairs Legislation</b> Tobacco advertising prohibition	<b>16.11.04 (presented 30.9.04)</b>	*(interim)	No
<b>Provisions of the Employment and Workplace Relations Legislation Amendment (Welfare to Work and Other Measures) Bill 2005 and the Family and Community Services Legislation Amendment (Welfare to Work) Bill 2005</b>	<b>28.11.05</b>	*(interim)	No

Committee and title of report	Date report tabled	Date response pre-sented/made to the Senate	Response made within specified period (3 months)
Therapeutic Goods Amendment (Repeal of Ministerial responsibility for approval of RU486) Bill 2005	8.2.06	-	No
Provisions of the Family Assistance, Social Security and Veterans' Affairs Legislation Amendment (2005 Budget and Other Measures) Bill 2006	27.3.06 (pre-sented 24.3.06)	-	Time not expired
Community Affairs References A hand up not a hand out: Renewing the fight against poverty – Report on poverty and financial hardship	11.3.04	27.3.06 (pre-sented 7.3.06)	No
The cancer journey: informing choice — Report on the inquiry into services and treatment options for persons with cancer	23.6.05	10.11.05 - NHMRC re-sponse, 22.6.06	No
Quality and equity in aged care	23.6.05	*(interim)	No
Response to the petition on gynaecological health issues	30.3.06	Not required	-
Workplace exposure to toxic dust	13.6.06 (pre-sented 31.5.06)	-	Time not expired
Beyond petrol sniffing: renewing hope for Indigenous communities	20.6.06	-	Time not expired
Corporations and Securities (Joint Statutory)			
Report on aspects of the regulation of proprietary companies	8.3.01	*(interim)	No
Corporations and Financial Services (Joint Statutory)			
Report on the regulations and ASIC policy statements made under the <i>Financial Services Reform Act 2001</i>	23.10.02	*(interim)	No
Review of the <i>Managed Investments Act 1998</i>	12.12.02	*(interim)	No
Inquiry into Regulation 7.1.29 in Corporations Amendment Regulations 2003 (No. 3), Statutory Rules 2003 No. 85	26.6.03	*(interim)	No
Money matters in the bush: Inquiry into the level of banking and financial services in rural, regional and remote areas of Australia	10.2.04 (pre-sented 15.1.04)	*(interim)	No
Report on the ATM fee structure	10.2.04 (pre-sented 15.1.04)	*(interim)	No
Corporations Amendment Regulations 2003 (Batch 6); Draft Regulations: Corporations Amendment Regulations 2003/04 (Batch 7); and Draft Regulations: Corporations Amendment Regulations 2004 (Batch 8)	24.3.04	*(interim)	No
Corporations Amendment Regulations 7.1.29A, 7.1.35A and 7.1.40(h)	15.6.04	*(interim)	No
Property investment – Safe as houses?	23.6.05	*(interim)	No
Timeshare: The price of leisure	5.9.05	*(interim)	No
Statutory oversight of the Australian Securities and Investments Commission	7.2.06 (pre-sented 19.12.05)	-	No



Committee and title of report	Date report tabled	Date response pre-sented/made to the Senate	Response made within specified period (3 months)
erley and Honeymoon uranium mines			
The Australian telecommunications network	5.8.04	*(final)	No
Competition in broadband services	10.8.04	*(final)	No
Turning back the tide – the invasive species challenge: Report on the regulation, control and management of invasive species and the Environment Protection and Biodiversity Conservation Amendment (Invasive Species) Bill 2002	8.12.04	*(interim)	No
Lurching forward, looking back: Budgetary and environmental implications of the Government's Energy White Paper	14.6.05 (pre-sented 16.5.05)	*(interim)	No
The performance of the Australian telecommunications regulatory regime	10.8.05	*(interim)	No
Living with a salinity – a report on progress: The extent and economic impact of salinity in Australia	28.3.06	-	Time not expired
Finance and Public Administration References			
Staff employed under <i>Members of Parliament (Staff) Act 1984</i>	16.10.03	*(interim)	No
Regional partnerships and sustainable regions programs	6.10.05	*(interim)	No
Matters relating to the Gallipoli Peninsula	13.10.05	*(interim)	No
Government advertising and accountability	6.12.05	*(interim)	No
Foreign Affairs, Defence and Trade (Joint Standing)			
Australia's maritime strategy	21.6.04	15.6.06	No
Australia's engagement with the World Trade Organization	3.8.04 (pre-sented 2.7.04)	2.3.06	No
Australia's human rights dialogue process	12.9.05	2.3.06	No
Reform of the United Nations Commission on Human Rights	12.9.05	*(final)	No
Review of the Defence annual report 2003-04	11.10.05	27.3.06 (pre-sented 23.3.06)	No
Australia's free trade agreements with Singapore, Thailand and the United States: progress to date and lessons for the future	7.11.05	*(interim)	No
Australia's defence relations with the United States	13.6.06	-	Time not expired
Visit to Australian Defence Forces deployed to support the rehabilitation of Iraq – Report of the delegation 22 to 28 October 2005	13.6.06	Not required	-
Expanding Australia's trade and investment relations with North Africa	13.6.06	-	Time not expired
Australia's relationship with the Republic of Korea; and developments on the Korean peninsula	22.6.06	-	Time not expired
Australia's response to the Indian Ocean tsunami	22.6.06	-	Time not expired
Foreign Affairs, Defence and Trade			

