

GOVERNMENT RESPONSES TO PARLIAMENTARY COMMITTEE REPORTS

RESPONSE TO THE SCHEDULE TABLED BY

THE DEPUTY SPEAKER OF THE HOUSE OF REPRESENTATIVES

ON 12 DECEMBER 1996

**Circulated by the Leader of the House
The Hon Peter Reith MP
19 June 1997**

ABORIGINAL AND TORRES STRAIT ISLANDER AFFAIRS (House, Standing)

Review of Auditor-General's audit report No 6 of 1995-96 - Performance audit - Community Development Employment Projects Scheme: Aboriginal and Torres Strait Islander Commission

The Government response was tabled on 27 May 1997.

Review of Auditor-General's audit reports No 36, 1992-93; No 1, 1993-94 Volume 3, Sections 1.13 - 1.39; and No 27, 1993-94, Sections 16.19 - 16.24

The Government is currently considering its response which will be tabled as soon as possible.

BANKING, FINANCE AND PUBLIC ADMINISTRATION (House, Standing)

Review of the Reserve Bank of Australia's 1993-94 annual report and the Insurance and Superannuation Commission's 1993-94 annual report

The Government is finalising a response to this report, which will be tabled at the earliest possible date.

Taxing relaxing: Report on the impact of Australia's taxation regime on the tourism industry

The Government response is expected to be tabled during the 1997 spring sittings.

CERTAIN FAMILY LAW ISSUES (Joint, Select)

Funding and administration of the Family Court of Australia

The Joint Select Committee on Certain Family Law Issues recommended that the Auditor-General conduct an efficiency audit of the Family Court of Australia. The Auditor-General's report was tabled on 15 May 1997. The Government will finalise its response to the Joint Select Committee's report when it has given consideration to the Auditor-General's report.

Child support scheme - An examination of the operation and effectiveness of the scheme

It is anticipated that a final response to all outstanding recommendations will be tabled in 1997.

COMMUNICATIONS, TRANSPORT AND MICROECONOMIC REFORM (House, Standing)

Jet Fresh: Paddock to plate. An inquiry into freight exports of perishable and time sensitive products

Consistent with the recommendations of the report, the Government response will be finalised by 31 October 1997.

Keeping rural Australia posted: An inquiry into Australia Post: Rural and remote letter delivery services

A draft response has been prepared and is in the final stages of clearance within Government. It is expected the response will be tabled during the current sittings.

COMMUNITY AFFAIRS (House, Standing)

A fair go for all: Report on migrant access and equity

The Government response was tabled on 12 December 1996.

CORPORATIONS AND SECURITIES (Joint, Statutory)

Draft Second Corporate Law Simplification Bill 1996

The Committee's report recommended that the Government give consideration to a range of technical issues. A response is under consideration and is expected to be tabled shortly.

Section 1316 of the Corporations Law

The Government response was tabled on 17 June 1997.

ELECTORAL MATTERS (Joint, Standing)

Electoral Redistributions - Report: Report on the effectiveness and appropriateness of the redistribution provisions of part III and IV of the Commonwealth Electoral Act 1918

The Government is giving consideration to its response. It is expected that the Government response will be tabled during the 1997 spring sittings.

EMPLOYMENT, EDUCATION AND TRAINING (House, Standing)

Truancy and exclusion from school

The Government response is expected to be tabled during the 1997 spring sittings.

ENVIRONMENT, RECREATION AND THE ARTS (House, Standing)

Managing Australia's World Heritage

A whole of government clearance process is currently in progress for the draft response. It is expected that the response should be tabled during the 1997 spring sittings.

Inquiry into the proposal to drain and restore Lake Pedder

A whole of government clearance process is currently in progress for the draft response. It is expected that the response should be tabled during the 1997 spring sittings.

The Minister for the Environment has written to the Chair of the Committee reporting progress on the preparation of the response.

Working with the environment: Opportunities for job growth

A comprehensive response is being prepared to take account of the recent positive Government initiatives such as the Green Corps, the Work for the Dole Scheme and the Natural Heritage Trust of Australia.

