

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 8

WEDNESDAY, 20 MARCH 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 16 petitions, lodged with the Clerk by the Senators indicated, were received:

Senators Bjelke-Petersen, Boswell, Colston, Hamer, MacGibbon, Macklin and Reynolds, from 6, 15, 3, 11, 6, 8, and 17 petitioners, respectively, praying that post-secondary tuition fees and any form of the user-pays principle in education not be introduced, that student financial assistance be increased and that visa charges on private overseas students be removed.

Senator Reynolds, from 19 petitioners praying that the Senate reverse any decision which commits Australia to participate in the testing of MX Peacemaker missiles, and ensure that Australia's commitment to a nuclear-free zone in the South Pacific be maintained.

Senator Messner, from 19 petitioners praying that the Australian flag be not changed without the consent of the people in a referendum.

Senator Reid, from 46 petitioners praying that the Senate reject the Australian Capital Territory Smoking and Tobacco Products Advertisements Prohibition Bill 1983 [1985].

Senator Robertson, from 119 petitioners praying that no further action be taken towards self-government in the Australian Capital Territory (ACT) until after the holding of a referendum of voters of the ACT.

Senator Robertson, from 130 petitioners praying that the Senate act to protect society from moral pollution and its harmful effects.

Senator Messner, from 131 petitioners praying that the Senate pass the Social Security and Repatriation (Abolition of Assets Test) Bill 1985.

Senator Reid, from 29 petitioners praying that the Senate disallow certain regulations and ordinances and introduce legislation which adequately reflects community standards in relation to hard-core pornography.

Senator Boswell, from 23 petitioners praying that the decision to allow privileges and travel entitlements to homosexual staff of the Australian Broadcasting Corporation be reversed.

Senator Zakharov, from 41 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.

4 **NOTICES:** Notices of Motion were given, as follows—

Senator Jack Evans: To move on the next day of sitting—That leave be given to introduce a Bill for an Act to provide for the preparation of legislation for the reform of the Australian taxation system and the introduction of that legislation into the Parliament.

Senator Macklin: To move on the next day of sitting—That there be laid on the Table the whole of the following document, including the matter deleted from the copy which was provided to the Wilderness Society in response to a request by that society under the *Freedom of Information Act 1982*: Department of Home Affairs and Environment Minute, dated 21 June 1984, reference 84/42, from D. C. Griffiths to Mr Thompson, headed “Proposed Road from Cape Tribulation to Bloomfield”.

Senator Reid: To move on the next day of sitting—That the Senate—

- (a) notes with concern the continuing delay in the appointment of a Chief Magistrate for the Australian Capital Territory (ACT) Court of Petty Sessions and calls upon the Government to redress the situation without further delay, noting that the former Chief Magistrate retired on 29 February 1984; and
- (b) calls on the Government to make an appointment of a new Chief Justice to the ACT Supreme Court without delay in view of the present Chief Justice's announced retirement on 29 March 1985.

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

Advance to the Minister for Finance—Statements—

October 1984.

November 1984.

December 1984.

January 1985.

Australian Capital Territory—

Fire Brigade—Annual Report (10th) 1983-84.

Registrar of Motor Vehicle Dealers—Annual Report (7th) 1983-84.

Australian Children's Television Foundation—Annual Report 1983-84.

Australian Science and Technology Council Act—Australian Science and Technology Council—Report on Computer-related Technologies in the Metal Trades Industry, prepared by the Technological Change Committee, dated 11 January 1985.

Australian Shippers' Council—Annual Report 1983-84.

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

Commonwealth Scientific and Industrial Research Organization (CSIRO) Applied Organic Chemistry and Advanced Materials Laboratories at Fishermen's Bend, Melbourne—Safety standards and the death of CSIRO employee Dr R. Bergamasco—Report of Committee of Inquiry (The Andrew Report)—Government Response, dated March 1985.

Department of Sport, Recreation and Tourism—Annual Report 1983-84.

Industries Assistance Commission—Reports—

Empty Gelatin Capsules, dated 7 December 1984 (No. 355).

Rougher Headed Timber, dated 22 February 1985 (No. 358).

Vegetables and Vegetable Products (Interim Report on Frozen Peas), dated 15 February 1985 (No. 357).

International Labour Conference—Report of the Australian Delegation to the 69th Session, Geneva, 1 to 22 June 1983.