Committee and title of report	Date report tabled	Date response pre-sented/made to the Senate	Response made within specified period (3 months)
<b>References</b>			
Mr Chen Yonglin's request for political asylum	12.9.05	*(interim)	No
Opportunities and challenges: Australia's relationship with China	10.11.05	*(interim)	No
The removal, search for and discovery of Ms Vivian Solon—Final report	8.12.05	*(interim)	No
China's emergence: implications for Australia	30.3.06	*(interim)	Time not expired
Free Trade Agreement between Australia and the United States of America (Select)			
Final report	5.8.04	9.5.06 (pre-sented 2.5.06)	No
<b>Information Technologies (Select)</b>			
In the public interest: Monitoring Australia's media	13.4.00	*(interim)	No
<b>Intelligence and Security (Joint)</b>			
Review of the listing of the Kurdistan Workers' Party (PKK)	9.5.06 (pre-sented 26.4.06)	Not required	-
<b>Legal and Constitutional Legislation</b>			
Provisions of the Law and Justice Legislation Amendment (Serious Drug Offences and Other Measures) Bill 2005	16.8.05 (pre-sented 15.8.05)	*(final)	No
Provisions of the Anti-Terrorism Bill (No. 2) 2005	28.11.05	*(final)	No
Provisions of the Australian Citizenship Bill 2005 and the Australian Citizenship (Transitionals and Consequentials) Bill 2005	27.2.06	-	No
Provisions of the Family Law Amendment (Shared Parental Responsibility) Bill 2005	27.3.06 (pre-sented 24.3.06)	11.5.06	Yes
Provisions of the Migration Amendment (Designated Unauthorised Arrivals) Bill 2006	13.6.06	-	Time not expired
<b>Legal and Constitutional References</b>			
Reconciliation: Off track	9.10.03	*(interim)	No
Legal aid and access to justice	15.6.04 (pre-sented 8.6.04)	7.2.06 (pre-sented 3.2.06)	No
The road to a republic	16.11.04 (pre-sented 31.8.04)	*(interim)	No
They still call Australia home: Inquiry into Australian expatriates	8.3.05	*(interim)	No
The real Big Brother—Inquiry into the <i>Privacy Act 1988</i>	23.6.05	*(interim)	No
Administration and operation of the <i>Migration Act 1958</i>	2.3.06	-	No
<b>Medicare (Select)</b>			
Medicare – healthcare or welfare?	30.10.03	*(interim)	No
Second report: Medicare Plus: the future for Medicare?	11.2.04	*(interim)	No
<b>Mental Health (Select)</b>			
A national approach to mental health – from crisis to community – First report	30.3.06	-	Time not expired
A national approach to mental health	9.5.06 (pre-	-	Time not expired

Committee and title of report	Date report tabled	Date response pre-sented/made to the Senate	Response made within specified period (3 months)
– from crisis to community – Final report Migration (Joint Standing)	sented 28.4.06)		
Detention centre contracts: Review of Audit report No.1 2005-06 – Management of the detention centre contracts – Part B	6.12.05	*(interim)	No
Ministerial Discretion in Migration Matters (Select) Report	31.3.04	*(interim)	No
National Capital and External Territories (Joint Statutory)			
Norfolk Island electoral matters	26.8.02	*(interim)	No
Antarctica: Australia's pristine frontier— Report on the adequacy of funding for Australia's Antarctic Program	23.6.05	*(interim)	No
Norfolk Island financial sustainability: The challenge – sink or swim?	1.12.05	*(interim)	No
Current and future governance arrangements for the Indian Ocean territories	13.6.06	-	Time not expired
Native Title and the Aboriginal and Torres Strait Islander Land Account (Joint Statutory)			
Examination of annual reports 2004-2005	27.3.06 (pre-sented 21.3.06)	Not required	-
Report on the operation of Native Title Representative Bodies	27.3.06 (pre-sented 21.3.06)	-	Time not expired
Public Accounts and Audit (Joint Statutory)			
Corporate governance and accountability arrangements for Commonwealth government business enterprises, December 1999 (Report No. 372)	16.2.00	*(interim)	No
Access of Indigenous Australians to law and justice services (Report No. 403)	22.6.05	2.3.06	No
Review of Auditor-General's reports 2003-04 third and fourth quarters; and first and second quarters of 2004-05 (Report No. 404)	7.11.05	*(interim)	No
Developments in aviation security since the Committee's June 2004 Report 400: Review of aviation security in Australia – An interim report (Report No. 406)	8.12.05	*(interim)	No
Report on the ANAO budget estimates for 2006-07	10.5.06	Not required	-
Publications (Joint)			
Distribution of the Parliamentary Paper Series	13.6.06	-	Time not expired
Rural and Regional Affairs and Transport Legislation			
An appropriate level of protection? The importation of salmon products:	7.6.00	*(interim)	No

