

**No. 143**

**for the sitting period 5—8 June 2000**

**13 June 2000**

**ESTIMATES HEARINGS: DISCLOSURES**

The main round of estimates hearings took place in the period 22 May—1 June, and resulted in perhaps the greatest volume of disclosures of otherwise undisclosed information of any round of estimates hearings. Matters which came to light included: the sale by the Taxation Office of information from the Australian Business Register; the cost of the government's advertising campaign to promote the GST; the provision of information on the electoral roll to the Taxation Office for a GST mailout; further information on the magnetic resonance imaging machine affair; further information on the Riverside Nursing Home affair; the impact of the GST on the higher education charge; the abuse of student visas; the sale of immigration places; and the determination of the value of Telstra for privatisation purposes. All of these disclosures fed into proceedings in the Senate in one way or another, and again demonstrated that committee hearings are a most effective accountability mechanism.

**ORDERS FOR DOCUMENTS**

The interest in the safety of heavy trucks continued with a further order on 5 June, this time requiring the production of the government's response to the report on the subject.

An order was made on 7 June for documents held by the Civil Aviation Safety Authority about a particular airline, amid continuing concern about air safety. The government made a statement on 8 June, which was the deadline for the production of the documents, indicating that the documents were being examined. The mover of the motion, Senator O'Brien, while conceding that the order was onerous and unusual, indicated a determination to pursue the matter because of unsatisfactory answers in estimates hearings.

## **LEGISLATION**

The flow of legislation connected with changes to the tax system continued. Two amendments were made to the New Tax System (Trade Practices Amendment) Bill 2000 on 5 June relating to policing of price exploitation.

The New Business Tax System (Miscellaneous) Bill 1999 was the subject of further difficulty between the Senate and the government's advisers over amendments and requests (see also Bulletin No. 142, p. 2). The government drafters appear to think that any Senate amendment to a tax bill should be a request if it might result in taxpayers paying more tax, but should also be a request if it results in taxpayers paying less tax, because that might involve an addition to government expenditure. This is far removed from the constitutional provision, which refers to requests being required where an amendment would increase a proposed charge or burden on the people, so that there has to be a proposed charge or burden, that is, a definite appropriation, which the Senate's amendment would increase. The bill was returned to the Senate on 8 June with the Senate's amendments disagreed to but identical amendments made in substitution. The Chair of Committees, while pointing out the defective interpretation of the government's advisers, suggested that the amendments simply be agreed to. Some senators, however, were not prepared to allow the matter to pass, and consideration of the bill was deferred.

Another bill which was expected to pass, particularly as it was supported by all parties, was also effectively deferred on 8 June due to dissatisfaction with the responses to questions by the Minister for Regional Services, Territories and Local Government, Senator Ian Macdonald. Problems with Senator Macdonald's responses in estimates hearings last year led to the Procedure Committee reporting on the scope of questions at estimates hearings, and the Senate adopting the report in order to provide an authoritative statement on the scope of questions. It appears, however, that this transferred the problem to the Senate chamber itself.

Another bill which had the support of all parties, the Health Legislation Amendment (Gap Cover Schemes) Bill 2000, to allow the health insurance funds to offer "gap" insurance, was subjected to extensive amendment on 6 June, but the government readily accepted the amendments which were designed to improve "gap" insurance schemes.

## **SCRUTINY OF BILLS COMMITTEE: MEETING WITH STATE COMMITTEE**

An unusual motion was passed on 7 June to authorise the Scrutiny of Bills Committee to hold a deliberative meeting with its Victorian counterpart present. This motion was necessary because the Scrutiny of Bills Committee, under its standing order 24, is authorised to meet

only in private session, and standing order 36 does not allow persons other than members or officers of a committee to attend a private deliberative meeting.

#### **E-MAIL INTERCEPTION**

Senator George Campbell complained on 8 June that an e-mail message intended for him but mistakenly directed to Senator Ian Campbell had been referred to by a minister during question time on 7 June. There are no rules specifically applying to interception of e-mails, but Senator George Campbell indicated that the matter could be raised as a matter of privilege under the general category of interference with the performance of a senator's duties.

#### **CENTENARY OF FEDERATION: VICTORIAN INVITATION**

The President tabled on 5 June an invitation from the two Houses of the Parliament of Victoria for the two Houses of the Commonwealth Parliament to meet in Melbourne on 9 and 10 May 2001, to commemorate the first meeting of the Commonwealth Houses in Melbourne on the same dates in 1901. The commemorative meetings are proposed as part of the centenary of federation occasions.

#### **VACANCY: APPOINTMENT OF SENATOR BRANDIS**

The vacancy created by the resignation of Senator Parer was filled by the appointment of Senator George Brandis by the Queensland Parliament on 18 May, and Senator Brandis was accordingly sworn in on 5 June.

#### ***SENATE DAILY SUMMARY***

This bulletin is intended to provide Senate staff and others with a summary of procedurally significant occurrences in the Senate. The *Senate Daily Summary* provides more detailed information on Senate proceedings, including progress of legislation, committee reports and other documents tabled and major actions by the Senate. Like this bulletin, *Senate Daily Summary* may be reached through the Senate home page at [www.aph.gov.au/senate](http://www.aph.gov.au/senate)

Inquiries: Clerk's Office  
☎ (02) 6277 3364