

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 24

FRIDAY, 10 MAY 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 2 petitions, lodged with the Clerk by the Senators indicated, were received:

Senator Mason, from 118 petitioners praying that the Senate act to protect society from moral pollution and its harmful effects.

Senator Messner, from 55 petitioners praying that the Senate pass the Social Security and Repatriation (Abolition of Assets Test) Bill 1985 [No. 2].

4 **PERSONAL EXPLANATION:** Senator Lewis, by leave, made a personal explanation relating to a matter raised during debate on 9 May 1985.

5 **ESTIMATES COMMITTEES—REPORTS:** Order of the Day read for the tabling of Estimates Committees Reports.

Estimates Committees A and B—Reports: Pursuant to Order, the Chairmen of Estimates Committees A and B (Senators Robert Ray and Giles) tabled the Reports from Estimates Committees A and B, respectively, on the Particulars of Proposed Additional Expenditure for the Service of the year ending on 30 June 1985 and Particulars of Certain Proposed Additional Expenditure in Respect of the year ending on 30 June 1985, together with the *Hansard* record of the Committees' proceedings.

Ordered—That the Reports be printed.

Additional Information: Senator Robert Ray, by leave, tabled additional information received by Estimates Committee A.

Ordered—That the additional information be incorporated in the Estimates Committees' *Hansard*.

Estimates Committee C—Report: Pursuant to Order, the Chairman of Estimates Committee C (Senator Primmer) tabled the Report from Estimates Committee C on the Particulars of Proposed Additional Expenditure for the Service of the year ending on 30 June 1985 and Particulars of Certain Proposed Additional Expenditure in Respect of the year ending on 30 June 1985, together with the *Hansard* record of the Committee's proceedings.

Senator Primmer moved—That the Report be printed.

Debate ensued.

Question—put and passed.

Additional Information: Senator Primmer, by leave, tabled additional information received by Estimates Committee C.

Ordered—That the additional information be incorporated in the Estimates Committees' *Hansard*.

Estimates Committee D—Postponement: The Chairman of Estimates Committee D (Senator Reynolds), by leave, moved—That the Order of the Day for the tabling of the Report of Estimates Committee D be postponed till Wednesday, 15 May 1985.

Question—put and passed.

Estimates Committees E and F—Reports: Pursuant to Order, the Chairman of Estimates Committee E (Senator Colston) and Senator Richardson, at the request of the Chairman of Estimates Committee F (Senator Georges), tabled the Reports from Estimates Committees E and F, respectively, on the Particulars of Proposed Additional Expenditure for the Service of the year ending on 30 June 1985 and Particulars of Certain Proposed Additional Expenditure in Respect of the year ending on 30 June 1985, together with the *Hansard* record of the Committees' proceedings.

Ordered—That the Reports be printed.

Additional Information: Senator Colston, by leave, tabled additional information received by Estimates Committee E.

Ordered—That the additional information be incorporated in the Estimates Committees' *Hansard*.

6 PUBLIC ACCOUNTS—JOINT STATUTORY COMMITTEE—REFERENCE: Order of the Day read for the consideration of Message No. 60 from the House of Representatives.

The Manager of Government Business (Senator Grimes) moved—

- (1) That the Senate concurs in the Resolution transmitted to the Senate by Message No. 60 of the House of Representatives relating to a reference to the Joint Committee of Public Accounts.
- (2) That the foregoing Resolution be communicated to the House of Representatives by Message.

Debate ensued.

Question—put and passed.

7 ORDER OF BUSINESS—RE-ARRANGEMENT: The Manager of Government Business (Senator Grimes) moved—That Government Business, Order of the Day No. 2 (National Welfare Fund Repeal Bill 1985), be postponed till after consideration of Government Business, Order of the Day No. 3 (Wheat Marketing Amendment Bill 1985).

Question—put and passed.

8 WHEAT MARKETING AMENDMENT BILL 1985: Order of the Day read for the adjourned debate on the motion of the Minister for Industry, Technology and Commerce (Senator Button)—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

Clauses 1 to 9, by leave, taken together and agreed to.

Clause 10 read—

On the motion of the Minister for Finance (Senator Walsh) the following amendments were, by leave, taken together, debated and agreed to:

Page 4, proposed new paragraph 33B (b), lines 1 to 3, leave out the proposed paragraph, insert the following new paragraphs:

- “(b) to decide whether provision should be made for the appointment of alternates of members of the Board referred to in paragraph 34 (1) (c);
- (ba) if the Committee decides that provision should be made for appointments of that kind—at the request of the Minister, to select persons to be nominated for appointment as alternates of members of the Board referred to in paragraph 34 (1) (c); and”.