Committee and title of report	Date report tabled	Date response pre-sented/made to the Senate	Response made within specified period (3 months)
<b>A case study of the administration of Australian quarantine and the impact of international trade arrangements</b>			
<b>Biosecurity Australia's import risk analysis for pig meat</b>	13.5.04	*(interim)	No
<b>Administration of Biosecurity Australia – Revised draft import risk analysis for bananas from the Philippines</b>	17.3.05	*(interim)	No
<b>Administration of Biosecurity Australia – Revised draft import risk analysis for apples from New Zealand</b>	17.3.05	*(interim)	No
<b>Regulatory framework under the <i>Maritime Transport Security Amendment Act 2005</i></b>	10.8.05	*(interim)	No
<b>The administration by the Department of Agriculture, Fisheries and Forestry of the citrus canker outbreak</b>	20.6.06	-	Time not expired
<b>Rural and Regional Affairs and Transport References</b>			
<b>Rural water use</b>	12.8.04	*(interim)	No
<b>Australian forest plantations: A review of <i>Plantations for Australia: The 2020 Vision</i></b>	16.11.04 (pre-sented 2.9.04)	*(interim)	No
<b>Iraqi wheat debt – repayments for wheat growers</b>	16.6.05	*(interim)	No
<b>The operation of the wine-making industry</b>	13.10.05	22.6.06	No
<b>Scrutiny of Bills</b>			
<b>Third report of 2004: The quality of explanatory memoranda accompanying bills</b>	24.3.04	*(interim)	No
<b>Superannuation and Financial Services (Select)</b>			
<b>Report on early access to superannuation benefits</b>	12.2.02 (pre-sented 31.1.02)	19.6.06 (pre-sented 16.6.06)	No
<b>Treaties (Joint Standing)</b>			
Treaties tabled on 7 December 2004 (3) and 8 February 2005 (65 <sup>th</sup> report)	20.6.05	*(interim)	No
Treaties tabled on 7 December 2004 (4), 15 March and 11 May 2005 (66 <sup>th</sup> report)	18.8.05	*(interim)	No
Treaties tabled on 21 June 2005 (67 <sup>th</sup> report)	12.9.05	*(final)	No
Treaties tabled on 7 December 2004 (5) and 9 August 2005 (68 <sup>th</sup> Report)	7.11.05	*(final)	No
Treaty tabled on 29 November 2005 (71 <sup>st</sup> report)	27.2.06	Not required	-
Treaties tabled on 29 November 2005 (2) (72 <sup>nd</sup> report)	28.3.06	Not required	-
Treaties tabled in February 2006 (73 <sup>rd</sup> report)	10.5.06	Not required	-
Treaty tabled on 28 March 2006 (74 <sup>th</sup> report)	13.6.06	Not required	-

**COMMITTEES****Reports: Government Responses**

**Senator VANSTONE** (South Australia—Minister for Immigration and Multicultural Affairs) (3.58 pm)—

I present the government's response to the President's report of 8 December 2005 on outstanding government responses to parliamentary committee reports, and seek leave to incorporate the document in *Hansard*.

Leave granted.

*The document read as follows—*

**A CERTAIN MARITIME INCIDENT (Select)****A Certain maritime incident**

A response may be considered in due course.

**ADMINISTRATION OF INDIGENOUS AFFAIRS (Senate Select)****After ATSIC – Life in the mainstream**

A response is being considered by the government and will be tabled shortly.

**ASIO, ASIS AND DSD (Joint, Statutory)****Private review of agency security arrangements**

A response is being considered by the government and is expected to be tabled shortly.

**Review of the listing of six terrorist organisations**

A response is being considered by the government and is expected to be tabled shortly.

**Review of the listing of four terrorist organisations**

A response is being considered by the government and is expected to be tabled shortly.

