

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 26

TUESDAY, 14 MAY 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 3 petitions, lodged with the Clerk by the Senators indicated, were received:

Senator Zakharov, from 36 petitioners praying that the Senate legislate to close the joint Australian-United States electronic communications facilities at the Watsonia Army Barracks, Victoria.

Senator Kilgarriff, from 160 petitioners praying that the Senate ensure that the Government fulfills its commitment to complete the redevelopment of Darwin International Airport by the scheduled completion date of 1988.

Senator McKiernan, from 15 petitioners praying that the Senate support the New Zealand Government in its stand for a nuclear-free South Pacific.

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

Senator Hill: To move on the next day of sitting—That the following matter be referred to the Standing Committee on Constitutional and Legal Affairs: National uniformity in laws relating to in vitro fertilisation and the status of children deriving therefrom and the role of the Commonwealth in achieving such uniformity.

Senator Black: To move on the next day of sitting—

(1) That the terms of reference of the Joint Select Committee on Electoral Reform, as contained in the Resolution of the Senate of 28 February 1985, be varied as follows: At end of paragraph (1), add the following new sub-paragraph:

“(f) the activities and operation of National Free Enterprise Limited of Queensland as a political donor, its responsibilities under the Commonwealth Electoral Act, its relationship with the National Party of Queensland, and the circumstances which led to its incorporation on 27 September 1984 and the making of a \$300 000 donation 8 days later.”

(2) That the foregoing Resolution be communicated to the House of Representatives by Message, requesting the concurrence of that House in the Senate's modification of the Resolution appointing the Committee.

Senator Jones: To move on the next day of sitting—That the Senate, noting that the trade surplus in the month of April reached \$182m and the value of exports rose by \$522m to \$1366m, congratulates the Federal Government for—

(a) its foresight in allowing the Australian dollar to float on international money markets; and

(b) achieving a situation in which exports are now confidently expected to rise and imports to fall, thus further improving the balance of trade in Australia's favour.

5 QUESTIONS: Questions without Notice being proceeded with—

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

Legislation—Background paper relating to use of plain english and non-sexist language.

Further Questions without Notice were answered.

- 6 **PUBLIC ACCOUNTS—JOINT STATUTORY COMMITTEE—228TH REPORT:** Senator Watson, on behalf of the Joint Committee of Public Accounts, tabled the following Report:

228th Report—Expenditure from the Advance to the Minister for Finance (Appropriation Acts 1982-83).

Ordered to be printed.

Senator Watson, by leave, made a statement relating to the Report.

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

Commonwealth Teaching Service Act—Determinations 1985—No. 1.

Public Service Act—

Appointment—Department of Employment and Industrial Relations—R. F. Durnford.

Determinations 1985—Nos 27, 32.

Parliamentary Presiding Officers' Determinations 1985—No. 2.

- 8 **ESTIMATES COMMITTEE F—ADDITIONAL INFORMATION:** The Chairman of Estimates Committee F (Senator Georges), by leave, tabled additional information received by the Committee.

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

- 9 **NATIONAL CAPITAL DEVELOPMENT COMMISSION AMENDMENT BILL 1985—**
Message from the House of Representatives: The following Message from the House of Representatives was reported:

MR PRESIDENT,

Message No. 70

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to provide for the restructuring of the National Capital Development Commission, and for related purposes*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 13 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 Industry, Technology and Commerce (Senator Button) the Bill was read a first time.

Senator Button 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.

- 10 **ASHMORE AND CARTIER ISLANDS ACCEPTANCE AMENDMENT BILL 1985—**
Message from the House of Representatives: The following Message from the House of Representatives was reported:

MR PRESIDENT,

Message No. 71

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to amend the 'Ashmore and Cartier Islands Acceptance Act 1933'*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 13 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 Industry, Technology and Commerce (Senator Button) the Bill was read a first time.

Senator Button 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.

- 11 **AUTOMOTIVE INDUSTRY AUTHORITY AMENDMENT BILL 1985**—*Message from the House of Representatives*: The following Message from the House of Representatives was reported:

MR PRESIDENT,

Message No. 72

The House of Representatives returns to the Senate the Bill intituled "*A Bill for an Act to amend the 'Automotive Industry Authority Act 1984' to promote the development of motor vehicles, and motor vehicle components, of Australian design, and for related purposes*", and acquaints the Senate that the House of Representatives has agreed to the Bill without amendment.