Page 4, proposed new paragraph 33E (b), line 21, before "written", insert "if the Committee decides that provision should be made for the appointment of alternates of members of the Board referred to in paragraph 34 (1) (c)—".

Senator Walsh, by leave, moved the following amendments together:

Page 4, proposed new sub-section 33F (2), lines 35 and 36, leave out "industrial relations", insert "grain movement logistics".

Page 6, proposed new paragraph 33I (1) (c), lines 2 and 3, leave out the proposed paragraph, insert the following new paragraph:

"(c) the President of the National Farmers' Federation or a person nominated by the President of the National Farmers' Federation, and one other person nominated by the President of the National Farmers' Federation;"

Page 6, proposed new sub-section 33I (2), line 7, leave out "and the President of the National Farmers' Federation".

Page 7, proposed new section 33K, line 14, leave out "or the President of the National Farmers' Federation".

Page 7, proposed new paragraph 33K (b), line 21, leave out "Association", insert "Federation".

Debate ensued.

Senator Macklin moved an amendment to the words proposed to be inserted (Senator Walsh's amendment), proposed new paragraph 33I (1) (c), leave out "the President of" (third occurring).

Debate continued.

Question—That the words proposed to be left out (Senator Macklin's amendment to Senator Walsh's amendment) be left out—put and negatived.

Question—That the amendments moved by Senator Walsh be agreed to—put and passed.

Senator Collard, by leave, moved the following amendments together:

Page 6, after proposed new paragraph 33I (1) (d), add the following new paragraph:

"(e) 5 wheat growers, one from each of New South Wales, Victoria, Queensland, Western Australia and South Australia, nominated by the respective State Affiliates of the Australian Wheat Growers' Federation."

Page 6, after proposed new sub-section 33I (1), add the following new sub-sections:

"(1A) The members of the Committee referred to in paragraph (d) shall not participate in the deliberations of the Committee or vote except in respect of the nomination by the Committee of the persons referred to in paragraph 34 (1) (d).

"(1B) The members of the Committee referred to in paragraph (e) shall not participate in the deliberations of the Committee or vote except in respect of the nomination by the Committee of the persons referred to in paragraph 34 (1) (c)."

Debate ensued.

Question—That the amendments be agreed to—put.

The Committee divided—

AYES, 26

Senators—

Archer
Baume
Boswell
Brownhill
Chaney
Collard
Durack

Guilfoyle,
Dame Margaret
Hamer
Hill
Jessop
Kilgariff (Teller)
Lajovic

Lewis
MacGibbon
Missen
Parer
Puplick
Scott
Sheil

Short
Teague
Townley
Vanstone
Watson
Withers

NOES, 33

Senators—

Aulich
Black
Bolkus
Childs
Chipp
Coates
Colston
Cook
Cooney

Crowley
Devlin
Elstob
Evans, Jack
Foreman
Giles
Haines
Jones
McClelland

McIntosh (Teller)
McKiernan
Macklin
Maguire
Mason
Primmer
Ray, Robert
Reynolds
Richardson

Robertson
Ryan
Sibraa
Tate
Vigor
Walsh

Amendments negated accordingly.

Clause 10, as amended, agreed to.

Clause 11 read—

Senator Collard moved an amendment, viz: Page 10, proposed new paragraph 34 (1) (d), lines 7 and 8, leave out the paragraph, insert the following new paragraph:

“(d) 3 other members each of whom has had extensive experience at a high level in finance, marketing or grain movement logistics.”

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

Senator Walsh moved an amendment to the words proposed to be inserted (Senator Collard's amendment), leave out “3”, insert “4”.

Debate ensued.

Question—That the figure proposed to be left out (Senator Walsh's amendment to Senator Collard's amendment) be left out—put and negated.

Question—That the words proposed to be inserted (Senator Collard's amendment) be inserted—put and passed.

Clause 11, as amended, agreed to.

Clauses 12 and 13, by leave, taken together and agreed to.

Clause 14 read—

On the motion of Senator Walsh the following amendments were, by leave, taken together, debated and agreed to:

Page 11, proposed new sub-section 36 A (1), line 10, leave out “The Minister may”, insert “If the Committee decides that provision should be made for the appointment of alternates of members referred to in paragraph 34 (1) (c), the Minister shall”.