**ASIO's questioning and detention powers – Review of the operations, effectiveness and implications of Division 3 of Part III in the Australian Security Intelligence Organisation Act 1979**

The response was tabled on 30 March 2006.

**AUSTRALIAN CRIME COMMISSION (Joint, Statutory)****Cybercrime**

The response was tabled on 9 February 2006.

**Inquiry into the trafficking of women for sexual servitude**

The response is being considered by the government. It is expected the response will be tabled shortly.

**Examination of the annual report for 2003-04 of the Australian Crime Commission**

The response is being considered by the government.

**Supplementary report to the inquiry into the trafficking of women for sexual servitude**

The response to the original report is to be finalised prior to issuing a response to this supplementary report.

**Review of the Australian Crime Commission Act 2002**

The response is being considered by the government and is expected to be tabled in the future.

**COMMUNITY AFFAIRS LEGISLATION****Tobacco advertising prohibition**

The response is being considered by the government and is expected to be tabled in the future.

**Provisions of the Employment and Workplace Relations Legislation Amendment (Welfare to Work and Other Measures) Bill 2005 and the Family and Community Services Legislation Amendment (Welfare to Work) Bill 2005**

A response is expected following finalisation of disallowable instruments (currently before the Parliament); introduction of the Consequential Amendment to the Welfare to Work Act (currently before Parliament); and development of the test for the Social Security Guide in line with the disallowable instruments, among other matters. Finally text of the Social Security Guide, which includes key issues raised in the report, is still in the process of being finalised following consultation with key stakeholders and the Minister.

**COMMUNITY AFFAIRS REFERENCES****A hand up not a hand out: Renewing the fight against poverty – Report on poverty and financial hardship**

The response was tabled on 27 March 2006.

**The cancer journey: informing choice – Report on the inquiry into services and treatment options for persons with cancer**

response is under consideration and will be tabled shortly.

**Quality and equity in aged care**

Australian government policy with respect to a number of recommendations is currently being developed, and the government response to the report is being delayed to allow for completion of this process.

**CORPORATIONS AND SECURITIES (Joint Statutory)****Report on aspects of the regulation of proprietary companies**

The response is being finalised and will be tabled in the near future.

**CORPORATIONS AND FINANCIAL SERVICES (Joint Statutory)****Report on the regulations and ASIC policy statements made under the Financial Services Reform Act 2001**

The government continues to respond to this report through changes to the Corporations Regulations and ongoing proposals to make further refinements to the regulation of financial services based on public comment. A response to this report will be tabled following implementation of these changes to the law.

**Review of the Managed Investments Act 1998**

Substantial changes to financial services regulations are currently being implemented. The impact of these changes on the operation of managed investment schemes will have to be evaluated. A response to the report will be provided in due course.

**Inquiry into Regulation 7.1.29 in Corporations Amendment Regulations 2003 (No. 3), Statutory Rules 2003 No. 85**

The government continues to respond to this report through changes to the Corporations Regulations and ongoing proposals to make further refinements to the regulation of financial services based on public comment. A response to this report will be tabled following implementation of these changes to the law.

**Money matters in the bush: Inquiry into the level of banking and financial services in rural, regional and remote areas of Australia**

The response will be finalised as soon as possible.

**Report on the ATM fee structure**

The response to this report is to be included with the response to the report on 'Money Matters in the Bush'.

**Corporations Amendment Regulations 2003 (Batch 6); Draft Regulations: Corporations Amendment Regulations 2003/04 (Batch 7); and Draft Regulations: Corporations amendment Regulations 2004 (Batch 8)**

The government continues to respond to this report through changes to the Corporations Regulations and ongoing proposals to make further refinements to the regulation of financial services based on public comment. A response to this report will be tabled following implementation of these changes to the law.

**Corporations Amendment Regulations 7.1.29A, 7.1.35A and 7.1.40(h)**

The government continues to respond to this report through changes to the Corporations Regulations and ongoing proposals to make further refinements to the regulation of financial services based on public comment. A response to this report will be tabled following implementation of these changes to the law.

**Property investment – Safe as houses?**

The Australian government is considering the recommendations of the Committee and will table a response in due course. However, before finalizing and tabling its response the Government believes it is important to consider any recommendations made by the Ministerial Council on Consumer Affairs (MCCA) working party that is currently investigating property investment advice. The MCCA working party is due to report shortly.

**Timeshare: the Price of Leisure**

The government currently considering the recommendations and a response will be provided in due course.

**ECONOMICS REFERENCES**

**Report on the operation of the Australian Taxation Office**

The Australian Taxation Office has carefully considered the recommendations that relate to it, but several of the recommendations were overtaken by legislative and other developments. A report showing the current status of the recommendations will be prepared shortly.

