

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 10

FRIDAY, 22 MARCH 1985

1 **MEETING OF SENATE:** The Senate met at 9 a.m., pursuant to adjournment. The President (Senator the Honourable Douglas McClelland) took the Chair.

2 **PRAYERS.**

3 **PETITIONS:** The following 8 petitions, lodged with the Clerk by the Senators indicated, were received:

Senator Messner, from 321 petitioners praying that the Senate repeal the Labor Government's iniquitous and unfair assets test.

Senators Robertson and Short, from 11 and 5 petitioners, respectively, praying that the Costigan Royal Commission be reactivated and provided with sufficient resources to conclude its investigations into organised crime in Australia.

Senators Parer and Ryan, from 5 and 186 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 Robertson, from 10 petitioners praying that the Senate 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 Zakharov, from 43 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.

Senator Sir John Carrick, from 12 263 petitioners praying that the Senate pass a motion that the existing Australian National Flag be changed only with the approval of the nation as expressed in a referendum.

4 **NOTICE:** Senator Jack Evans gave a Notice of Motion, as follows: To move on the next day of sitting—That leave be given to introduce a Bill for an Act to provide assistance and encouragement for the employees of corporations to acquire ownership of the corporations and operate the corporations on behalf of the employees, and for purposes connected therewith.

5 **OVERSEAS STUDENT POLICY REVIEW—MINISTERIAL STATEMENT:** The Minister for Education (Senator Ryan), by leave, made a statement relating to a review of overseas student policy.

Senator Baume, by leave, moved—That the Senate take note of the Statement.
Debate ensued.

Question—put and passed.

6 **TAX AVOIDANCE SCHEMES 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 relating to the control of tax avoidance schemes.

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 Senator Kilgariff the debate was adjourned.

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

- 7 BOUNTY (COMMERCIAL MOTOR VEHICLES) AMENDMENT BILL 1985**—*Message from the House of Representatives*: The following Message from the House of Representatives was reported:

MR PRESIDENT,

Message No. 22

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to amend the 'Bounty (Commercial Motor Vehicles) Act 1978'*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 21 March 1985

H. A. JENKINS,
Speaker

Ordered—That the Bill may be taken through all its stages without delay.

On the motion of the Minister for Education (Senator Ryan) the Bill was read a first time.

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

On the motion of Senator Kilgariff the debate was adjourned.

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

- 8 ORDER OF BUSINESS—RE-ARRANGEMENT**: The Minister for Education (Senator Ryan) moved—

- (1) That, unless otherwise ordered, after Questions and presentation of Papers this day, intervening business be postponed till after the consideration of General Business, Orders of the Day Nos 36 to 96 relating to Government Papers.
- (2) That, during the consideration of Orders of the Day pursuant to paragraph (1), sub-paragraph (2) (a) and paragraph (3) of the Sessional Order relating to the consideration of Government Papers apply.

Question—put and passed.

- 9 HONEY LEVY LEGISLATION AMENDMENT BILL 1985**: Order of the Day read for the adjourned debate on the motion of the Minister for Resources and Energy (Senator Gareth Evans)—That this Bill be now read a second time.

Debate resumed.

Question—put and passed.

Bill read a second time.

The Senate, according to Order, resolved itself into Committee for the consideration of the Bill.

In the Committee

Bill, by leave, taken as a whole and agreed to.

Bill to be reported without amendment.

The Deputy-President (Senator Hamer) resumed the Chair; and the Temporary Chairman of Committees (Senator Scott) reported accordingly.

On the motion of the Minister for Industry, Technology and Commerce (Senator Button) the Report from the Committee was adopted, and the Bill read a third time.

- 10 **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.

Senator Archer addressing the Chair—

—
And it being 2 p.m.—

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

Paper: The Minister for Finance (Senator Walsh) tabled the following Paper from which he had quoted:

Tasmania—Expenditure on Craigbourne Dam Scheme—Background paper.

Further Questions without Notice were answered.

- 12 **NOTICE:** Senator Sibraa, by leave, gave a Notice of Motion, as follows: To move on the next day of sitting—That the Senate—

- (a) expresses its abhorrence at the unwarranted slaughter of unarmed black Africans by South African police in Cape Province on 21 March 1985;
- (b) in particular, expresses its outrage that these killings should have occurred on the 25th Anniversary of the infamous Sharpeville massacre, which focussed international attention on racial injustice in South Africa;
- (c) reaffirms its total opposition to the injustice and inhumanity of apartheid as demonstrated in the massacre on 21 March 1985; and
- (d) calls upon the South African Government to act immediately to initiate a process of peaceful transition to democratic government for all races in South Africa.