Page 11, proposed new sub-section 36 A (5), line 21, leave out “may”, insert “shall”.

Clause 14, as amended, agreed to.

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

Bill, as amended, agreed to.

Bill to be reported with amendments.

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

On the motion of Senator Walsh the Report from the Committee was adopted, and the Bill read a third time.

9 NATIONAL WELFARE FUND REPEAL BILL 1985: 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, debated and agreed to.

Bill to be reported without amendment.

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

On the motion of the Minister for Finance (Senator Walsh) the Report from the Committee was adopted, and the Bill read a third time.

- 10 **BANKS (SHAREHOLDINGS) AMENDMENT 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.

Question—put.

The Senate divided—

AYES, 57

Senators—

Archer	Devlin	Lewis	Ryan
Aulich	Durack	McClelland	Scott
Baume	Elstob	MacGibbon	Sheil
Black	Evans, Gareth	McIntosh	Short
Bolkus	Foreman	McKiernan	Sibraa
Boswell	Giles	Maguire	Tate
Brownhill	Grimes	Parer	Teague
Childs	Guilfoyle,	Primmer	Townley
Coates	Dame Margaret	Puplick	Vanstone
Collard	Hamer	Rae, Peter	Walsh
Colston	Hill	Ray, Robert	Watson
Cook	Jessop	Reid (Teller)	Withers
Cooney	Jones	Reynolds	Zakharov
Crichton-Browne	Kilgariff	Richardson	
Crowley	Lajovic	Robertson	

NOES, 6

Senators—

Chipp	Haines	Mason
Evans, Jack	Macklin (Teller)	Vigor

And so it was resolved in the affirmative.

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 Acting Deputy-President (Senator Jones) resumed the Chair; and the Chairman of Committees (Senator Hamer) reported accordingly.

On the motion of the Minister for Finance (Senator Walsh) the Report from the Committee was adopted, and the Bill read a third time.

- 11 **EXPORT INSPECTION CHARGE BILL 1985**

EXPORT INSPECTION CHARGE COLLECTION BILL 1985

EXPORT INSPECTION LEGISLATION (CONSEQUENTIAL AMENDMENTS) 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 first time.

Question—put and passed.

Bills read a first time.

The Minister for Resources and Energy (Senator Gareth Evans) moved—That these Bills be now read a second time.

Papers: The Minister for Resources and Energy (Senator Gareth Evans) tabled the following Papers:

Export inspection arrangements for Canned and Frozen Fruit and Vegetables and Honey—

Department of Primary Industry—Reports, dated July 1984.

Interim Inspection Policy Council—Report on Inquiry, dated July 1984.

Senator Collard moved an amendment, viz: At end of motion, add “, but the Senate is of the opinion that excessive increases in export inspection charges over the past 2 years have seriously damaged the export competitiveness of Australian agricultural industries in a period of intense world competition against other nations which do not impose these export cost burdens”.

Debate ensued.

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

The Senate divided—

AYES, 34

Senators—			
Archer	Evans, Jack	Lewis	Sheil (Teller)
Baume	Guilfoyle,	MacGibbon	Short
Boswell	Dame Margaret	Macklin	Teague
Brownhill	Haines	Mason	Townley
Chaney	Hamer	Missen	Vanstone
Chipp	Hill	Parer	Vigor
Collard	Jessop	Puplick	Watson
Crichton-Browne	Kilgariff	Reid	Withers
Durack	Lajovic	Scott	

NOES, 29

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

And so it was resolved in the affirmative.

Main Question, as amended—put.

The Senate divided—

AYES, 56

Senators—			
Archer	Crowley	Lewis	Ryan
Aulich	Devlin	McClelland	Scott
Baume	Durack	MacGibbon	Sheil
Black	Elstob	McIntosh	Short
Bolkus	Evans, Gareth	McKiernan	Sibraa
Boswell	Foreman	Maguire	Tate
Brownhill	Giles	Missen	Teague
Chaney	Grimes	Parer	Townley
Childs	Guilfoyle,	Primmer	Vanstone
Coates	Dame Margaret	Puplick	Watson
Collard	Hamer	Ray, Robert	Withers
Colston	Hill	Reid	Zakharov
Cook	Jones	Reynolds	
Cooney	Kilgariff	Richardson	
Crichton-Browne	Lajovic	Robertson (Teller)	

NOES, 6

Senators—

Chipp

Evans, Jack

Haines

Macklin (Teller)

Mason

Vigor

And so it was resolved in the affirmative.