Inquiry into mass marketed tax effective schemes and investor protection – Interim report; Second report: A recommended resolution and settlement; and Final report

After the Committee's final report, the then Commissioner of Taxation announced a settlement offer for participants in mass marketed investment schemes which was accepted by the vast majority of participants. The Parliament has also recently passed laws giving the Commissioner greater powers to act against promoters of these schemes.

**Consenting adults deficits and household debt – Links between Australia's current account deficit, the demand for imported goods and household debt**

The report is in the final stages of clearance and is expected to be tabled shortly.

**ELECTORAL MATTERS (Joint, Standing)**

**The 2004 Federal Election: Report of the Inquiry into the Conduct of the 2004 Federal Election and Matters Related thereto**

The Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2006, which was introduced into the Parliament on 8 December 2005, gives effect to the government's response to a number of the Committee's recommendations which the government considers to be a priority. The government is considering the remaining recommendations and will table its full response to the report in due course.

**EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION REFERENCES**

**Bridging the skills divide**

The response will be updated after the 2006-07 Budget and is expected to be tabled later in the year.

**Beyond Cole: The future of the construction industry: Confrontation or Cooperation?**

The response was tabled on 7 February 2006.

**Unfair dismissal and small business employment**

The response was tabled on 30 March 2006.

**Indigenous Education Funding – Final Report**

The response is being updated to reflect most recent developments and will be tabled in due course.

**Student income support**

The response is currently being drafted through a coordinated approach with relevant line and central agencies. It is expected to be tabled within the next three months.

**Workplace agreements**

**A response is expected to be tabled in the near future. The Workplace Relations Amendment (Work Choices) Act 2005 deals with a number of issues canvassed in the report.**

**ENVIRONMENT, COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS REFERENCES**

**The value of water: Inquiry into Australia's urban water management**

A response will be tabled shortly.

**Regulating the Range, Jabiluka, Beverley and Honey-moon uranium mines**

An extensive consultation process is continuing. A draft response will not be ready before late 2006.

**The Australian telecommunications network**

The government considers that the substance of SECITARC's recommendations of the 'Australian Telecommunications Network' report are effectively addressed by the telecommunications regulatory framework, particularly following its further revision in 2005, and other recent government initiatives such as the \$1.1 billion Connect Australia package. As such, the report has been overtaken by events and the government will not be tabling a response.

**Competition in broadband services**

The government considers that the substance of SECITARC's recommendations of the 'Competition in broadband services' report are effectively addressed by the

telecommunications regulatory framework, particularly following its further revision in 2005, and other recent government initiatives such as the \$1.1 billion Connect Australia package. As such, the report has been overtaken by events and the government will not be tabling a response.

**Turning back the tide – the invasive species challenge: Report on the regulation, control and management of invasive species and the Environment Protection and Biodiversity Conservation Amendment (Invasive Species) Bill 2002**

A draft response is in the final stages of consultation and will be tabled in due course.

**Lurching Forward, looking back: Budgetary and Environmental implications of the Government's Energy White Paper**

A response has been drafted and will be tabled in due course.

**The performance of the Australian telecommunications regulatory regime**

The government is currently considering whether there are any outstanding items to respond to following the legislative reforms made in September 2005 and the commencement of the Connect Australia program.

**FINANCE AND PUBLIC ADMINISTRATION REFERENCES**

**Staff employed under the Members of Parliament (Staff) Act 1984**

A response is being prepared and will be tabled as soon as possible.

**Regional partnerships and sustainable regions programs**

A response is being prepared and will be tabled as soon as possible.

**Matters relating to the Gallipoli Peninsula**

The government's response is being prepared and will be tabled as soon as possible.

**Government advertising and accountability**

A response is being prepared and will be tabled as soon as possible.

**FOREIGN AFFAIRS, DEFENCE AND TRADE (Joint, Standing)**

**Australia's Maritime Strategy**

The response was tabled on 15 June 2006.

**Australia's engagement with the World Trade Organisation**

The response was tabled on 2 March 2006.

**Australia's human rights dialogue process**

The response was tabled on 2 March 2006.

**Reform of the United Nations Commission on Human Rights**

A government response is not required.

**Review of the Defence annual report 2003-04**

The response was tabled on 27 March 2006.

**Australia's free trade agreements with Singapore, Thailand and the United States: progress to date and lessons for the future**

The government's response is under consideration.

**FOREIGN AFFAIRS, DEFENCE AND TRADE REFERENCES**

**Mr Chen Yonglin's request for political asylum**

The proposed response is currently being prepared and will be finalised as soon as possible.