Commonwealth environmental impact assessment processes

The Committee was advised that a Government response to the report would be provided after the public review of the Commonwealth's environmental impact assessment process which addressed many of the policy and procedural issues raised in the Committee's report. The Minister for the Environment has since decided to defer consideration of the outcomes of the public review until after COAG consideration of the 'Review of Commonwealth-State Roles and Responsibilities for the Environment'.

Biodiversity: The role of protected areas

It is expected that the Government response will be tabled during the 1997 spring sittings following consultation with relevant ministers.

FOREIGN AFFAIRS, DEFENCE AND TRADE (Joint, Standing)

The implications of Australia's services exports to Indonesia and Hong Kong

A final Government response will be tabled as soon as the relevant consultations are completed.

Australia's relations with Southern Africa

The Government is currently finalising its response which will be tabled at the earliest possible date.

The Australian aid program: Report on proceedings of a seminar, 31 July 1996, Canberra

The Government response was tabled on 26 March 1997.

Bosnia: Australia's Response

The Government response was tabled on 13 May 1997.

Australia's relations with Thailand

The Government response was tabled on 13 May 1997.

Papua New Guinea Update - Report on Proceedings of a Seminar - 11 and 12 November 1996, Canberra

A final Government response will be tabled as soon as the relevant consultations are completed.

INDUSTRY, SCIENCE AND TECHNOLOGY (House, Standing)

Goodbye bad buys - Australian Government purchasing policies and Commonwealth authorities and companies - Interim second report

The report is being considered in the context of the Government's review of GBE Governance Arrangements and the response will be presented once the review outcomes are known.

Innovation - A concept to market

Consultations amongst ministers on a final response to the report are in progress. A final response will be presented as soon as possible.

LEGAL AND CONSTITUTIONAL AFFAIRS (House, Standing)

The third paragraph of section 53 of the Constitution

The Government response is under consideration.

In Confidence: the protection of confidential personal and commercial information held by the Commonwealth

The Government is examining the Committee's recommendation, but the complexity of the issues involved has delayed the Government response. It may be some time before a response is finalised.

Australian law in Antarctica

The Government does not intend to respond to this report.

A number of the recommendations made by the Committee referred to projects that were already being undertaken, for example, the preparation of the Territory of Heard Island and McDonald Islands (HIMI) Management Plan, and the development of Criminal Procedure Ordinances for HIMI and for the Australian Antarctic Territory.

Other recommendations relate to matters which are now out of date, for example, the need to develop a tourism annex to the Madrid Protocol which the Antarctic Treaty Consultative Parties have addressed in another manner.

LONG TERM STRATEGIES (House, Standing)

Australia's population carrying capacity - one nation - two ecologies

The Government response is still under consideration.

Australia as an information society: The role of libraries/information networks

The Government response was tabled on 15 May 1997.

MIGRATION (Joint, Standing)

Australia's visa system for visitors

The Government response will be tabled as soon as the relevant consultations are completed.

NATIONAL CRIME AUTHORITY (Joint, Statutory)

Law Enforcement in Australia - An International Perspective

The Government response was tabled on 17 June 1997.

NATIVE TITLE AND THE ABORIGINAL AND TORRES STRAIT ISLANDER LAND FUND (Joint, Statutory)

The Native Title Amendment Bill 1996 and the Racial Discrimination Act; The Native Title Amendment Bill 1996, and supplement to report: Responses to adverse mentions pursuant to resolution of the Senate

The two reports will be addressed during the debate on amendments to the *Native Title Act 1993* in the Parliament.

Annual Reports for 1994-95 prepared pursuant to Part 4A of the Aboriginal and Torres Strait Islander Commission Act 1989

The Government response was tabled on 17 June 1997.

PROCEDURE (House, Standing)

Conduct of divisions

Revised arrangements for the conduct of divisions were implemented for a trial period from 18 March 1997 until the end of the 1997 autumn sittings. The trial period was extended on 26 March 1997 to continue until the end of the 1997 winter sittings. A decision regarding the longer term arrangements will be taken in the light of experience during the trial period.

