

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 2

FRIDAY, 22 FEBRUARY 1985

1 **MEETING OF SENATE:** The Senate met at 10 a.m., pursuant to adjournment. The President (Senator the Honourable Douglas McClelland) took the Chair.

2 **PRAYERS.**

3 **PETITIONS:** The following 30 petitions, lodged with the Clerk by the Senators indicated, were received:

Senator Chipp, 2 petitions similar in wording, from 893 and 62 petitioners, praying that all members of Parliament support the Nuclear Weapons Prohibitions Bill 1984.

Senator Chipp, from 514 petitioners praying that all Senators support the Australian Waters (Nuclear-powered Ships and Nuclear Weapons Prohibition) Bill 1984.

Senator Macklin, from 86 petitioners praying that the Senate legislate to ensure that no nuclear weapons are allowed into Australia, that all uranium mining cease in Australia and that the Senate urge the Government to encourage the United States and the Soviet Union to stop the nuclear arms race.

Senator Ryan, from 29 petitioners praying that the Senate and the Government reject recommendations concerning the funding of private schools, declare a 3-year moratorium on increases in such funding and re-affirm support for government schools.

Senator Messner, from 724 petitioners praying that the Australian flag be not changed without the consent of the people in a referendum.

Senators Durack and Townley, from 506 and 72 petitioners, respectively, praying that the Senate pass a motion in support of the existing Australian flag.

Senator Robertson, from 36 petitioners praying that legislation for any plant variety rights system which gives exclusive ownership rights over seeds to individuals, organisations or enterprises be not passed.

Senators Chaney, Hamer, Messner and Teague, from 26, 18, 113 and 20 petitioners, respectively, praying that the Costigan Royal Commission be reactivated and provided with sufficient resources to conclude its investigations into organised crime in Australia.

Senator Teague, from 26 petitioners praying that the Senate request the Government to cease discrimination against residents of rest homes and to increase funding for rest homes.

Senator Robertson, from 86 petitioners praying that the Senate reject any proposed laws to recognise homosexual or de facto relationships.

Senator Macklin, from 51 petitioners praying that the Parliament recognise the widespread public opposition to plant variety rights and promote alternative means of royalty collection for plant breeders.

Senator Macklin, from 282 petitioners praying that the Federal Government provide funds to seal certain roads and provide telephone installations at the Woerabinda Aboriginal Reserve in the Duaringa Shire, Queensland.

Senator Robertson, from 546 petitioners praying that the Senate take action to restrict the viewing of certain films, video tapes and printed material.

Senator Macklin, from 26 petitioners praying that former legislation banning the entry into Australia and sale of hard-core pornographic and violent videos and publications be re-enacted.

Senators Baume, Button, Sir John Carrick, Gareth Evans, Gietzelt, Robertson, Scott and Sibraa, from 889, 19, 1369, 95, 271, 772, 20 and 413 petitioners, respectively, praying that the Senate act to protect society from moral pollution and its harmful effects.

Senator Watson, from 26 petitioners praying that the Senate urge the Federal Government not to proceed with the proposed assets test legislation but to await the report on retirement income systems of the Senate Standing Committee on Social Welfare with a view to achieving a fair and equitable retirement incomes policy.

Senator Archer, from 39 petitioners praying that the Senate disallow certain regulations and ordinances dealing with publications and video material, that action be taken to enforce existing laws, that further measures be taken in association with the States and that the censors more appropriately reflect reasonable and responsible community attitudes.

Senator Macklin, from 569 petitioners praying that a Senate Select Committee on Nuclear Disarmament and Peace be established to investigate the creation of a Ministry of Peace and Nuclear Disarmament.

- 4 **DISTINGUISHED VISITOR:** The President drew attention to the presence in the gallery of the Chief Minister of the Northern Territory, the Hon. I. L. Tuxworth, M.L.A. and, on behalf of honourable Senators, extended a warm welcome to him.

- 5 **NOTICE:** Senator Messner gave a Notice of Motion, as follows: To move on the next day of sitting—

- (1) That the Hawke Labor Government has consistently demonstrated its lack of concern for the care of the aged since its election in March 1983 and the Senate calls upon the Government to immediately state—
 - (a) when the Office of Aged Care will be established;
 - (b) what consultation the Government intends to undertake with voluntary and other community organisations with regard to the implementation of the Home and Community Care program (HACC);
 - (c) the status of its negotiations with the States on the HACC cost sharing program; and
 - (d) how much money in addition to present expenditures on Commonwealth programs will be injected into the HACC program by the Federal Government.
- (2) That the Senate draws the Government's attention to the growing disquiet amongst community groups about the lack of progress with the HACC program and the disillusionment with reports that little or no extra funds will be made available for the program, contrary to the misleading statements by the Prime Minister during the election campaign.

- 6 **COMMONWEALTH PARLIAMENTARY ASSOCIATION—30TH CONFERENCE—REPORT:**
The President tabled the following Report:

Commonwealth Parliamentary Association—Report of the Commonwealth of Australia Branch Delegation to the 30th Commonwealth Parliamentary Conference, held on Isle of Man, September-October 1984.

The President made a statement relating thereto.

7 GOVERNMENT PAPERS: The Manager of Government Business (Senator Grimes) tabled the following Papers:

Administrative Appeals Tribunal Act—Administrative Review Council—Annual Report (8th) 1983-84.

Air Navigation Act—Department of Aviation—Annual Report 1983-84.

Attorney-General's Department—Annual Report 1983-84, together with the Annual Report 1983-84 of the Office of Parliamentary Counsel, pursuant to the *Parliamentary Counsel Act 1970*.

Australian Overseas Projects Corporation Act—Australian Overseas Projects Corporation—Annual Report 1983-84, together with financial statements and the Auditor-General's Report thereon.