**Opportunities and Challenges: Australia's Relationship with China**

The government has agreed with the Committee that a consolidated response will be provided to the recommendations in both Part 1 "Opportunities and Challenges: Australia's Relationship with China"; and Part 2 "China's Emergence: Implications for Australia".

**The removal, search for and discovery of Ms Vivian Solon – Final report**

The proposed response is currently being prepared and will be finalised as soon as possible.

**FREE TRADE AGREEMENT BETWEEN AUSTRALIA AND THE UNITED STATES OF AMERICA (Select)**

**Final Report**

The response was tabled on 9 May 2006.

**INFORMATION TECHNOLOGIES (Select)**

**In the public interest: Monitoring Australia's media**

The government is finalising its response to the committee's report which will be tabled in due course.

**LEGAL AND CONSTITUTIONAL LEGISLATION**

**Provisions of the Law and Justice Legislation Amendment (Serious Drugs and Other Measures) Bill 2005**

The recommendations were responded to in the Senate debate on 7 November 2005.

**Provisions of the Anti-Terrorism Bill (No. 2) 2005**

The report was responded to in the second reading speech and amendments the government made to the bill.

**LEGAL AND CONSTITUTIONAL REFERENCES**

**Reconciliation: Off track**

The government is still considering its response.

**Legal aid and access to justice**

The response was tabled on 7 February 2006.

**The road to a republic**

The response will be tabled in due course.

**They still call Australia home: Inquiry into Australian expatriates**

The proposed response is being considered and will be tabled in due course.

**The real Big Brother: Inquiry into the Privacy Act 1988**

The response is being considered by the government and is expected to be tabled shortly.

**MEDICARE (Senate Select)**

**Medicare – healthcare or welfare? and**

**Second report: Medicare Plus: the future for Medicare?**

The large number of measures contained in the Strengthening Medicare, 100% Medicare and Round the Clock Medicare packages have addressed most of the issues examined by the Senate Select Committee on Medicare.

Development and implementation of these policies has been an ongoing process. A formal government response to the Senate Select Committee on Medicare is expected to be tabled in the near future.

#### **MIGRATION (Joint, Standing)**

##### **Detention centre contracts: Review of Audit report No. 1 2005-06 – Management of the detention centre contracts – Part B**

The proposed response is currently being prepared and will be finalised as soon as possible.

#### **MINISTERIAL DISCRETION IN MIGRATION MATTERS (Senate Select)**

##### **Report**

The proposed response is being finalised for government consideration.

#### **NATIONAL CAPITAL AND EXTERNAL TERRITORIES (Joint, Standing)**

##### **Norfolk Island electoral matters**

A response will be considered once the government has made a decision on the future governance arrangements for Norfolk Island.

##### **Antarctica: Australia's Pristine Frontier. Report on the adequacy of funding for Australia's Antarctic Program**

A response is being drafted and will be tabled in due course.

##### **Norfolk Island Financial Sustainability: The Challenge – Sink or Swim?**

A response will be considered once the government has made a decision on the future governance arrangements for Norfolk Island.

#### **PUBLIC ACCOUNTS AND AUDIT (Joint Statutory)**

##### **Corporate governance and accountability arrangements for Commonwealth Government business enterprises, December 1999 (Report no. 372)**

The government is considering its response to outstanding recommendations and a response will be tabled in due course.

##### **Access of Indigenous Australians to Law and Justice Services (Report no. 403)**

The response was tabled on 2 March 2006.

##### **Review of Auditor-General's reports 2003-04 third and fourth quarters; and first and second quarters of 2004-05 (Report no. 404)**

The response is being prepared and will be finalised as soon as possible.

##### **Review of Aviation Security in Australia (Report no. 406)**

As agreed with the Committee, the Department Transport and Regional Services provided a letter dated 16 February 2006, acknowledging the interim report. A response will be provided when the final report is tabled.

#### **RURAL AND REGIONAL AFFAIRS AND TRANSPORT LEGISLATION**

##### **An appropriate level of protection? The importation of salmon products: A case study of the administration of Australian quarantine and the impact of international trade arrangements**

A response is being considered by the government and is expected to be tabled shortly.

##### **Biosecurity Australia's import risk analysis for pig meat**

Legal processes relating to the import risk analysis have been completed. A response by the government is in preparation.

##### **Administration of Biosecurity Australia – Revised draft import risk analysis for bananas from the Philippines**

A response is being considered by the government and is expected to be tabled shortly.

##### **Administration of Biosecurity Australia – Revised draft import risk analysis for apples from New Zealand**

A response is being considered by the government and is expected to be tabled shortly.

##### **Regulatory framework under the Maritime Transport Security Amendment Act 2005**

A response is being considered by the government and is expected to be tabled shortly.