Review of reports of previous Procedure Committees which have not received a government response

This report was provided by the Procedure Committee in response to the Government's request for a review of the currency of the findings contained in ten reports presented in previous Parliaments. Final Government responses to the ten reports are provided below.

Procedures for the opening of Parliament

The Government does not propose to seek any changes to the traditional proceedings for the opening of Parliament.

Application of modern technology to committee proceedings

The recommendations of the report were implemented on 26 March 1997 for a trial period until 26 June 1997 in respect of the Standing Committee on Employment, Education and Training. A decision regarding the longer term application of modern technology to committee proceedings generally will be taken in the light of experience during the trial period.

The standing orders governing disorder and strangers

Subject to consultations with the Opposition and independent members, the Government has in mind making the following amendments to standing orders in response to the report recommendations:

- standing order 303 - to include a reference to sessional orders in part (d);
- standing order 308 - to refer to the less severe action of suspension of sitting first;
- standing order 309 - to enable a motion requiring a member to attend the House to be moved without notice, and to remove the reference to taking a member into custody which is covered by the Parliamentary Privileges Act 1987;

standing order 310 - to omit the reference to taking or delivering any stranger into custody as such action is covered by the Parliamentary Privileges Act 1987 and the Parliamentary Precincts Act 1988, and to replace it instead with a reference to the removal of any stranger;
standing order 311 - to remove the reference to members or other persons being brought to the Bar for disciplinary action; and
standing order 312 - to require senators, when in the senators' gallery, to observe instructions concerning order issued by the Chair.

The Government also accepts the recommendation to omit standing order 313.

Seconding of private members' notices of motion

The existing requirement for a private member to obtain a seconder in order to lodge a notice of motion is not an onerous one and ensures that a matter appearing on the Notice Paper has the support of at least one other member apart from the proponent. The Government sees no compelling reason to dispense with the requirement.

Disclosure of in camera evidence (1991)

The standing orders governing the conduct of committees of the House (1989)

Committee procedures for dealing with witnesses (1989)

The Government notes the present Committee's intention to conduct an inquiry into the structure and operation of the committee system, thereby making it unnecessary for the Government to respond to the two 1989 reports at this time.

In relation to the 1991 report, the present Committee has remarked on the severity of the minimum penalty recommended in relation to the unauthorised disclosure by a member of in camera evidence obtained during committee hearings, but has not made any alternative suggestion to this key recommendation. In the light of this and the linkages between this report and the 1989 reports the Government believes there is merit in the Committee encompassing the issue of disclosure of in camera evidence, including the level of associated penalties, in the wider inquiry to be undertaken of the committee system.

A citizen's right of reply

The Government accepts the report's recommendation that the House provide citizens with a right of reply in appropriate circumstances along the lines of the procedure already adopted by the Senate.

Responses to petitions

The Government believes that current standing orders are appropriate for the handling of petitions and does not propose to make any changes pursuant to the report.

The publication of tabled papers

The Government believes there is merit in removing the present anomalous situation of tabled documents being treated differently by the two Houses of Parliament and will move to amend standing order 320 to extend absolute immunity in respect of all documents tabled in the House.

TRANSPORT, COMMUNICATIONS AND INFRASTRUCTURE (House, Standing)

Ships of shame - A sequel: Inquiry into ship safety

The Government response was tabled on 12 December 1996.

Driving the road dollar further: Inquiry into the efficiency of road construction and maintenance

The Government does not propose to respond to this report as the issues involved will be overtaken by the Standing Committee on Communications, Transport and Microeconomic Reform's current inquiry into federal road funding.

TREATIES (Joint, Standing)

Fourth Report - Treaties tabled on 15 and 29 October 1996

The Government is currently finalising its response which will be tabled at the earliest possible date.

Third Report - Two International Agreements on Tuna

The Government response is expected to be tabled shortly.

First Report

The Government response was tabled on 14 May 1997.

Restrictions on the use of Blinding Laser Weapons and Landmines

The Government response is expected to be tabled during the 1997 spring sittings.

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