13 PAPERS: The following Papers were tabled:

- Australian Antarctic Territory Act—Ordinance 1985—No. 1—Migratory Birds (Amendment).
- Australian Capital Territory Supreme Court Act—Rules of Court—Statutory Rules 1985 No. 27.
- Census of Population and Housing (1986)—Content and Procedures—Information Paper by the Australian Bureau of Statistics—Corrigendum to paper.
- Customs Act—Regulation—Statutory Rules 1985 No. 26.
- Heard Island and McDonald Islands Act—Ordinance 1985—No. 1—Migratory Birds (Amendment).
- Public Service Act—Appointment—Department of Employment and Industrial Relations—W.E.E. Blucher.
- Seat of Government (Administration) Act—Regulations 1985—No. 7—(Motor Omnibus Services Ordinance).

14 GOVERNMENT PAPERS—CONSIDERATION: Pursuant to Order, the following General Business Orders of the Day to take note of Government Papers were considered:

- Australian Institute of Sport—Annual Report 1983-84—Motion of Senator Lewis agreed to.
- National Health and Medical Research Council—Annual Report 1983—Debate resumed on the motion of Senator Harradine—Motion agreed to.
- Department of Health—Annual Report 1983-84—Debate resumed on the motion of Senator Harradine—Motion agreed to.
- Attorney-General's Department and Office of Parliamentary Counsel—Annual Reports 1983-84—Debate resumed on the motion of Senator Harradine—Motion agreed to.
- Institute of Family Studies—Annual Report 1983-84—Motion of Senator Harradine agreed to.
- Family Law Council—Annual Report 1983-84—Debate resumed on the motion of Senator Harradine—Motion agreed to.
- Industries Assistance Commission—Interim Report on Frozen Peas—Debate resumed, by leave, on the motion of Senator Lewis—Motion agreed to.
- Canberra Theatre Trust—Annual Report 1982-83—Debate resumed on the motion of Senator Lewis—Motion agreed to.
- Australian Capital Territory—
 - Building Review Committee—Annual Report 1983-84—Motion of Senator Lewis agreed to.
 - Nominal Defendant—Annual Report 1983—Motion of Senator Lewis agreed to.
 - Agents Board—Annual Report 1983-84—Motion of Senator Lewis agreed to.
 - Bush Fire Council—Annual Report 1983-84—Debate resumed on the motion of Senator Lewis—Motion agreed to.
- Department of Territories and Local Government—Annual Report 1983-84—Debate resumed on the motion of Senator Lewis—Motion agreed to.
- Australian Electoral Commission—Annual Report 1983-84—Motion of Senator Lewis agreed to.
- National Aboriginal Conference—Report on the Role of the Conference and Ministerial Statement—Debate resumed on the motion of Senator Lewis—Motion agreed to.
- Commonwealth Accommodation and Catering Services Limited—Annual Report 1983-84—Motion of Senator Lewis agreed to.
- Australian Broadcasting Tribunal—Annual Report 1983-84—Debate resumed on the motion of Senator Lewis—Motion agreed to.
- Department of Sport, Recreation and Tourism—Annual Report 1983-84—Debate resumed, by leave, on the motion of Senator Lewis—Motion agreed to.
- Commonwealth Ombudsman and Defence Force Ombudsman—Annual Reports 1983-84—Motion of Senator Lewis agreed to.

Security Appeals Tribunal—Annual Report 1983-84—Motion of Senator Lewis agreed to.

Federal Police Disciplinary Tribunal—Annual Report 1983-84—Motion of Senator Lewis agreed to.

National Exhibition Centre Trust—Annual Report 1983-84—Motion of Senator Lewis agreed to.

National Capital Development Commission—Annual Report 1983-84—Debate resumed on the motion of Senator Lewis.

And it being 4.15 p.m.—

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

Debate ensued.

Question—resolved in the affirmative.

The Senate adjourned at 4.22 p.m. till Monday next at 2 p.m.

16 **ATTENDANCE:** Present, all Senators except Senators Coleman (on leave), Colston, Crichton-Browne, Crowley, Foreman, Georges, Grimes and Primmer.

A. R. CUMMING THOM,
Clerk of the Senate