Local Government (Personal Income Tax Sharing) Act—Commonwealth Financial Assistance to Local Government—

Queensland—Local Government Grants Commission—Report (8th) 1984.

Statement by the Minister for Local Government and Administrative Services.

South Australia—Local Government Grants Commission—Annual Report (8th) 1984.

Statement by the Minister for Local Government and Administrative Services.

Tasmania—State Grants Commission—Annual Report (9th) 1984-85.

Statement by the Minister for Local Government and Administrative Services.

Victoria—Grants Commission—Annual Report (8th) for period ended 31 August 1984.

Statement by the Minister for Local Government and Administrative Services.

National Energy Research, Development and Demonstration Council—Annual Report 1983-84.

Norfolk Island—Annual Report 1983-84.

Seat of Government (Administration) Act—Australian Capital Territory—Statement of Receipts and Expenditure 1982-83.

Urban and Regional Development (Financial Assistance) Act—

Agreement in relation to the provision of financial assistance to New South Wales and Victoria for Urban Expansion and Redevelopment (Albury-Wodonga), dated 25 October 1984.

Amending Agreement in relation to the provision of financial assistance to New South Wales for Urban and Regional Development, dated 10 October 1984.

- 6 FINANCE AND GOVERNMENT OPERATIONS—STANDING COMMITTEE—INTERIM REPORT ON NON-STATUTORY BODIES OF THE COMMONWEALTH—GOVERNMENT RESPONSE—MINISTERIAL STATEMENT:** The Minister for Community Services (Senator Grimes), by leave, made a statement responding to the Interim Report of the Standing Committee on Finance and Government Operations on Non-statutory bodies of the Commonwealth tabled on 11 October 1984.

Senator Peter Rae, by leave, moved—That the Senate take note of the Statement.

Question—put and passed.

- 7 COMMONWEALTH SCIENTIFIC AND INDUSTRIAL RESEARCH ORGANIZATION (CSIRO)—DEPARTMENT OF FINANCE JOINT WORKING PARTY—MINISTERIAL STATEMENT—PAPER:** The Minister for Community Services (Senator Grimes), by leave, made a statement relating to the Report of the Department of Finance Joint Working Party on the CSIRO and tabled the following Paper:

CSIRO-Department of Finance Joint Working Party Report.

Senator Puplick, by leave, moved—That the Senate take note of the Statement.

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

- 8 NUGAN HAND—ROYAL COMMISSION—INQUIRY INTO THE ACTIVITIES OF THE NUGAN HAND GROUP—INTERIM REPORT NO. 2—PAPER:** The Minister for Community Services (Senator Grimes) tabled the following Paper:

Nugan Hand—Royal Commission (Commissioner: The Hon. Mr Justice D. G. Stewart)—Inquiry into the Activities of the Nugan Hand Group—Interim Report No. 2: Commonwealth terms of reference (b), (c) and (d), dated 12 December 1984.

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

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

- 9 BANKRUPTCY AMENDMENT BILL 1985:** The Minister for Community Services (Senator Grimes), at the request of the Minister for Resources and Energy (Senator Gareth Evans) and 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 *Bankruptcy Act 1966*.

Question—put and passed.

- 10 **FOREIGN OWNERSHIP AND CONTROL REGISTRATION BILL 1985:** Senator Jack 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 establish a register of foreign corporations owning or controlling Australian property.

Question—put and passed.

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

Senator Jack Evans, by leave, moved—That this Bill be now read a second time.

On the motion of the Minister for Community Services (Senator Grimes) the debate was adjourned.

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

- 11 **REMUNERATION AND ALLOWANCES AMENDMENT BILL 1984 [1985]—RESTORATION TO NOTICE PAPER:** Senator Harradine, 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 Bill be restored to the Notice Paper and that consideration of the Bill be resumed at the stage reached in the last session of Parliament: Remuneration and Allowances Amendment Bill 1984 (No. 2).

Question—put and passed.

- 12 **ELECTORAL REFORM—JOINT SELECT COMMITTEE—APPOINTMENT OF MEMBERS:**

The President informed the Senate that he had received letters from the Leader of the Government, the Leader of the Opposition in the Senate, the Leader of the Australian Democrats and Senator Harradine nominating Senators Sir John Carrick, Harradine, Macklin, Robert Ray and Richardson to be members of the Joint Select Committee on Electoral Reform.