Australian Tourist Commission Act—Australian Tourist Commission—Annual Report (16th) 1983-84, together with financial statements and the Auditor-General's Report thereon.

Australian Wine Research Institute—Annual Report (30th) 1983-84, together with financial statements and the Auditor-General's Report thereon.

Canberra Development Board—Annual Report 1983-84.

Commonwealth Grants Commission Act—Commonwealth Grants Commission—51st Report (1984) on Special Assistance for the States.

Cotton Research Act—Cotton Research Committee—Annual Report (1st) for period 31 December 1982 to 30 June 1984.

Dairying Research Act—Australian Dairy Research Committee—Annual Report (12th) 1983-84.

Department of Health—Director-General of Health—Annual Report 1983-84.

Department of Industry and Commerce—Annual Report 1983-84.

Department of Primary Industry—Annual Report 1983-84.

Department of Transport—Annual Report 1983-84.

Director of Public Prosecutions Act—Office of Director of Public Prosecutions—Annual Report for period 5 March 1984 to 30 June 1984.

Dried Fruits Research Act—Dried Fruits Research Committee—Annual Report (13th) 1983-84.

Export Finance and Insurance Corporation Act—Export Finance and Insurance Corporation—Annual Report 1983-84, together with financial statements and the Auditor-General's Report thereon.

Health Insurance Commission Act—Health Insurance Commission—Annual Report (10th) 1983-84, together with financial statements and the Auditor-General's Report thereon.

Honey Research Act—Honey Research Committee—Annual Report 1983-84.

Industries Assistance Commission—Reports—

Certain Consumer Electronic Equipment and Components, dated 14 February 1984 (No. 339).

Separate Articles Direction No. 1 of the Customs Tariff, dated 5 April 1984 (No. 345).

Telecommunications and Related Equipment and Parts, dated 5 October 1984 (No. 352).

Labour Market Programs—Report of Committee of Inquiry (Chairman: Mr P. E. F. Kirby), dated January 1985.

Meat Research Act—Australian Meat Research Committee—Annual Report (18th) 1983-84.

Medical Research Endowment Act—National Health and Medical Research Council—Annual Report 1983.

Oilseeds Levy Collection and Research Act—Oilseeds Research Committee—Annual Report 1983-84.

Primary Industry Bank Act—Report (7th) on the operation of Part II of the Act, for period 15 November 1983 to 25 October 1984.

Sugar Agreement Act—Fruit Industry Sugar Concession Committee—Annual Report 1983-84.

Tobacco Industry Act—Tobacco Industry Trust Account—Annual Report 1983-84.

Weights and Measures (National Standards) Act—National Standards Commission—Annual Report 1983-84, together with financial statements and the Auditor-General's Report thereon.

- 8 **LEGISLATIVE PROGRAM—MINISTERIAL STATEMENT:** The Leader of the Government (Senator Button), by leave, made a statement relating to the Government's proposed legislative program for the current period of sittings.

The Leader of the Opposition in the Senate (Senator Chaney), by leave, moved—That the Senate take note of the Statement.

Debate ensued.

Ordered—That the debate be adjourned till the next day of sitting, and that Senator Button have leave to continue his speech on the resumption of the debate.

- 9 **SUSPENSION OF STANDING ORDER 14:** The Leader of the Government (Senator Button), pursuant to Notice of Motion not objected to as a Formal Motion, moved—That Standing Order 14 be suspended to enable the Senate to consider business beyond that of a formal character before the Address-in-Reply to the Governor-General's Opening Speech has been adopted.

Question—put and passed.

- 10 **LEGISLATIVE AND GENERAL PURPOSE STANDING COMMITTEES—APPOINTMENT:**

The Leader of the Government (Senator Button), pursuant to Notice of Motion not objected to as a Formal Motion, moved—That, in accordance with Standing Order 36AA, the following Legislative and General Purpose Standing Committees be appointed:

- (a) Constitutional and Legal Affairs;
- (b) Education and the Arts;
- (c) Finance and Government Operations;
- (d) Foreign Affairs and Defence;
- (e) Industry and Trade;
- (f) National Resources;
- (g) Science, Technology and the Environment; and
- (h) Social Welfare.

Question—put and passed.

- 11 **ESTIMATES COMMITTEES—APPOINTMENT:** The Leader of the Government (Senator Button), pursuant to Notice of Motion not objected to as a Formal Motion, moved—That, in accordance with Standing Order 36AB, 6 Estimates Committees be appointed, to be known as Estimates Committees A, B, C, D, E and F; and that, unless otherwise ordered, the Committees consider the proposed expenditure in relation to Departments, as follows:

Estimates Committee A

Parliament
Industry, Technology and Commerce
Prime Minister and Cabinet
Trade
Science

Estimates Committee B

Community Services
Immigration and Ethnic Affairs
Social Security
Health

Estimates Committee C

Finance

Employment and Industrial Relations

Treasury

Primary Industry

Communications

Estimates Committee D

Education

Housing and Construction

Sport, Recreation and Tourism

Arts, Heritage and Environment

Aboriginal Affairs

Estimates Committee E

Resources and Energy

Attorney-General

Special Minister of State

Foreign Affairs

Defence

Estimates Committee F

Veterans' Affairs

Transport

Aviation

Territories

Local Government and Administrative Services

Question—put and passed.

