

DEPARTMENT OF THE SENATE PROCEDURAL INFORMATION BULLETIN

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for the sitting period 16—26 September 2002

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CONTRACTS ORDER: AUDITOR-GENERAL'S REPORT

Another report by the Auditor-General was presented on 18 September about the Senate's order of 20 June 2001 requiring departments and agencies to list on the Internet their contracts of \$100 000 or more. The Auditor-General reported that most agencies had fully complied with the order. Of 56 contracts claimed by agencies to be confidential, only 9 were found to be appropriately classified as confidential. The report noted that most agencies had taken steps to alter their contracting arrangements to conform with accountability requirements, thereby confirming that the Senate's order has been one of the most valuable accountability exercises of recent times.

OTHER ORDERS FOR DOCUMENTS

The order for documents containing information about higher education funding (see Bulletin No. 162, p. 1) was the subject of another government statement on 16 September, in which the government gave some ground by indicating that the vice chancellors of various institutions would be asked for their permission to release information gathered from them. This concession did not satisfy the majority of the Senate, and the motion for an extensive committee inquiry into the matter was passed on 18 September.

In response to the orders about superannuation (see Bulletin No. 162, p. 2), some documents were produced on 23 September.

An order on 23 September for documents relating to a mining venture, the Honeymoon mine, resulted in the production of documents in accordance with the deadline on 25 September.

Another order on 25 September required documents in the October sittings about development at Nelly Bay Harbour near the Great Barrier Reef Marine Park.

The Senate's continuing order for regular reports by the Australian Competition and Consumer Commission on anti-competitive behaviour by health funds was amended on 18 September to provide that the Commission need produce reports only every twelve months instead of every six months.

DELEGATED LEGISLATION: CORPORATE GOVERNANCE

The long-running debate about corporate governance and appropriate regulation of corporations resulted in the disallowance on 16 September of some corporations regulations relating to those questions. In the course of the debate on the disallowance motion there were some interesting remarks made about how far the Senate's objectives could be achieved by disallowance.

LEGISLATION: BILLS AMENDED, REJECTED

An extremely controversial piece of legislation was the Commonwealth Electoral Amendment Bill (No. 1) 2002, which provided for the distribution of electoral funds to the Liberal Party, and was notable for dealing with the affairs of a single, named party. Various amendments were made to the bill when it was passed on 18 September, including a requirement for investigation of any donations to political parties over \$25 000, which, it was thought, would be unacceptable to the government. The government, however, accepted all of the amendments in the House of Representatives.

The debate over higher education funding (see above, under other orders for documents) was also carried on in the context of the Higher Education Funding Amendment Bill 2002, which was extensively amended on 18 September. A compromise was reached on these amendments on 26 September, the government accepting some of the Senate amendments and some Opposition replacements for others.

The Workplace Relations Amendment (Genuine Bargaining) Bill 2002 renewed the perennial debate about industrial relations. The bill was passed with several amendments on 25 September, and the device was adopted of reporting it separately out of committee of the whole. Again, the government voted against its own bill on the third reading to indicate that it did not accept the amendments, apparently without any consideration of the implications of this step (see Bulletin No. 162, p. 2). Presumably the government wishes to have this bill as another "trigger" for a double dissolution, but had not formally responded to the amendments at the end of the sitting period. The other bill in the package, the Workplace Relations Amendment (Secret Ballots for Protected Action) Bill 2002 was considered immediately after the separate reporting from committee, and was negatived on the third reading without a division.

IRAQ MATTER

A ministerial statement on Iraq (cf Bulletin No. 162, p. 2) on 17 September led to a debate which resulted in the Senate passing a resolution, over the objections of the government, to the effect that the case had not been made out to support a pre-emptive strike against Iraq, and that further action should be pursued through the United Nations. Developments at the United Nations resulted in the motion for a committee inquiry on the subject not being passed on 19 September. The Prime Minister formally responded by letter to the Senate's resolution on 25 September, and this response led to a further debate. Another resolution was passed on 26 September calling for a parliamentary vote on any action in relation to Iraq.

SENATE DAILY SUMMARY

This bulletin provides 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

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