The Manager of Government Business (Senator Grimes), by leave, moved—That the Senators, having been duly nominated in accordance with the Resolution agreed to by both Houses, be appointed members of the Joint Select Committee on Electoral Reform.

Question—put and passed.

- 13 **VIDEO MATERIAL—JOINT SELECT COMMITTEE—*Message from the House of Representatives:*** The following Message from the House of Representatives was reported:

MR PRESIDENT,

Message No. 18

The House of Representatives, having considered Message No. 12 of the Senate, acquaints the Senate that the House has agreed to the Senate's modifications of the Resolution transmitted to the Senate by the House for the appointment of a Joint Select Committee on Video Material.

House of Representatives,
Canberra, 19 March 1985

H. A. JENKINS,
Speaker

- 14 **VIDEO MATERIAL—JOINT SELECT COMMITTEE—APPOINTMENT OF MEMBERS:** The President informed the Senate that he had received letters from the Leader of the Government, the Leader of the Opposition in the Senate and Senator Harradine nominating Senators Elstob, Harradine, Walters and Zakharov to be members of the Joint Select Committee on Video Material.

The Manager of Government Business (Senator Grimes), by leave, moved—That the Senators, having been duly nominated in accordance with the Resolution agreed to by both Houses, be appointed members of the Joint Select Committee on Video Material.

Question—put and passed.

- 15 **GOVERNOR-GENERAL'S OPENING SPEECH—ADDRESS-IN-REPLY:** Order of the Day read for the adjourned debate on the motion of Senator Aulich—That the following Address-in-Reply be agreed to:

To His Excellency the Governor-General

MAY IT PLEASE YOUR EXCELLENCY—

We, the Senate of the Commonwealth of Australia in Parliament assembled, desire to express our loyalty to our Most Gracious Sovereign, and to thank Your Excellency for the Speech which you have been pleased to address to Parliament.

Debate resumed.

The Leader of the Opposition in the Senate (Senator Chaney) moved an amendment, viz: That the following words be added to the Address-in-Reply “, but the Senate is of the opinion that the Government's program outlined in the Governor-General's Speech fails to address critical problems facing Australia in that—

- (a) it fails to reassure the Australian people that the country's defence arrangements within the western alliance will be preserved and strengthened following:
 - (i) the Prime Minister's capitulation to internal party pressures on the issue of Australia providing logistical assistance to the United States for its testing of the MX missile, and
 - (ii) increasing uncertainty as to the future of the ANZUS Treaty fuelled by members of the Labor Government, including a Cabinet Minister;
- (b) it contains no coherent economic strategy at a time when recovery is threatened by:
 - (i) record government taxation and spending,
 - (ii) continuing pressure within the Government for new taxes on assets,
 - (iii) growing demands for higher wages and other extra cost burdens on industry,
 - (iv) the level of public debt repayments, and
 - (v) loss of value of the currency reflecting world concern about Australia's competitiveness and government instability; and
- (c) it endorses a rigid, centralised wage determining structure which imposes the same cost burdens on commerce and industry regardless of ability to pay”.

Debate continued.

Senator Bolkus addressing the Chair—

—
And it being 2 p.m.—

- 16 **QUESTIONS:** Questions without Notice being proceeded with—

Paper: The Minister for Veterans' Affairs (Senator Gietzelt) tabled the following Paper from which he had quoted:

Repatriation legislation—Background paper.

Further Questions without Notice were answered.

Paper: The Minister for Resources and Energy (Senator Gareth Evans) tabled the following Paper from which he had quoted:

Radioactive waste—Research and development of SYNROC—Background paper.

Further Questions without Notice were answered.

- 17 **URGENCY MOTION:** The President informed the Senate that he had received a letter from Senator Peter Rae advising that this day he intended to move—That in the opinion of the Senate the following is a matter of urgency: “The urgent need for fundamental

reform of the Australian system of the raising and expenditure of revenue which involves the need for—

- (a) the total review of expenditure;
- (b) the restoration of the incentive and opportunity for the creation of economic growth and national wealth;
- (c) the reduction in the burden of personal taxation;
- (d) the relief for families by the introduction of income splitting for tax purposes and also of tax rebates for child care;
- (e) the review of the distribution of the tax revenue base between the various levels of government; and
- (f) the emphasis upon neutral, efficient, and equitable taxes”.

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

Senator Peter Rae thereupon moved the motion.

Debate ensued.

Closure: Senator Dame Margaret Guilfoyle moved—That the Question be now put.