12 APPROPRIATIONS AND STAFFING—STANDING COMMITTEE—RE-APPOINTMENT:

The Leader of the Government (Senator Button), pursuant to Notice of Motion not objected to as a Formal Motion, moved—That—

- (a) the Committee known as the Standing Committee on Appropriations and Staffing, constituted by Resolution of the Senate of 25 March 1982, be re-constituted, under the same terms and with the same functions and powers, as varied by Resolution of the Senate of 11 May 1983;
- (b) the Committee have power to consider the minutes of evidence and records of the Standing Committee on Appropriations and Staffing appointed in previous Parliaments; and
- (c) the foregoing provisions of this Resolution, so far as they are inconsistent with the Standing Orders, have effect notwithstanding anything contained in the Standing Orders.

Question—put and passed.

13 SCRUTINY OF BILLS—STANDING COMMITTEE—RE-APPOINTMENT: The Leader of the Government (Senator Button), pursuant to Notice of Motion not objected to as a Formal Motion, moved—That—

- (a) the Committee known as the Standing Committee for the Scrutiny of Bills, constituted by Resolution of the Senate of 25 May 1982, be re-constituted, under the same terms and with the same functions and powers;
- (b) the Committee have power to consider the minutes of evidence and records of the Standing Committee for the Scrutiny of Bills appointed in previous Parliaments; and
- (c) the foregoing provisions of this Resolution, so far as they are inconsistent with the Standing Orders, have effect notwithstanding anything contained in the Standing Orders.

Question—put and passed.

- 14 **ANIMAL WELFARE—SELECT COMMITTEE—RE-APPOINTMENT:** The Leader of the Government (Senator Button), pursuant to Notice of Motion not objected to as a Formal Motion, moved—That—

- (a) the Committee known as the Select Committee on Animal Welfare, constituted by Resolutions of the Senate of 16 and 17 November 1983, be re-constituted, under the same terms and with the same functions and powers;
- (b) the Committee have power to consider the minutes of evidence and records of the Select Committee on Animal Welfare appointed in the previous Parliament; and
- (c) the foregoing provisions of this Resolution, so far as they are inconsistent with the Standing Orders, have effect notwithstanding anything contained in the Standing Orders.

Question—put and passed.

- 15 **PRIVATE HOSPITALS AND NURSING HOMES—SELECT COMMITTEE—RE-APPOINTMENT:** The Leader of the Government (Senator Button), pursuant to Notice of Motion not objected to as a Formal Motion, moved—That—

- (a) the Committee known as the Select Committee on Private Hospitals and Nursing Homes, constituted by Resolution of the Senate of 24 September 1981, be re-constituted, under the same terms and with the same functions and powers, as varied by Resolution of the Senate of 11 May 1983;
- (b) the Committee have power to consider the minutes of evidence and records of the Select Committee on Private Hospitals and Nursing Homes appointed in previous Parliaments; and
- (c) the foregoing provisions of this Resolution, so far as they are inconsistent with the Standing Orders, have effect notwithstanding anything contained in the Standing Orders.

Question—put and passed.

- 16 **VOLATILE SUBSTANCE FUMES—SELECT COMMITTEE—RE-APPOINTMENT:** The Leader of the Government (Senator Button), pursuant to Notice of Motion not objected to as a Formal Motion, moved—That—

- (a) the Committee known as the Select Committee on Volatile Substance Fumes, constituted by Resolution of the Senate of 10 May 1984, be re-constituted, under the same terms and with the same functions and powers, as varied by Resolutions of the Senate of 4 June 1984, 15 June 1984 and 9 October 1984;
- (b) the Committee have power to consider the minutes of evidence and records of the Select Committee on Volatile Substance Fumes appointed in the previous Parliament; and
- (c) the foregoing provisions of this Resolution, so far as they are inconsistent with the Standing Orders, have effect notwithstanding anything contained in the Standing Orders.

Question—put and passed.

- 17 **SESSIONAL ORDERS:** The Leader of the Government (Senator Button), pursuant to Notice of Motion not objected to as a Formal Motion, moved—

1. *Days and Hours of Meeting:*

- (1) That, unless otherwise ordered, the days and hours of meeting of the Senate shall be as follows—

- (a) during the first sitting week—

Tuesday, 2 p.m.—6.30 p.m.

8 p.m.—10.30 p.m.

Wednesday, 10 a.m.—12.45 p.m.

2 p.m.—7 p.m.

Thursday, 10 a.m.—6.30 p.m.

8 p.m.—10.30 p.m.

Friday, 9 a.m.—12.45 p.m.

2 p.m.—4.15 p.m.

(b) during the second sitting week—

Monday, 2 p.m.—6.30 p.m.

8 p.m.—10.30 p.m.

Tuesday, 2 p.m.—6.30 p.m.

8 p.m.—10.30 p.m.

Wednesday, 10 a.m.—12.45 p.m.

2 p.m.—7 p.m.

Thursday, 10 a.m.—6.30 p.m.

From the termination of the last sitting in the second week, the Senate shall stand adjourned until 2 p.m. on the third Tuesday after that termination, or such other day and/or hour as may be fixed by the President or, in the event of the President being unavailable due to illness or other cause, by the Deputy-President, and that the day and/or hour of meeting so determined shall be notified to each Senator; and the 4-weekly cycle will then be repeated:

Provided that the President, upon a request or requests by an absolute majority of the whole number of Senators that the Senate meet at a certain time, shall fix a day and hour of meeting in accordance with such request or requests, and such time of meeting shall be notified to each Senator.

For these purposes a request by the Leader or Deputy-Leader of the Opposition in the Senate shall be deemed to be a request by every Senator of the Opposition and a request by the Leader or Deputy-Leader of the Australian Democrats shall be deemed to be a request by every Australian Democrat Senator.

Provided further that the request or requests may be made to the President by leaving the same with, or delivering the same to, the Clerk of the Senate, who shall immediately notify the President.

In the event of the President being unavailable, the Clerk shall without delay notify the Deputy-President, or, should he be unavailable, any one of the Temporary Chairmen of Committees, who shall be deemed to be required by the Senate to summon the Senate on behalf of the President, in accordance with the terms of this Resolution.