Bills read a second time.

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

In the Committee

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

Bills to be reported without amendment or requests.

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

On the motion of Senator Grimes the Report from the Committee was adopted, and the Bills read a third time.

And it being 2 p.m.—

12 **QUESTIONS:** Questions without Notice being proceeded with—

Paper: The Minister for Education (Senator Ryan) tabled the following Paper from which she had quoted:

Queensland union blockade—Ban on airline services—Background paper, dated 9 May 1985.

Further Questions without Notice were answered.

13 **HANSARD—DELAYS IN PRODUCTION—STATEMENT BY PRESIDENT:** The President made a statement relating to the delay in the production of the Senate *Hansard* of Tuesday, 7 May 1985.

14 **NOTICES:** The Leader of the Opposition in the Senate (Senator Chaney), by leave, gave Notices of Motion, as follows—

No. 1—To move on Thursday, 16 May 1985:

- (1) That a Standing Committee, to be known as the Selection Committee on Bills, be appointed to consider all Bills introduced into the Senate or received from the House of Representatives, except Bills which contain no provisions other than provisions appropriating revenue or moneys, and to report—
 - (a) in respect of each such Bill, whether the Bill should be referred to a Legislative and General Purpose Standing Committee; and
 - (b) in respect of each Bill recommended for referral to a Standing Committee:
 - (i) the Standing Committee to which the Bill should be referred,
 - (ii) the stage in the consideration of the Bill at which it should be referred to the Standing Committee, and
 - (iii) the day which should be fixed for the Standing Committee to report on the Bill.
- (2) That the following provisions apply to the Committee—
 - (a) the Committee consist of the Government Whip, the Deputy-Government Whip, the Opposition Whip, the Australian Democrat Whip and one Senator nominated by the Chairmen of the Legislative and General Purpose Standing Committees;
 - (b) the quorum of the Committee be 3 members;

- (c) the Chairman of the Committee be the Government Whip, and the Deputy-Chairman be the Deputy-Government Whip; and
- (d) in the event of an equality of voting, the Chairman, or the Deputy-Chairman when acting as Chairman, have a casting vote.
- (3) That, where the Committee reports on any sitting day, the report be presented after the presentation of papers by Ministers pursuant to Sessional Order.
- (4) That, following the presentation of a report by the Committee, the Chairman of the Committee, or a member of the Committee on behalf of the Chairman, may move without notice a motion, in accordance with a recommendation of the Committee, that a Bill, at the conclusion of any stage of the consideration of the Bill, stand referred to a Standing Committee.
- (5) That, following the disposal of any motions moved in accordance with paragraph (4), a Senator may move without notice a motion to refer to a Standing Committee any Bill of the kind referred to in paragraph (1) which is not the subject of a motion moved pursuant to paragraph (4).
- (6) That a motion moved pursuant to paragraph (4) or (5) shall specify—
 - (a) the Standing Committee to which the Bill is to be referred;
 - (b) the stage in the consideration of the Bill at which it is to be referred to the Committee; and
 - (c) the day on which the Committee is to report.
- (7) That, upon a motion moved pursuant to paragraph (4) or (5), no Senator shall speak for more than 5 minutes, and at the expiration of 30 minutes, if the debate be not sooner concluded, the President shall put the Question on the motion and any amendments before the Chair.
- (8) That, where a motion moved pursuant to paragraph (4) or (5) is agreed to, at the conclusion of the stage of the consideration of the Bill referred to in that motion, the Bill shall stand referred to the Standing Committee referred to in the motion, and the further consideration of the Bill shall be an Order of the Day for the day fixed for the presentation of the report of the Standing Committee.
- (9) That, in considering a Bill referred to it pursuant to this order, a Standing Committee shall have no power to make amendments to the Bill or requests for amendments, but may recommend amendments or requests for amendments which would be in order if proposed in a Committee of the Whole.
- (10) That, a report from a Standing Committee relating to a Bill referred to it under this order shall be received by the Senate without debate, and consideration of the report deferred until the Order of the Day relating to the Bill is called on.
- (11) That, when the Order of the Day relating to a Bill which is the subject of a Standing Committee report pursuant to this order is called on, the following procedures shall apply—
 - (a) a motion may be moved without notice that the report of the Standing Committee be adopted;
 - (b) if a motion under sub-paragraph (a) is moved, following the disposal of that motion a motion may be moved by a Minister, or, in respect of a Bill introduced into either House of the Parliament other than by a Minister, by the Senator in charge of the Bill, that consideration of the Bill be an Order of the Day for a future day, or that the Bill not be further proceeded with;
 - (c) if no motion under sub-paragraph (a) or (b) is agreed to, a motion may be moved without notice that the Bill again be referred to the Standing Committee for reconsideration, provided that such motion:
 - (i) indicates the matters which the Standing Committee is to reconsider, and
 - (ii) fixes the day for the further report of the Standing Committee, and if such motion is agreed to the Bill shall stand referred to the Standing Committee, and the further consideration of the Bill shall be an Order of