#### **RURAL AND REGIONAL AFFAIRS AND TRANSPORT REFERENCES**

##### **Rural water use**

The response is in the final stages of clearance and is expected to be tabled in the near future.

##### **Australian forest plantations: A review of Plantations for Australia: The 2020 vision**

The response is in the final stages of clearance and is expected to be tabled in the near future.

##### **Iraqi Wheat Debate: repayments for wheat growers**

The government's response is in the final stages for clearance.

##### **The operation of the wine-making industry**

The response is in the final stages of clearance and is expected to be tabled in the near future.

#### **SCRUTINY OF BILLS (Senate Standing)**

##### **Third report of 2004: The quality of explanatory memoranda accompanying bills**

A response will be tabled in due course.

#### **SUPERANNUATION AND FINANCIAL SERVICES (Senate Select)**

##### **Report on early access to superannuation benefits**

The response was tabled on 19 June 2006.

#### **TREATIES (Joint, Standing)**

##### **Treaties tabled on 7 December 2004 (3) and 8 February 2005 (65th report)**

The government's response is being finalised and will be tabled in due course.

##### **Treaties tabled on 7 December 2004 (4), 15 March and 11 May 2005 (66th report)**

The committee received a letter on 30 November 2005 regarding the recommendations. The response will be tabled as soon as possible.

##### **Treaties tabled on 21 June 2005 (67th report)**

A government response not required.

##### **Treaties tabled on 7 December 2004 (5) and 9 August 2005 (68th Report)**

A government response not required.

**Senator BARTLETT (Queensland) (3.58 pm)**—by leave—I move:

That the Senate take note of both those reports.

It is particularly important to look at these documents in the context of the current public debate and the debate within this Senate chamber about the role of Senate committees and apparently—according to statements made by the leader of the government in this place, Senator Minchin, in recent days—the failure of the system we have with Senate committees. Until those statements were made, I was not aware that the system had failed or even that others in the government had thought it had failed.

Looking at the report to the Senate on government responses outstanding to parliamentary committee reports that has just been tabled, to put a bit of history to this, as is quite helpfully detailed in the document, this is a practice that has been in place since 1973. It used to be that the government ministers would respond to the tabling of a committee report and respond to the recommendations within those reports within six months. The new Labor government in 1983 made a commitment to shorten that period to three months. When this government came into power in 1996, it affirmed, according to this document, its commitment to respond to relevant parliamentary committee reports within three months of their presentation.

Let us look at the reality of how prompt the government's responses to committee reports are after being in office for 10 years. I will only pick out some of the reports I know the detail of; I will not pick on all of them. There might be valid reasons for the time taken to respond to some of them, but we should keep in mind the commitment of the government to respond to committee reports and the recommendations they contain within three months.

We have just a few moments ago seen tabled the government response to the Community Affairs References Committee report on the delivery of services and treatment options for persons with cancer, a report that I am fairly sure was unanimous. The report was tabled on 23 June last year, so the government have had 12 months almost precisely to respond to it. Maybe you could say that taking a year to respond was just a one-off, but I can give another example in the environment references committee report. Although I am currently chair of that committee, I was not at the time of the presentation of the report into the invasive species challenge called *Turning back the tide*—which was a report on the regulation, control and management of invasive species.

There was also a private senator's bill, which was mine, that suggested amendments to the EPBC Act. The committee recommended unanimously not to proceed with my bill—it totally rejected what I pro-

posed—so I probably should not be drawing attention to it. But it also bought into place, unanimously, a lot of recommendations about what was needed to do better on invasive species. It is an issue that I know is of concern to many people on all sides of the chamber. It costs people in rural and regional areas in particular an enormous amount of money, apart from its environmental impact. The report was tabled in December 2004. It was a unanimous report with a range of important recommendations. Eighteen months later: no response. The only responses we have had from government are: 'response being prepared', 'response being considered', 'response available soon' or 'response available in the near future'. Those are the sorts of responses that the government puts forward. But the reality is that 18 months later there is no response.

The issue of water is a crucial one, and is more crucial now than it was when the environment committee held an inquiry into Australia's urban water management. The report was tabled on 5 December 2002. I do not think it was unanimous, but it certainly had some components that were. Again, the inquiry was held before I became chair of the committee; I think my colleague Senator Allison was chair at the time. There is still only an interim response to the report. There has been no full response.

This not only reflects badly on the Senate but also points to where the real problem is. The biggest problem in the committee process is not, I think, whether or not there is a government chair, a Labor chair, a Democrat chair or a Green chair; it is that the committees do all this work and produce all these recommendations—they certainly do in my experience and in the experience of many of us here, although I would not say that is universal. They attempt to find common ground to try to get unanimous recommendations and put forward constructive proposals but are met with silence—a total absence of any response at all from the government.