(2) That the Sessional Order relating to the adjournment of the Senate have effect at the terminating time each day.

2. *Adjournment of the Senate:* That, at the terminating time each day, the President shall put the Question—That the Senate do now adjourn—which Question shall be open to debate; if the Senate be in Committee at that hour, the Chairman shall in like manner put the Question—That he do leave the Chair and report to the Senate; and upon such report being made the President shall forthwith put the Question—That the Senate do now adjourn—which Question shall be open to debate: Provided that if the Senate or the Committee be in Division at the time named, the President or the Chairman shall not put the Question referred to till the result of such Division has been declared; and if the business under discussion shall not have been disposed of at such adjournment it shall appear on the Notice Paper for the next sitting day.

3. *Routine of Business:* That, notwithstanding anything contained in the Standing Orders and unless otherwise ordered, the Senate shall proceed with its ordinary business in the following routine:

Week 1

Tuesday:

(1) Petitions

(2) Notices of Motion

(3) Questions

(4) Any proposal pursuant to Standing Order 64

(5) Consideration of Government Papers pursuant to Sessional Order

(6) Formal Motions—Discovery of Formal Business

- (7) Postponement and re-arrangement of Business
- (8) Government Business, Notices of Motion and Orders of the Day, or *vice versa*, as set down on the Notice Paper

Wednesday:

- (1) Petitions
- (2) Notices of Motion
- (3) Formal Motions—Discovery of Formal Business
- (4) Postponement and re-arrangement of Business
- (5) Government Business, Notices of Motion and Orders of the Day, or *vice versa*, as set down on the Notice Paper
- (6) At 2 p.m., Questions
- (7) Any proposal pursuant to Standing Order 64
- (8) Consideration of Government Papers pursuant to Sessional Order
- (9) Consideration of Committee Reports pursuant to Sessional Order
- (10) Further consideration of Government Business, Notices of Motion and Orders of the Day, or *vice versa*, as set down on the Notice Paper

Thursday:

- (1) Petitions
- (2) Notices of Motion
- (3) Formal Motions—Discovery of Formal Business
- (4) Postponement and re-arrangement of Business
- (5) Government Business, Notices of Motion and Orders of the Day, or *vice versa*, as set down on the Notice Paper
- (6) At 2 p.m., Questions
- (7) Any proposal pursuant to Standing Order 64
- (8) Consideration of Government Papers pursuant to Sessional Order
- (9) General Business
- (10) Further consideration of Government Business, Notices of Motion and Orders of the Day, or *vice versa*, as set down on the Notice Paper

Friday:

- (1) Petitions
- (2) Notices of Motion
- (3) Formal Motions—Discovery of Formal Business
- (4) Postponement and re-arrangement of Business
- (5) Government Business, Notices of Motion and Orders of the Day, or *vice versa*, as set down on the Notice Paper
- (6) At 2 p.m., Questions
- (7) Any proposal pursuant to Standing Order 64
- (8) Consideration of Government Papers pursuant to Sessional Order
- (9) Further consideration of Government Business, Notices of Motion and Orders of the Day, or *vice versa*, as set down on the Notice Paper

*Week 2**Monday:*

- (1) Petitions
- (2) Notices of Motion
- (3) Questions
- (4) Any proposal pursuant to Standing Order 64
- (5) Consideration of Government Papers pursuant to Sessional Order
- (6) Formal Motions—Discovery of Formal Business
- (7) Postponement and re-arrangement of Business
- (8) Government Business, Notices of Motion and Orders of the Day, or *vice versa*, as set down on the Notice Paper

Tuesday:

- (1) Petitions
- (2) Notices of Motion
- (3) Questions
- (4) Any proposal pursuant to Standing Order 64
- (5) Consideration of Government Papers pursuant to Sessional Order
- (6) Formal Motions—Discovery of Formal Business
- (7) Postponement and re-arrangement of Business
- (8) Government Business, Notices of Motion and Orders of the Day, or *vice versa*, as set down on the Notice Paper

Wednesday:

- (1) Petitions
- (2) Notices of Motion
- (3) Formal Motions—Discovery of Formal Business
- (4) Postponement and re-arrangement of Business
- (5) Government Business, Notices of Motion and Orders of the Day, or *vice versa*, as set down on the Notice Paper
- (6) At 2 p.m., Questions
- (7) Any proposal pursuant to Standing Order 64
- (8) Consideration of Government Papers pursuant to Sessional Order
- (9) Consideration of Committee Reports pursuant to Sessional Order
- (10) Further consideration of Government Business, Notices of Motion and Orders of the Day, or *vice versa*, as set down on the Notice Paper

Thursday:

- (1) Petitions
 - (2) Notices of Motion
 - (3) Formal Motions—Discovery of Formal Business
 - (4) Postponement and re-arrangement of Business
 - (5) Government Business, Notices of Motion and Orders of the Day, or *vice versa*, as set down on the Notice Paper
 - (6) At 2 p.m., Questions
 - (7) Any proposal pursuant to Standing Order 64
 - (8) Consideration of Government Papers pursuant to Sessional Order
 - (9) General Business
 - (10) Further consideration of Government Business, Notices of Motion and Orders of the Day, or *vice versa*, as set down on the Notice Paper
4. *Proposals pursuant to Standing Order 64:* That, unless otherwise ordered and notwithstanding anything contained in the Standing Orders:
 - (1) On Fridays in week 1 and Thursdays in week 2 the discussion of any proposal submitted to the Senate pursuant to Standing Order 64 shall not exceed 1 hour.
 - (2) The written statement of the proposed matter of public importance or urgency shall be handed in to the President not later than 12.30 p.m. on each sitting day.
 5. *Government and General Business—Precedence:* That, on all sitting days of the Senate, unless otherwise ordered, Government Business shall take precedence of General Business, except that General Business shall take precedence of Government Business on Thursdays after Questions, any proposal pursuant to Standing Order 64 and consideration of Government Papers pursuant to Sessional Order, until the expiration of 24 hours or until there is no further debate; and that, unless otherwise ordered, General Business, Orders of the Day shall take precedence of General Business, Notices of Motion on alternate Thursdays.
 6. *Petitions—Procedure for Presentation:* Notwithstanding anything contained in the Standing Orders, the procedure for the presentation of petitions shall be as follows:
 - (1) A Senator wishing to present a petition shall lodge it with the Clerk.