House of Representatives,
Canberra, 13 May 1985

JOAN CHILD,
Acting Speaker

- 12 **CUSTOMS ADMINISTRATION BILL 1985**

CUSTOMS ADMINISTRATION (TRANSITIONAL PROVISIONS AND CONSEQUENTIAL AMENDMENTS) BILL 1985:

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

In the Committee

CUSTOMS ADMINISTRATION BILL 1985—

Clause 4 further debated and agreed to.

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

Bill agreed to.

CUSTOMS ADMINISTRATION (TRANSITIONAL PROVISIONS AND CONSEQUENTIAL AMENDMENTS) BILL 1985—

Bill, by leave, taken as a whole.

On the motion of the Minister for Industry, Technology and Commerce (Senator Button) the following amendment was agreed to:

Page 20, the Schedule, before the amendment to section 25 of the *Customs Tariff Act 1982*, insert the following amendment of that Act:

"After section 2—

Insert the following section:

General administration of Act

"2A. The Comptroller has the general administration of this Act."

Bill, as amended, agreed to.

Customs Administration Bill 1985 to be reported without amendment.

Customs Administration (Transitional Provisions and Consequential Amendments) Bill 1985 to be reported with an amendment.

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

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

13 FISHING LEGISLATION AMENDMENT BILL 1985**FISHERIES LEVY AMENDMENT 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 Industry, Technology and Commerce (Senator Button) moved—That these Bills be now read a second time.

Debate ensued.

Question—put and passed.

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.

Senator Archer moved an amendment to the Fishing Legislation Amendment Bill 1985, viz: Page 16, clause 28, lines 33 and 34, leave out the clause, insert the following new clause:

“28. Section 16A of the Principal Act is amended by inserting after ‘9A (1)’ (twice occurring), ‘, (3A)’.”

Debate ensued.

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

Amendment negatived accordingly.

Bills agreed to.

Bills to be reported without amendment or requests.

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

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

14 CUSTOMS AND EXCISE LEGISLATION AMENDMENT BILL 1985—*Message from the House of Representatives:* The following Message from the House of Representatives was reported:

MR PRESIDENT,

Message No. 73

The House of Representatives transmits to the Senate a Bill intituled “*A Bill for an Act to amend the ‘Customs Act 1901’, the ‘Excise Act 1901’ and certain other Acts, and for related purposes*”, in which it desires the concurrence of the Senate.

House of Representatives,

JOAN CHILD,

Canberra, 14 May 1985

Acting Speaker

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

On the motion of the Minister for Industry, Technology and Commerce (Senator Button) the Bill was read a first time.

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

On the motion of Senator Collard the debate was adjourned.

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

15 AUSTRALIAN DRIED FRUITS CORPORATION AMENDMENT BILL 1985

DRIED SULTANA PRODUCTION UNDERWRITING AMENDMENT BILL 1985

DRIED VINE FRUITS EQUALIZATION LEVY AMENDMENT 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.

Senator Macklin moved an amendment, viz: At end of motion, add “, but the Senate is of the opinion that comprehensive production underwriting legislation should be enacted for all dried vine fruits”.

Debate continued.

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

The Senate divided—

AYES, 37

Senators—

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

NOES, 30

Senators—

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

And so it was resolved in the affirmative.

Main Question, as amended—put and passed.

Bills read a second time.

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

In the Committee

Ordered—That the Bills be considered separately.

AUSTRALIAN DRIED FRUITS CORPORATION AMENDMENT BILL 1985—

Clauses 1 and 2, by leave, taken together and agreed to.

Clause 3 read—

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

Page 2, proposed new paragraph 15 (1) (b), line 3, leave out “4”, insert “5”.

Page 2, proposed new paragraph 15 (1) (d), line 5, leave out “4”, insert “3”.

Debate ensued.

Question—That the amendments be agreed to—put.

The Committee divided—

AYES, 6

Senators—

Chipp	Haines	Mason
Evans, Jack	Macklin (Teller)	Vigor

NOES, 59

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

Amendments negated accordingly.

Question—That clause 3 stand as printed—put.

The Committee divided—

AYES, 30

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

NOES, 35

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

And so it was negated.

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

Bill, as amended, agreed to.

DRIED SULTANA PRODUCTION UNDERWRITING AMENDMENT BILL 1985—

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

DRIED VINE FRUITS EQUALIZATION LEVY AMENDMENT BILL 1985—

Clause 1 agreed to.

Clause 2 read—

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

That the House of Representatives be requested to make the following amendments:

Page 2, proposed new paragraphs 6 (3) (d) and (e), lines 20 and 21, leave out the proposed paragraphs.