Question—That the Question be now put—put and passed.

Question—That the motion be agreed to—put accordingly.

The Senate divided—

AYES, 36

Senators—

Archer	Guilfoyle,	Mason	Teague
Baume	Dame Margaret	Messner	Townley
Bjelke-Petersen	Haines	Missen	Vanstone
Boswell	Hamer	Parer	Vigor
Brownhill	Hill	Puplick	Walters
Carrick, Sir John	Jessop	Rae, Peter	Watson
Chipp	Knowles	Reid (Teller)	Withers
Collard	Lajovic	Scott	
Durack	Lewis	Sheil	
Evans, Jack	Macklin	Short	

NOES, 31

Senators—

Aulich	Devlin	Jones	Richardson
Black	Elstob	McClelland	Robertson (Teller)
Bolkus	Evans, Gareth	McIntosh	Ryan
Childs	Foreman	McKiernan	Sibraa
Coates	Gietzelt	Maguire	Tate
Cook	Giles	Primmer	Walsh
Cooney	Grimes	Ray, Robert	Zakharov
Crowley	Hearn	Reynolds	

And so it was resolved in the affirmative.

- 18 **SUSPENSION OF SESSIONAL ORDERS:** Senator Reid, pursuant to Standing Order 448, moved—That the Sessional Orders relating to the consideration of Government Papers and Committee Reports be suspended for this day.

Question—put and passed.

- 19 **PAPER:** The following Paper was tabled:

Public Service Act—Appointment—Department of Aboriginal Affairs—Mr D. C. Elliott.

- 20 **GOVERNOR-GENERAL'S OPENING SPEECH—ADDRESS-IN-REPLY:** Order of the Day read for the adjourned debate on the motion of Senator Aulich—That the following Address-in-Reply be agreed to:

To His Excellency the Governor-General

MAY IT PLEASE YOUR EXCELLENCY—

We, the Senate of the Commonwealth of Australia in Parliament assembled, desire to express our loyalty to our Most Gracious Sovereign, and to thank

Your Excellency for the Speech which you have been pleased to address to Parliament.

And on the amendment moved thereto by the Leader of the Opposition in the Senate (Senator Chaney), viz: That the following words be added to the Address-in-Reply “, but the Senate is of the opinion that the Government’s program outlined in the Governor-General’s Speech fails to address critical problems facing Australia in that—

- (a) it fails to reassure the Australian people that the country’s defence arrangements within the western alliance will be preserved and strengthened following:
 - (i) the Prime Minister’s capitulation to internal party pressures on the issue of Australia providing logistical assistance to the United States for its testing of the MX missile, and
 - (ii) increasing uncertainty as to the future of the ANZUS Treaty fuelled by members of the Labor Government, including a Cabinet Minister;
- (b) it contains no coherent economic strategy at a time when recovery is threatened by:
 - (i) record government taxation and spending,
 - (ii) continuing pressure within the Government for new taxes on assets,
 - (iii) growing demands for higher wages and other extra cost burdens on industry,
 - (iv) the level of public debt repayments, and
 - (v) loss of value of the currency reflecting world concern about Australia’s competitiveness and government instability; and
- (c) it endorses a rigid, centralised wage determining structure which imposes the same cost burdens on commerce and industry regardless of ability to pay”.

Debate resumed.

On the motion of Senator Lewis the debate was adjourned.

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

- 21 **BANKRUPTCY AMENDMENT BILL 1985:** The Minister for Resources and Energy (Senator Gareth Evans), pursuant to leave granted this day, presented a Bill for an Act to amend the *Bankruptcy Act 1966*.

On the motion of Senator Gareth Evans the Bill was 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 Sheil the debate was adjourned.

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

- 22 **SCRUTINY OF BILLS—STANDING COMMITTEE—1ST REPORT AND 1ST ALERT DIGEST:** The Chairman of the Standing Committee for the Scrutiny of Bills (Senator Tate) tabled the following Report and Paper:

1st Report, dated 20 March 1985.

Alert Digest No. 1, dated 20 March 1985.

Ordered—That the Report be printed.

- 23 **ADJOURNMENT:** The Senate adjourned at 6.44 p.m. till tomorrow at 10 a.m.

- 24 **ATTENDANCE:** Present, all Senators except Senators Coleman (on leave), Colston, Crichton-Browne and Georges.

A. R. CUMMING THOM,
Clerk of the Senate