- (2) The Clerk shall make an announcement in respect of petitions lodged with him, indicating in respect of each petition the Senator who presents it, the number of signatures, and the subject matter of the petition.
- (3) Every petition so presented shall be deemed to have been received by the Senate unless a motion, moved forthwith, that a particular petition be not received, be agreed to.
- (4) The terms of the petitions presented shall be printed in *Hansard*.

7. *Legislative and General Purpose Standing Committees—Reference of Annual Reports:*

- (1) Unless otherwise ordered, all annual reports of Government departments and authorities, including statutory corporations, laid on the Table of the Senate, shall stand referred, without any Question being put, for consideration and, if necessary, for report thereon, to the Legislative and General Purpose Standing Committees.
- (2) The President shall transmit a copy of each report so tabled to the Committee which he deems appropriate.
- (3) The Legislative and General Purpose Standing Committees may, at their discretion, pursue or not pursue inquiries into reports so received; but any action necessary, arising from a report of a Committee, shall be taken in the Senate on motion after notice.

8. *Legislative and General Purpose Standing Committees—Reference of Bills:* After the Second Reading of a Bill (other than an Appropriation Bill, Supply Bill, or Bill imposing taxation), and notwithstanding anything contained in the Standing Orders and without limiting the operation of Standing Orders 36AA and 196A, the following procedure shall apply:

- (1) A motion (of which notice need not be given) may be moved to refer the Bill to a Legislative and General Purpose Standing Committee: Provided that if no such motion be moved, or if moved and negatived, the Senate shall forthwith resolve itself into a Committee of the Whole for consideration of the Bill.
- (2) Upon motion to refer a Bill to a Legislative and General Purpose Standing Committee, no debate thereon shall be allowed for more than 1 hour, and in speaking thereon no Senator shall exceed 10 minutes. If the debate be not sooner concluded then forthwith upon the expiration of that time the President shall put any Questions on any amendment or motion already proposed from the Chair.
- (3) On reference of a Bill to a Legislative and General Purpose Standing Committee, a day shall be fixed for the reporting of a Committee's proceedings to the Senate, by which day the final report of the Committee shall be brought up, unless further time be moved for and granted: Provided that the Senate may at any time prior to such day receive the final report of the Committee.
- (4) Upon a Bill being committed to a Legislative and General Purpose Standing Committee pursuant to this Order, it shall be set down on the Notice Paper as an Order of the Day for further consideration following report from the Committee.
- (5) The procedure to be adopted by a Legislative and General Purpose Standing Committee shall, as far as possible, be the same as that in Committee of the Whole: Provided that a Committee may ask for explanations from the Minister in charge of a Bill, or officers, relating to the clauses of the Bill.
- (6) A Legislative and General Purpose Standing Committee shall have no power to make amendments to a Bill, but may recommend amendments or requests for amendments. No amendment or request for amendment may be proposed which would not be in order if proposed in a Committee of the Whole.

- (7) A report from a Legislative and General Purpose Standing Committee, relating to a Bill, shall be received by the Senate without debate and its consideration deferred till the reading of the Order of the Day for the further consideration of the Bill, when the procedure, unless otherwise ordered, shall be as follows:
- (a) motion may be proposed that the report be adopted, and such motion shall be open to debate;
 - (b) on the motion for the adoption of the report, amendments may be proposed;
 - (c) in these proceedings, the same right of speech and time limits shall apply as in debate in Committee of the Whole;
 - (d) if amendments or requests for amendments be made, additional to any recommended by the report of a Standing Committee, the Chair shall propose a Question—That the Bill as reported (with or without amendments or requests for amendments), and as further amended, be agreed to;
 - (e) a motion may be moved, by any Senator, that the Bill as reported from a Standing Committee be recommitted, in whole or in part, to the Standing Committee, or that the Bill as reported be committed, in whole or in part, to a Committee of the Whole; and
 - (f) when the report from the Committee, or from a Committee of the Whole, is finally adopted, the Bill may be proceeded with in the usual way.
9. *Consideration of Government Papers:* That, unless otherwise ordered, and notwithstanding anything contained in the Standing Orders:
- (1) (a) on all sitting days of the Senate, after Notices, Papers may be presented by a Minister; such Papers shall then be considered pursuant to this Sessional Order after Questions and any proposal pursuant to Standing Order 64; and
 - (b) when Papers are called on by the President, pursuant to this Sessional Order, a motion may be moved, without notice, that the Senate take note of one, or several, of the Papers.
 - (2) The debate on any motion moved pursuant to this Sessional Order shall be conducted as follows:
 - (a) no Senator shall speak for more than 5 minutes;
 - (b) if debate pursuant to this Sessional Order is not concluded it shall be interrupted after 30 minutes, and the Senate shall proceed to the consideration of the business of the day;
 - (c) if the debate is adjourned or interrupted by Sessional Order, a motion may be moved for the resumption of the debate either for the Thursday of that week at the time for the consideration of General Business, or for the next day of sitting; and
 - (d) on Thursdays, at the commencement of General Business:
 - (i) when an Order of the Day is called on under this Sessional Order, Senators who have previously spoken may speak again for 5 minutes,
 - (ii) motions without notice may be moved to take note of Government Papers tabled during the current sitting week and in relation to which no such motion has previously been moved:

Provided that debate under this Sessional Order shall be interrupted after 1 hour.