Page 2, proposed new paragraphs 6 (4) (d) and (e), lines 27 and 28, leave out the proposed paragraphs.

Page 2, proposed new paragraphs 6 (5) (d) and (e), lines 34 and 35, leave out the proposed paragraphs.

Debate ensued.

Question—That the requests be agreed to—put.

The Committee divided—

AYES, 29

Senators—

Archer
Baume
Boswell
Brownhill
Carrick, Sir John
Collard
Crichton-Browne
Durack

Guilfoyle,
Dame Margaret
Hamer
Hill
Jessop
Kilgariff
Lajovic
Lewis

Messner
Missen
Parer
Puplick
Reid
Scott
Sheil (Teller)
Short

Teague
Townley
Vanstone
Walters
Watson
Withers

NOES, 36

Senators—

Aulich
Black
Bolkus
Button
Childs
Chipp
Coates
Colston
Cook

Cooney
Crowley
Devlin
Elstob
Evans, Gareth
Evans, Jack
Foreman
Georges
Giles

Haines
Hearn
Jones
McClelland
McIntosh (Teller)
McKiernan
Macklin
Maguire
Mason

Primmer
Ray, Robert
Reynolds
Richardson
Robertson
Sibraa
Tate
Vigor
Zakharov

Requests negated accordingly.

Senator Macklin, by leave, moved the following requests together:

That the House of Representatives be requested to make the following amendments:

Page 2, proposed new sub-sections 6 (3), (4) and (5), leave out the figures contained in each of the paragraphs of those sub-sections, insert the following figures:

6 (3) (a) 42.4%

(b) 38.1%

(c) 33.8%

(d) 29.5%

(e) 25%

6 (4) (a) 34.4%

(b) 32%

(c) 29.6%

(d) 27.2%

(e) 25%

6 (5) (a) 81.4%

(b) 67.3%

(c) 52.2%

(d) 39.1%

(e) 25%.

Debate ensued.

Question—That the requests be agreed to—put.

The Committee divided—

AYES, 6

Senators—

Chipp
Evans, Jack

Haines
Macklin (Teller)

Mason
Vigor

NOES, 58

Senators—

Archer	Crowley	Jones	Richardson
Aulich	Devlin	Kilgariff	Robertson
Baume	Durack	Lajovic	Scott
Black	Elstob	Lewis	Sheil (Teller)
Bolkus	Evans, Gareth	McClelland	Short
Boswell	Foreman	McIntosh	Sibraa
Brownhill	Georges	McKiernan	Tate
Carrick, Sir John	Giles	Maguire	Teague
Childs	Guilfoyle,	Messner	Townley
Coates	Dame Margaret	Missen	Vanstone
Collard	Hamer	Parer	Walters
Colston	Harradine	Primmer	Watson
Cook	Hearn	Puplick	Withers
Cooney	Hill	Ray, Robert	Zakharov
Crichton-Browne	Jessop	Reid	

Requests negated accordingly.

Clause 2 agreed to.

Title agreed to.

Australian Dried Fruits Corporation Amendment Bill 1985 to be reported with an amendment.

Dried Sultana Production Underwriting Amendment Bill 1985 and Dried Vine Fruits Equalization Levy Amendment Bill 1985 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 the Minister for Industry, Technology and Commerce (Senator Button) the Report from the Committee was adopted, and the Bills read a third time.

- 16 **BUDGET 1985-86—INITIAL EXPENDITURE SAVINGS MEASURES—MAY 1985—MINISTERIAL STATEMENT:** The Minister for Finance (Senator Walsh), by leave, made a statement relating to initial expenditure savings measures for the 1985-86 Budget, and moved—That the Senate take note of the Statement.

On the motion of the Leader of the Opposition in the Senate (Senator Chaney) the debate was adjourned.

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

- 17 **PETROLEUM (SUBMERGED LANDS) (CASH BIDDING) AMENDMENT BILL 1985:** Order of the Day read for the adjourned debate on the motion of the Minister for Resources and Energy (Senator Walsh)—That this Bill be now read a second time.

Debate resumed.

Senator Sir John Carrick addressing the Chair—

And it being 10.30 p.m.—

- 18 **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 10.49 p.m. till tomorrow at 10 a.m.

19 **ATTENDANCE:** Present, all Senators except Senators Bjelke-Petersen, Coleman (on leave), Gietzelt, Knowles and Peter Rae.

A. R. CUMMING THOM,
Clerk of the Senate