I am not saying the government should agree to all the recommendations. The other day they responded, as they sometimes do, to a superannuation committee report on early access to superannuation benefits. I remember reading it. The government's response was presented just a few days ago. The government rejected, I think, all but one of the recommendations, and that is fine. The government can reject them and put forward the reasons why. The problem is that that response took four years and four months to be presented—it took four years and four months to say, 'No—don't think so'. How ridiculous! It shows contempt not just for the Senate and the committees but also for the public.

I am sure we all know this, because we are all involved in Senate committees, but let me remind senators that perhaps people outside do not realise how

much work people put into submissions to committees, particularly businesspeople and community organisations. They do not have lots of spare time. They do not have lots of spare money. But they put in the time to put in submissions. They put in the time to come and sit before public hearings, give their views and answer questions because they want to make a difference. They want to influence the public debate because they want to influence the direction of policy. What an insult it is to them to produce a report with recommendations—based on their evidence and after all of their work—that is met with total silence. That is where the real problem lies in our committee process.

If the government genuinely want to fix up the effectiveness of our committee process, I suggest they look at the report on government responses to inquiry reports and at their complete failure in so many areas to respond to so many substantial reports with significant recommendations. I know there are some inquiry reports listed in that document that were partisan reports or reports where clearly there was a split along party lines, such as some of the telecommunications and workplace relations ones. Personally, I do not believe that that is an excuse for the government not responding. In fact, it is easier for them to respond because they already have their response in mind. It is predetermined, partisan and on party lines. But we should not fall for the myth that there has been a whole raft of committee inquiries that have all been party political and partisan point scoring exercises with no substance to them.

The vast majority of reports listed in the report on government responses are reports of substance. A very significant component of them—the majority, I believe—have unanimous recommendations. They might have a few additional comments or dissents to some recommendations, but the bulk of them are unanimous. Frankly, I am sick of spending a lot of time genuinely working constructively in committee inquiries with my colleagues to bring down reports and then hearing nothing. I am not saying that that is the only value that Senate committee reports have, which is just as well because, to use the invasive species example, that report has been very influential in driving actions of federal and state governments and other bodies in the community. It has provided a useful benchmark to use to measure actions against, and it has provided a lot of valuable information that people draw on.

Government responses are not the be all and end all. It is not all purely us providing a report and then begging the government to please accept it, but the government's lack of response is a key flaw and I believe it is significantly diminishing the effectiveness of the committee report process. That is something that I believe must be addressed, because it already reflects poorly on the Senate. Senators may recall the series of

reports—I think they were by the *Sydney Morning Herald*—on just this factor written about a year ago. And it is not a matter of who controls the committees. The government is just as tardy—in fact, it is even more tardy in responding to House of Reps committee reports that are government chaired and controlled. It is even more dismissive of them, so if that is what we have got to look forward to once government members are chairing all the Senate committees, then God help us. It is a completely unacceptable situation.

Mr Acting Deputy President Chapman, as the chair of the Joint Committee on Corporations and Financial Services—a committee that I am not involved with, but my understanding is that it often brings down constructive and unanimous reports—you will be interested to know that it has had very slow responses from the government. I have reports going back to 2002 here that have still not been responded to properly by the government. There is a whole series of them. I can see nine or 10 from 2002 through to 2005 that have still not been responded to in areas to do with ASIC, corporations amendments, property investment and the like.

Some of them may have been surpassed by time—I would hope so; you would not want policies to sit in a vacuum for all of that time—but that is still no excuse not to respond, and it is an affront to the Senate and the parliament not to have responses. And for a government to come in here talking about some problem with the way the committees are running when they come up with performances like this is a joke. I suggest they look at this first, before they start trying to make so-called improvements to the committee structure.

Question agreed to.

## AUDITOR-GENERAL'S REPORTS

### Report No. 48 of 2005-06

**The ACTING DEPUTY PRESIDENT (Senator Chapman)**—In accordance with the provisions of the Auditor-General Act 1997, I present the following report of the Auditor-General: Report No. 48 of 2005-06—*Performance Audit - Financial Statements Audit - Interim phase of the audit of financial statements of general government sector entities for the year ending 30 June 2006.*

## DOCUMENTS

### Tabling

**Senator SANTORO (Queensland—Minister for Ageing) (4.09 pm)**—I table the following government documents:

Parliamentarians' travel paid by the Department of Finance and Administration for the period July to December 2005

Former parliamentarians' travel paid by the Department of Finance and Administration for the period July to December 2005

Parliamentarians' overseas travel reports for the period July to December 2005