 - (3) Where debates on motions moved under the provisions of this Sessional Order are adjourned till the next day of sitting and are called on in the normal course of business, Senators who have spoken to the motions under the provisions of this Sessional Order may speak again for the time allowed under Standing Order 407A as varied by Sessional Order.

10. *Consideration of Committee Reports:*

- (1) Notwithstanding anything contained in the Standing Orders, and unless otherwise ordered, where in any week there are Orders of the Day for the resumption of debate on motions for the consideration or adoption of reports of committees:
 - (a) on Wednesdays after Questions, any proposal pursuant to Standing Order 64 and consideration of Government Papers pursuant to Sessional Order, Orders of the Day relating to reports of committees presented to the Senate during that week shall be severally called on, in the order in which the respective reports were presented;
 - (b) if there were no committee reports presented during that week, or if debate on motions relating to such reports concludes before the expiration of 1 hour, Orders of the Day relating to committee reports presented prior to that week shall then be severally called on in an order which is the reverse of the order in which the respective reports were presented;
 - (c) in any debate on such motions so called on, each Senator may speak for not more than 10 minutes; and
 - (d) any debate pursuant to this Sessional Order shall be interrupted after the expiration of 1 hour.
- (2) Provided that, where debate on any motion debated under the provisions of this Sessional Order is adjourned or is interrupted under the provisions of this Sessional Order, Senators who have spoken to such motion under the provisions of this Sessional Order may speak again to the motion for the time allowed under Standing Order 407A as varied by Sessional Order when the debate on the motion is again called on in the normal course of business.

11. *Time Limits to Speeches:* That, notwithstanding anything contained in the Standing Orders:

- (1) No Senator shall speak for more than 30 minutes in any debate in the Senate. Any Senator may move that the time limit of 30 minutes be extended for 15 minutes; such motion shall forthwith be put without debate:

Provided that where a right of reply is allowed in any debate a Senator speaking in reply shall speak for not more than 30 minutes:

Provided further that, in debate on the First Reading of a Bill which the Senate may not amend, no Senator shall speak for more than 15 minutes.

- (2) In Committee no Senator shall speak for more than 15 minutes at any one time on any one Question:

Provided that where the speech of a Senator is interrupted by this provision, and no other Senator rises to speak, the Senator so interrupted may continue his speech for a further 15 minutes but no longer continuously on any one Question.

Question—put and passed.

- 18 **SUGAR AGREEMENT BILL 1985:** The Minister for Finance (Senator Walsh), pursuant to Notice of Motion not objected to as a Formal Motion, moved—That leave be given to introduce a Bill for an Act relating to sugar and certain sugar products.

Question—put and passed.

Bill presented, and on the motion of Senator Walsh read a first time.

Suspension of Standing Orders: Senator Walsh, pursuant to contingent notice, moved—That so much of the Standing Orders be suspended as would prevent the Bill being passed through its remaining stages without delay.

Question—put and passed.

Senator Walsh moved—That this Bill be now read a second time.

On the motion of Senator Reid the debate was adjourned.

Ordered—That the resumption of the debate be an Order of the Day for the next day of sitting.

- 19 **MARRIAGE AMENDMENT BILL 1985:** The Minister for Resources and Energy (Senator Gareth Evans), pursuant to Notice of Motion not objected to as a Formal Motion, moved—That leave be given to introduce a Bill for an Act to amend the *Marriage Act 1961*.

Question—put and passed.

Bill presented, and on the motion of Senator Gareth Evans read a first time.

Suspension of Standing Orders: Senator Gareth Evans, pursuant to contingent notice, moved—That so much of the Standing Orders be suspended as would prevent the Bill being passed through its remaining stages without delay.

Question—put and passed.

Senator Gareth Evans moved—That this Bill be now read a second time.

On the motion of Senator Reid the debate was adjourned.

Ordered—That the resumption of the debate be an Order of the Day for the next day of sitting.

- 20 **RESTORATION OF BILLS TO NOTICE PAPER:** The Leader of the Opposition in the Senate (Senator Chaney), pursuant to Notice of Motion not objected to as a Formal Motion, moved—

- (1) That so much of the Standing Orders be suspended as would prevent the succeeding provision of this Resolution having effect.
- (2) That the following Bills be restored to the Notice Paper and that consideration of each of the Bills be resumed at the stage reached in the last session of Parliament:
 - Constitution Alteration (Appropriation Bills) Bill 1984
 - Constitution Alteration (External Affairs) Bill 1984
 - Flags Amendment Bill 1984
 - Horticultural-Plant Variety Rights Bill 1984.

Question—put and passed.

