

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 18

FRIDAY, 19 APRIL 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 **ADDRESS-IN-REPLY TO THE GOVERNOR-GENERAL'S OPENING SPEECH—TIME FOR PRESENTATION:** The President reminded the Senate that His Excellency the Governor-General would be pleased to receive the Address-in-Reply at Government House this day at 3.30 p.m.

4 **PETITIONS:** The following 5 petitions, lodged with the Clerk by the Senators indicated, were received:

Senator Messner, from 44 petitioners praying that the Australian flag be not changed without the consent of the people in a referendum.

Senator McKiernan, from 46 petitioners praying that the Senate support the New Zealand Government in its stand for a nuclear-free South Pacific.

Senator Brownhill, from 27 petitioners praying that sales tax on Australian produced wine be removed and other measures taken to assist the grape producing industry.

Senator Brownhill, from 66 petitioners praying that the Senate protect the rights of private enterprise and reject the introduction of any inequitable additional taxes such as capital gains taxes.

Senator Brownhill, from 52 petitioners praying that measures be taken to develop a fair and equitable taxation system.

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

(a) expresses concern that the Premier of Queensland, Sir Johannes Bjelke-Petersen, will not meet with the Federal Government and the Australian Council of Trade Unions in an attempt to resolve or find some settlement to the dispute in Queensland; and

(b) notes the Premier's lack of concern with:

(i) the effect on the Queensland and Australian economies,

(ii) the hardship being suffered by the 800 sacked electricity workers, their wives and children, and

(iii) the effect on business and the consumer in Queensland.

6 **CONSTITUTIONAL AND LEGAL AFFAIRS—STANDING COMMITTEE—PROPOSED REFERENCE:** The Chairman of the Standing Committee on Constitutional and Legal Affairs (Senator Tate), pursuant to notice, moved—That the following matter be referred to the Standing Committee on Constitutional and Legal Affairs for inquiry and report as soon as possible: The desirability, feasibility and possible content of a national Bill of Rights for Australia.

Debate ensued.

Senator Durack moved an amendment, viz: At end of motion, add “, but that the Committee, in the course of its inquiry, not consider the provisions of any Bill on this subject prepared by the Government unless such Bill has been introduced into the Senate and referred to the Committee by a further resolution”.

Debate continued.

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.

7 TAXATION (UNPAID COMPANY TAX) ASSESSMENT AMENDMENT BILL 1985 DIVIDEND RECOUPMENT TAX BILL 1985:

Order of the Day read for the adjourned debate on the motion of the Minister for Community Services (Senator Grimes)—That these Bills be now read a second time.

Debate resumed.

Leave refused: Senator Harradine sought leave to make a statement.

Objection being raised, leave not granted.

Question—put.

The Senate divided—

AYES, 33

Senators—

Aulich
Black
Bolkus
Childs
Coates
Colston
Cook
Cooney
Crowley

Devlin
Elstob
Evans, Gareth
Evans, Jack
Foreman
Georges
Gietzelt
Giles
Grimes

Hearn
Jones
McClelland
McKiernan
Maguire
Mason
Primmer
Ray, Robert
Reynolds

Richardson
Robertson (Teller)
Ryan
Sibraa
Walsh
Zakharov

NOES, 35

Senators—

Archer
Baume
Boswell
Brownhill
Carrick, Sir John
Chaney
Chipp
Collard
Durack

Guilfoyle,
Dame Margaret
Haines
Hamer
Harradine
Hill
Jessop
Kilgariff
Knowles

Lajovic
Lewis
MacGibbon
Macklin
Missen
Puplick
Rae, Peter
Reid
Scott

Sheil (Teller)
Short
Teague
Townley
Vanstone
Vigor
Walters
Watson
Withers

And so it was negatived.

8 EXTRADITION (COMMONWEALTH COUNTRIES) AMENDMENT BILL 1985 EXTRADITION (FOREIGN STATES) AMENDMENT BILL 1985—

Messages from the House of Representatives: The following Messages from the House of Representatives were reported:

MR PRESIDENT,

Message No. 38

The House of Representatives acquaints the Senate that it has agreed to the amendments made by the Senate in the Bill intituled “*A Bill for an Act to amend the Extradition (Commonwealth Countries) Act 1966*”.

House of Representatives,
Canberra, 19 April 1985

H. A. JENKINS,
Speaker

MR PRESIDENT,

Message No. 39

The House of Representatives acquaints the Senate that it has agreed to the amendments made by the Senate in the Bill intituled "*A Bill for an Act to amend the 'Extradition (Foreign States) Act 1966'*".

House of Representatives,
Canberra, 19 April 1985

H. A. JENKINS,
Speaker

9 PAPERS: The following Papers were tabled:

Defence Act—Determination 1985—No. 17—Travelling Allowance and Outfit Allowance in Lieu of Issues of Uniforms.

Navigation Act—Marine Order 1985—No. 1—Part 10 (Health—Medicines and Medical Stores).

Public Service Act—Determinations 1985—Nos 19, 23, 24, 25.

Wildlife Protection (Regulation of Exports and Imports) Act—Declaration under sub-section 9 (1), dated 14 April 1985.

10 CONSTITUTIONAL AND LEGAL AFFAIRS—STANDING COMMITTEE—REFERENCE:

Order of the Day read for the adjourned debate on the motion of the Chairman of the Standing Committee on Constitutional and Legal Affairs (Senator Tate)—That the following matter be referred to the Standing Committee on Constitutional and Legal Affairs for inquiry and report as soon as possible: The desirability, feasibility and possible content of a national Bill of Rights for Australia—*And on the amendment moved thereto by Senator Durack, viz: At end of motion, add "*, but that the Committee, in the course of its inquiry, not consider the provisions of any Bill on this subject prepared by the Government unless such Bill has been introduced into the Senate and referred to the Committee by a further resolution".

Senator Durack, by leave, amended his amendment to read as follows: At end of motion, add "*, but that the Committee, in the course of its inquiry, not consider the provisions of any Bill on this subject prepared by the Government unless such Bill has been introduced into the Parliament and the Senate has authorized the consideration of the provisions of that Bill by the Committee"*.

Debate ensued.

Question—That the words proposed to be added be added—put and passed.

Question—That the motion, as amended, be agreed to—put and passed.

11 SOIL CONSERVATION (FINANCIAL ASSISTANCE) BILL 1985: Order of the Day read for the adjourned debate on the motion of the Minister for Community Services (Senator Grimes)—That this Bill be now read a second time.

Debate resumed.

—
And it being 2 p.m.—

12 QUESTIONS.

13 SUPPORTED ACCOMMODATION ASSISTANCE BILL 1985—*Message from the House of Representatives*: The following Message from the House of Representatives was reported:

MR PRESIDENT,

Message No. 40

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act relating to financial assistance to the States and to the Northern Territory in connection with the provision of supported accommodation services and related support services*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 19 April 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 Community Services (Senator Grimes) the Bill was read a first time.

Senator Grimes 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.

- 14 **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 3.08 p.m. till Monday next at 2 p.m.

- 15 **ATTENDANCE:** Present, all Senators except Senators Bjelke-Petersen, Coleman (on leave), Crichton-Browne, Messner and Parer.

A. R. CUMMING THOM,
Clerk of the Senate