the Day for the day fixed for the presentation of the further report of the Standing Committee; and

- (d) if no motion under sub-paragraph (b) or (c) is agreed to, consideration of the Bill shall be resumed at the stage at which it was referred to the Standing Committee, provided that, if the consideration of the Bill in Committee of the Whole has been concluded and the Standing Committee has recommended amendments to the Bill or requests for amendments, the Bill shall again be considered in Committee of the Whole.
- (12) That the foregoing provisions of this Resolution, so far as they are inconsistent with the Standing and Sessional Orders, have effect notwithstanding anything contained in the Standing and Sessional Orders, but without limiting the operation of Standing Orders 36AA and 196A.

No. 2—To move on Thursday, 16 May 1985:

That the Order of the Senate of 22 February 1985 relating to the routine of business be amended by inserting after "(2) Notices of Motion" on each day

"(2A) Presentation of papers by Ministers, pursuant to Sessional Order

(2B) Presentation and consideration of reports by the Selection Committee on Bills, pursuant to Sessional Order".

- 15 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE:** The President informed the Senate that Senator Collard had proposed that a matter of public importance be submitted to the Senate for discussion, viz: "The failure of the Government to ensure Commonwealth services are available to the people of Queensland and to end the blockade of that State by the ACTU".

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

The President called upon Senator Collard to speak.

Discussion ensued.

Discussion concluded.

- 16 **SCRUTINY OF BILLS—STANDING COMMITTEE—5TH REPORT:** The Chairman of the Standing Committee for the Scrutiny of Bills (Senator Tate) tabled the following Report:

5th Report, dated 10 May 1985.

Ordered to be printed.

- 17 **PUBLIC ACCOUNTS—JOINT STATUTORY COMMITTEE—227TH REPORT:** Senator Maguire, on behalf of the Joint Committee of Public Accounts, tabled the following Report:

227th Report—Finance Minute on Report 223—HMAS TOBRUK.

Ordered to be printed.

Senators Maguire and Watson, by leave, made statements relating thereto.

- 18 **AUSTRALIAN PARLIAMENTARY DELEGATION TO MEXICO AND CENTRAL AMERICA—REPORT:** Senator Maguire, by leave, tabled the following Report:

Australian Parliamentary Delegation—Report of the Delegation to Mexico and Central America, July 1984.

Senators Maguire and Crichton-Browne, by leave, made statements relating to the Report.

- 19 **NOTICE:** Senator Peter Rae, by leave, gave a Notice of Motion, as follows: To move on the next day of sitting—That the Senate refer to the Standing Committee on Finance and Government Operations the following matter: The relationship between the Commonwealth and the Northern Territory with respect to the arrangements under which the Commonwealth has provided and will in future provide the Northern Territory with financial capacity to meet the employer liability under the Commonwealth Superannuation Scheme; and that as part of its considerations, the Committee study the findings and resulting arrangements of the 1984 Joint Task Force Group Report into the Northern Territory Superannuation Arrangements and make recommendations in relation to the implementation thereof.

- 20 **HOUSING LOANS INSURANCE AMENDMENT BILL 1985**—*Message from the House of Representatives*: The following Message from the House of Representatives was reported:

MR PRESIDENT,

Message No. 65

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to amend the 'Housing Loans Insurance Act 1965', and for related purposes*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 9 May 1985

JOAN CHILD,
Acting 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 Reid the debate was adjourned.

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

And it being 4.15 p.m.—

- 21 **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 4.21 p.m. till Monday next, at 2 p.m.
- 22 **ATTENDANCE**: Present, all Senators except Senators Bjelke-Petersen, Button, Sir John Carrick, Coleman (on leave), Georges, Gietzelt, Hearn, Knowles, Messner and Walters.

A. R. CUMMING THOM,
Clerk of the Senate