- 21 **RESTORATION OF BILLS TO NOTICE PAPER:** Senator Macklin, pursuant to Notice of Motion not objected to as a Formal Motion, moved—

- (1) That so much of the Standing Orders be suspended as would prevent the succeeding provision of this Resolution having effect.
- (2) That the following Bills be restored to the Notice Paper and that consideration of each of the Bills be resumed at the stage reached in the last session of Parliament:
 - Australian Capital Territory Smoking and Tobacco Products Advertisements Prohibition Bill 1983
 - Australian Waters (Nuclear-powered Ships and Nuclear Weapons Prohibition) Bill 1984
 - Commission of Inquiry (Chamberlain Convictions) Bill 1984
 - Constitution Alteration (Electors' Initiative) Bill 1982 [1983]
 - Customs Amendment Bill (No. 2) 1981 [1983]
 - Income Tax Assessment Amendment Bill (No. 2) 1981 [1983]
 - Liquor Advertising Tax Assessment Bill 1981 [1983]; Liquor Education Fund Bill 1981 [1983]
 - Property Rights Protection Bill 1984
 - Rainforest Preservation Agreements Bill 1982 [1983]
 - Sales Tax Assessment (Rebate for Transport Costs) Bill 1981 [1983]
 - Sales Tax (Exemptions and Classifications) Amendment Bill 1984
 - Taxation (Unpaid Company Tax) Assessment Amendment Bill 1983 (No. 3)
 - Trade Practices Amendment Bill 1984.

Question—put and passed.

22 **STATEMENT BY SENATOR:** Senator Harradine, by leave, made a statement relating to the Select Committee on Video Material.

23 **PRIVILEGES—STANDING COMMITTEE—APPOINTMENT:** The Manager of Government Business (Senator Grimes), by leave, moved—That a Committee of Privileges be appointed to consist of Senators Childs, Coates, Cook, Macklin, Peter Rae, Robert Ray and Withers.

Question—put and passed.

24 **LEAVE OF ABSENCE:** The Manager of Government Business (Senator Grimes), by leave, moved—That Senator Coleman be granted leave of absence for 3 months, on account of ill health.

Question—put and passed.

The Leader of the Opposition in the Senate (Senator Chaney), by leave, made a statement relating thereto.

25 **ADVISORY COUNCIL ON AUSTRALIAN ARCHIVES AND NATIONAL LIBRARY OF AUSTRALIA—SENATE MEMBERS OF COUNCILS:** The Deputy-President (Senator Hamer) informed the Senate that the President had received letters from the Leader of the Opposition in the Senate (Senator Chaney) nominating Senators Reid and Hill to fill vacancies on certain statutory authorities, caused by the resignation from the Senate of Senator Martin.

The Manager of Government Business (Senator Grimes), by leave, moved—

(1) That, in accordance with the provisions of the *Archives Act 1983*, the Senate choose Senator Reid to be a member of the Advisory Council on Australian Archives till 7 June 1987, to fill the vacancy created by the resignation of Senator Martin.

(2) That, in accordance with the provisions of the *National Library Act 1960*, the Senate elect Senator Hill to be a member of the Council of the National Library of Australia till 2 March 1987, to fill the vacancy created by the resignation of Senator Martin.

Question—put and passed.

26 **ORDER OF BUSINESS—RE-ARRANGEMENT:** The Manager of Government Business (Senator Grimes), moved—That, unless otherwise ordered, business this day be considered in the following order:

(1) General Business, Orders of the Day relating to Committee Reports—

(a) No. 2, Private Hospitals and Nursing Homes—Select Committee—Report on Private Nursing Homes in Australia;

(b) No. 3, Education and the Arts—Standing Committee—Report on a National Language Policy; and

(c) No. 4, Science, Technology and the Environment—Standing Committee—Report on Land Use Policy.

(2) Government Business, Order of the Day No. 1, consideration of the Governor-General's Opening Speech.

Question—put and passed.

27 **PRIVATE HOSPITALS AND NURSING HOMES—SELECT COMMITTEE—REPORT:** Order of the Day read for the adjourned debate on the motion of Senator Giles—That the Senate take note of the Report.

Debate resumed.

Senator Reid addressing the Chair—

And it being 2 p.m.—

- 28 **TEMPORARY CHAIRMEN OF COMMITTEES:** The President tabled his Warrant nominating a panel of Temporary Chairmen of Committees, as follows:

Pursuant to Standing Order 28A, I hereby nominate:

Senator Coleman
 Senator Colston
 Senator Elstob
 Senator Haines
 Senator Jessop
 Senator Jones
 Senator MacGibbon
 Senator Scott
 Senator Sibraa
 Senator Townley

a panel to act as Temporary Chairmen of Committees when requested so to do by the Chairman of Committees or when the Chairman of Committees is absent.

Given under my hand this twenty-second day of February 1985.

DOUGLAS McCLELLAND
 President

29 **QUESTIONS.**

- 30 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE:** The Deputy-President (Senator Hamer) informed the Senate that Senator Messner had proposed that a matter of public importance be submitted to the Senate for discussion, viz: "The growing alarm amongst all pensioners, particularly those in rural areas, at the unfair and uneven impact of the assets test legislation".

And at least 4 Senators having risen in support of the proposed discussion—

Time Limits to Speeches: The Manager of Government Business (Senator Grimes) moved—That so much of Standing Order 64 be suspended as would prevent each Senator speaking on the matter of public importance, speaking for not more than 20 minutes.

Question—put and passed.

The Deputy-President called upon Senator Messner to speak.

Discussion ensued.

And the debate having reached the limit of 1 hour allowed by Sessional Order, the business of the day was called on.

- 31 **PERSONAL EXPLANATION:** Senator Messner, by leave, made a personal explanation relating to a matter raised during debate this day.

