

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 11

MONDAY, 25 MARCH 1985

1 **MEETING OF SENATE:** The Senate met at 2 p.m., pursuant to adjournment. The President (Senator the Honourable Douglas McClelland) took the Chair.

2 **PRAYERS.**

3 **PETITIONS:** The following 10 petitions, lodged with the Clerk by the Senators indicated, were received:

Senator Short, from 18 petitioners praying that the Costigan Royal Commission be reactivated and provided with sufficient resources to conclude its investigations into organised crime in Australia.

Senator Reid, from 35 petitioners praying that the Senate act to protect society from moral pollution and its harmful effects.

Senator Bolkus, from 53 petitioners praying that the Senate support the New Zealand Government in its stand for a nuclear-free South Pacific.

Senator Reid, from 47 petitioners praying that the Senate reject the Australian Capital Territory Smoking and Tobacco Products Advertisements Prohibition Bill 1983 [1985].

Senator Collard, from 107 petitioners praying that the Australian flag be not changed without the consent of the people in a referendum.

Senator Zakharov, from 46 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 Messner, from 43 petitioners praying that the Senate repeal the Labor Government's iniquitous and unfair assets test.

Senator Chaney, from 51 petitioners praying that the recurrent grant to tertiary education residential colleges be maintained.

Senator MacGibbon, from 20 petitioners praying that post-secondary tuition fees and any form of the user-pays principle in education not be introduced and that student financial assistance be increased.

Senator MacGibbon, from 7 petitioners praying that former legislation banning the entry into Australia and sale of hard-core pornographic and violent videos and publications be re-enacted.

The following petition, not in conformity with the Standing Orders, was, by leave, presented by Senator Button and received:

From 222 petitioners praying that immediate action be taken to protect the Australian fertilizer manufacturing industry.

4 **NOTICE:** The Chairman of the Standing Committee on Foreign Affairs and Defence (Senator McIntosh) gave a Notice of Motion, as follows: To move on the next day of sitting—That the following matters be referred to the Standing Committee on Foreign Affairs and Defence:

- (1) The Australian Army's rapid deployment capability.
- (2) The United Nations Educational, Scientific and Cultural Organisation.

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

Acts Interpretation Act—Correspondence and statement relating to extension of specified period for presentation of the Anglo-Australian Telescope Board Annual Report 1983-84.

Advisory Council for Inter-government Relations Act—Advisory Council for Inter-government Relations—Annual Report (8th), together with financial statements, and the Tasmanian Auditor-General's Report thereon, for year ending 31 August 1984.

Australian Capital Territory Architects Board—Annual Report 1983-84.

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

Defence Force Retirement and Death Benefits Act—Defence Force Retirement and Death Benefits Authority—Annual Report 1983-84.

Fishing Industry Research Act—Fishing Industry Research Committee—Annual Report (15th) 1983-84.

New Parliament House—Joint Standing Committee—Statement by the Minister for Territories relating to a proposed Government Response to the Committee's Report on the Future Use of the Provisional Parliament House.

Remuneration Tribunals Act—

Academic Salaries Tribunal—Annual Report 1983-84.

Remuneration Tribunal—Annual Report 1983-84.

Seat of Government (Administration) Act—Health Commission Ordinance—Capital Territory Health Commission—Annual Report 1983-84, together with financial statements and the Auditor-General's Report thereon.

6 QUESTIONS: Questions without Notice being proceeded with—

Paper: The Minister for Finance (Senator Walsh) tabled the following Paper:

Commonwealth Scientific and Industrial Research Organization (CSIRO)-Department of Finance Joint Working Party Report—Summary Statement.

7 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE: The President informed the Senate that Senator Jones had proposed that a matter of public importance be submitted to the Senate for discussion, viz: "The need for the Federal Government to alert the International Labour Organisation to the breaches of international conventions by the Queensland Government, and take all possible steps available to it to work towards a reversal of the dangerous industrial relations situation in that State".

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

The President called upon Senator Jones to speak.

Discussion ensued.

Motion to table document negatived: Senator MacGibbon, pursuant to Standing Order 364, moved—That the document quoted from by Senator Reynolds be tabled.

Debate ensued.

Question—put and negatived.

Discussion continued.

Discussion concluded.

- 8 **PERSONAL EXPLANATION:** Senator Baume, by leave, made a personal explanation relating to a matter raised in media reports this day.

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

- 9 **GOVERNMENT PAPERS—CONSIDERATION:** The following Government Papers, tabled earlier this day (*see Entry No. 5 above*), were considered pursuant to Sessional Order:
- Advisory Council for Inter-government Relations—Annual Report 1983-84—Motion to take note of Paper moved by Senator Maguire and agreed to.
 - Fishing Industry Research Committee—Annual Report 1983-84—Motion to take note of Paper moved by Senator Archer and agreed to.
 - Capital Territory Health Commission—Annual Report 1983-84—Motion to take note of Paper moved by Senator Baume and debated.
 - Ordered—That the resumption of the debate be an Order of the Day for Thursday at General Business.
 - Australian Film and Television School—Annual Report 1983-84—Motion to take note of Paper moved by Senator Vigor.

Pursuant to Sessional Order, consideration of Government Papers was interrupted.

- 10 **STATEMENT BY SENATOR:** Senator Harradine, by leave, made a statement relating to the order of consideration of Government Papers this day.

- 11 **ACADEMIC SALARIES TRIBUNAL—ANNUAL REPORT 1983-84—PAPER:** Senator Macklin, by leave, moved—That the Senate take note of the following Paper:
- Academic Salaries Tribunal—Annual Report 1983-84.

Ordered—That the debate be adjourned till Thursday at General Business, and that Senator Macklin have leave to continue his speech on the resumption of the debate.

- 12 **REMUNERATION TRIBUNAL—ANNUAL REPORT 1983-84—PAPER:** Senator Harradine, by leave, moved—That the Senate take note of the following Paper:
- Remuneration Tribunal—Annual Report 1983-84.

Ordered—That the debate be adjourned till Thursday at General Business, and that Senator Harradine have leave to continue his speech on the resumption of the debate.

- 13 **PAPERS:** The following Papers were tabled:

- Extradition (Foreign States) Act—Regulations—Statutory Rules 1985 No. 14.
- Navigation Act—Regulation—Statutory Rules 1985 No. 28.

- 14 **CORPORATIONS (EMPLOYEE-OWNED CO-OPERATIVES) 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 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.

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.

- 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.

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 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 a later hour of the day.

- 16 **PARLIAMENTARY EVIDENCE—LIMITATION ON USE IN COURT PROCEEDINGS—**
COMMITTAL PROCEEDINGS OF JUSTICE MURPHY—STATEMENT BY PRESIDENT:

The President informed the Senate that he had made arrangements for counsel to appear before the New South Wales Local Court in committal proceedings in respect of Mr Justice Murphy to draw attention to the limitation which the law imposes on the use of parliamentary evidence in court proceedings.

The Leader of the Opposition in the Senate (Senator Chaney), 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 Chaney have leave to continue his speech on the resumption of the debate.

- 17 **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 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.

- 18 **ADJOURNMENT:** The Manager of Government Business (Senator Grimes) moved—That the Senate do now adjourn.

Debate ensued.

Question—resolved in the affirmative.

The Senate adjourned at 10.56 p.m. till tomorrow at 2 p.m.

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

A. R. CUMMING THOM,
Clerk of the Senate