- 32 **GOVERNOR-GENERAL'S MESSAGES—ASSENT TO LAWS:** Messages from His Excellency the Governor-General were reported, informing the Senate that His Excellency had, in the name of Her Majesty, assented to the following laws:

25 October 1984—Messages—

No. 97—

Australian Citizenship Amendment Act 1984 (Act No. 129 of 1984)

No. 98—

Customs Tariff Amendment Act (No. 3) 1984 (Act No. 130 of 1984)

Excise Tariff Amendment Act (No. 2) 1984 (Act No. 131 of 1984)

Customs Tariff (Coal Export Duty) Amendment Act 1984 (Act No. 132 of 1984)

No. 99—

States Grants (Schools Assistance) Act 1984 (Act No. 126 of 1984)

States Grants (Tertiary Education Assistance) Act 1984 (Act No. 127 of 1984)

States Grants (Education Assistance—Participation and Equity) Amendment Act (No. 2) 1984 (Act No. 128 of 1984)

No. 100—

Electoral and Referendum Amendment Act 1984 (Act No. 133 of 1984)

Social Security and Repatriation Legislation Amendment Act (No. 2) 1984 (Act No. 134 of 1984)

Health Legislation Amendment Act 1984 (Act No. 135 of 1984)

Overseas Students Charge Amendment Act 1984 (Act No. 136 of 1984)

International Development Association (Further Payment) Act 1984 (Act No. 137 of 1984)

Housing Assistance Act 1984 (Act No. 138 of 1984)

Biological Control Act 1984 (Act No. 139 of 1984)

Stevedoring Industry Finance Committee Amendment Act 1984 (Act No. 140 of 1984)

No. 101—

Wheat Marketing Act 1984 (Act No. 141 of 1984)

Wheat Marketing Amendment Act 1984 (Act No. 142 of 1984)

Wheat Tax (Permit) Act 1984 (Act No. 143 of 1984)

Wheat Tax (Permit) Collection Act 1984 (Act No. 144 of 1984)

Wheat Research Amendment Act 1984 (Act No. 145 of 1984)

Wheat Tax Amendment Act 1984 (Act No. 146 of 1984)

Dried Vine Fruits Equalization Amendment Act 1984 (Act No. 147 of 1984)

Canned Fruits Marketing Amendment Act 1984 (Act No. 148 of 1984)

Canned Fruits Levy Amendment Act 1984 (Act No. 149 of 1984)

Canned Fruits Levy Collection Amendment Act 1984 (Act No. 150 of 1984)

Fisheries Licences Levy Act 1984 (Act No. 151 of 1984)

Fishing Legislation Amendment Act (No. 2) 1984 (Act No. 152 of 1984)

Meat Export Charge Act 1984 (Act No. 153 of 1984)

Meat Export Charge Collection Act 1984 (Act No. 154 of 1984)

Dairy Products (Export Inspection Charge) Amendment Act 1984 (Act No. 155 of 1984)

Dairy Products (Export Inspection Charge) Collection Amendment Act 1984 (Act No. 156 of 1984)

Eggs (Export Inspection Charge) Amendment Act 1984 (Act No. 157 of 1984)

Eggs (Export Inspection Charge) Collection Amendment Act 1984 (Act No. 158 of 1984)

Egg Export Legislation Repeal Act 1984 (Act No. 159 of 1984)

Live-stock Slaughter (Export Inspection Charge) Validation Act 1984 (Act No. 160 of 1984)

No. 102—

States (Works and Housing) Assistance Act 1984 (Act No. 161 of 1984)

Conciliation and Arbitration Amendment Act 1984 (Act No. 162 of 1984)

Broadcasting and Television Amendment Act 1984 (Act No. 163 of 1984)

No. 103—

Defence Legislation Amendment Act 1984 (Act No. 164 of 1984)

Statute Law (Miscellaneous Provisions) Act (No. 2) 1984 (Act No. 165 of 1984)

Petroleum (Submerged Lands) Amendment Act 1984 (Act No. 166 of 1984)

Bass Strait Sea Passenger Service Agreement Act 1984 (Act No. 167 of 1984)

Passports Amendment Act 1984 (Act No. 168 of 1984)

Registration of Deaths Abroad Act 1984 (Act No. 169 of 1984)

No. 104—

Appropriation Act (No. 1) 1984-85 (Act No. 170 of 1984)

Appropriation Act (No. 2) 1984-85 (Act No. 171 of 1984)

Appropriation (Parliamentary Departments) Act 1984-85 (Act No. 172 of 1984)

26 October 1984—Message—

No. 105—

Loan (Income Equalization Deposits) Amendment Act 1984 (Act No. 173 of 1984)

Income Tax Assessment Amendment (Income Equalization Deposits) Act 1984 (Act No. 174 of 1984)

Income Equalization Deposits (Interest Adjustment) Act 1984 (Act No. 175 of 1984)

Pursuant to Sessional Order, consideration of Government Papers was called on.

33 GOVERNMENT PAPERS—CONSIDERATION: The following Government Papers, tabled earlier this day (*see Entry No. 7 above*), were considered pursuant to Sessional Order:

Industries Assistance Commission—Reports—

Separate Articles Direction No. 1 of the Customs Tariff—Motion to take note of the Paper moved by the Leader of the Opposition in the Senate (Senator Chaney).

Ordered—That the resumption of the debate be an Order of the Day for the next day of sitting.

Certain Consumer Electronic Equipment and Components—Motion to take note of the Paper moved by Senator Chaney.

Ordered—That the resumption of the debate be an Order of the Day for the next day of sitting.

Canberra Development Board—Annual Report 1983-84—Motion to take note of the Paper moved by Senator Reid and debated.

And it being 4.15 p.m.—

34 ADJOURNMENT: The President, under Sessional Order, put the Question—That the Senate do now adjourn.

Statement by President: The President informed the Senate that, consequent upon the retirement of Mr J. W. Roberts, Mr John Martin Campbell had been appointed Principal Parliamentary Reporter on 2 January 1985 and Mr Robert Thomas Martin had been appointed Assistant Principal Parliamentary Reporter.

Debate ensued.

Question—resolved in the affirmative.

The Senate adjourned at 4.25 p.m. till Monday next at 2 p.m.

35 ATTENDANCE: Present, all Senators except Senator Coleman (on leave).

A. R. CUMMING THOM,
Clerk of the Senate