

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 42

TUESDAY, 10 SEPTEMBER 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 DEATH OF SIR MACFARLANE BURNET, O.M., A.K., K.B.E.: The Leader of the Government (Senator Button) informed the Senate of the death, on 31 August 1985, of Sir Macfarlane Burnet, O.M., A.K., K.B.E. and, by leave, moved—That the Senate expresses its deep regret at the death, on 31 August 1985, of Sir Macfarlane Burnet, O.M., A.K., K.B.E., places on record its recognition and esteem for his meritorious public service and unique contribution to medical science, and tenders its profound sympathy to his widow and the members of his family.

The motion having been supported and all Senators present having stood, in silence—Question—passed.

4 OPPOSITION LEADERSHIP: The Leader of the Opposition in the Senate (Senator Chaney), by leave, made a statement informing the Senate of changes in the leadership of the Liberal Party of Australia and the consequent alterations in the Opposition shadow ministry.

5 PETITIONS: The following 41 petitions, lodged with the Clerk by the Senators indicated, were received:

Senators Maguire and Messner, from 351 and 323 petitioners, respectively, praying that the proposed cut-back of funding for pre-school and child care services be reversed.

Senators Chipp and Zakharov, from 90 and 144 petitioners, respectively, praying that the Senate legislate to close the joint Australian-United States electronic communications facilities at the Watsonia Army Barracks, Victoria.

Senator Zakharov, from 10 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 Teague, from 46 petitioners praying that the Australian flag be not changed without the consent of the people in a referendum.

Senators Brownhill and Sir John Carrick, from 80 and 21 petitioners, respectively, praying that the Senate act to protect society from moral pollution and its harmful effects.

Senator Macklin, from 243 petitioners praying that the Senate support the Constitution Alteration (Democratic Elections) Bill 1985.

Senator Peter Rae, from 208 petitioners praying that the Senate request the Government to repeal the assets test, inquire into Australia's retirement income and taxation systems and institute an equitable retirement income policy.

Senators Elstob and Foreman, from 139 and 205 petitioners, respectively, praying that the Senate request the Government to restore the review of the nursing home benefit rates in November 1985, provide nursing home care concessions

for pensioner patients and to resolve its concerns over health care costs with the South Australian Government.

Senator Kilgarriff, from 3 petitioners praying that the Senate request the Government to give further consideration to the adverse effects of petrol price increases on the people of the Northern Territory and other isolated regions.

Senator Brownhill, from 126 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 Lewis, from 15 petitioners praying that the Oath of Allegiance be not changed.

Senator Macklin, from 76 petitioners praying that the Senate oppose any sections of the proposed Veterans' Entitlements Bill which would have the effect of reducing veterans' benefits, including that which seeks to change the onus of proof.

Senator Chaney, from 54 petitioners praying that the assets test be repealed.

Senator Lewis, from 806 petitioners praying that the Senate request the Government to remain consistent in its obligations to uphold the United Nations Convention on the Elimination of All Forms of Discrimination Against Women and take action to prevent the operation of legalised brothels in Victoria.

Senator Lewis, from 38 petitioners praying that no further action be taken towards self-government in the Australian Capital Territory (ACT) until after the holding of a referendum of voters of the ACT.

Senator Macklin, from 159 petitioners praying that the Senate repeal the *Reparation Legislation Amendment Act 1985*.

Senator Sheil, from 237 petitioners praying that the Senate support a flat rate personal taxation system.

Senator Puplick, from 17 petitioners praying that a Medicare office be established in Wyong, New South Wales.

Senator Jones, from 796 petitioners praying that the Senate request the Government to ensure that no tax be imposed on health fund contributions or benefits.

Senators Michael Baume, Bolkus, Brownhill, Button, Chipp, Evans, Gietzelt, Grimes, Hamer, Lewis, Macklin, Messner, Richardson, Sanders, Teague, Townley and Zakharov, from 3554, 98, 391, 684, 1520, 1494, 1420, 318, 554, 1351, 1008, 104, 2536, 72, 96, 237 and 1018 petitioners, respectively, praying that the Senate pass Senator Harradine's Bill to prohibit experiments involving the use of human embryos created by in vitro fertilization.

Senator Sheil, from 32 165 petitioners praying that the Senate reject certain tax proposals which are outlined in the Government's White Paper of May 1985.

Leave refused: Senator Sheil sought leave to have the petition he had lodged with the Clerk this day relating to tax proposals, read.

Objection being raised, leave not granted.

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

The Minister for Education (Senator Ryan): To move on the next day of sitting—That leave be given to introduce a Bill for an Act to repeal the *Student Assistance (Loans Guarantee and Subsidy) Act 1982*.

The Leader of the Government (Senator Button)—

No. 1—To move on the next day of sitting—That leave be given to introduce a Bill for an Act to provide for the payment of bounty on the production of certain metal working machines, certain robots and related equipment, and for related purposes.

No. 2—To move on the next day of sitting—That leave be given to introduce a Bill for an Act to provide for the payment of bounty on the production of certain tractors, tractor cabs and related equipment, and for related purposes.

The Minister for Education (Senator Ryan): To move on the next day of sitting—That leave be given to introduce a Bill for an Act to amend the *Student Assistance Act 1973*, and for related purposes.

Senator Jones: To move on the next day of sitting—That the Senate, noting that the new leader of the Federal Opposition, Mr Howard, has announced his shadow front bench, further notes—

- (a) that the composition of the Howard team represents an obvious drift to the "Right" by the Liberal-National coalition partners;
- (b) that it represents a deep threat to the policies of consensus and conciliation, so successfully being carried out by the Australian Labor Party Government under Prime Minister, Mr Hawke;
- (c) his declared policies on the de-regulation of the labour market, and the "privatisation" of major public industries; and
- (d) that it is now obvious both from Mr Howard's public comments since the demise of Mr Peacock, and from his choice of shadow spokesmen, that in the unlikely event of Mr Howard ever becoming Prime Minister, he would not be in a position to work in any degree of harmony with the organised labour movement, and would thus destroy the very real progress that has been achieved since the advent of the Hawke Government in 1983.

7 QUESTIONS: Questions without Notice being proceeded with—

Distinguished Visitors: The President drew attention to the presence in the gallery of members of the Legal Committee from the Republic of Korea National Assembly and, on behalf of honourable Senators, extended a warm welcome to the members of the Committee.

Further Questions without Notice were answered.

8 STATEMENT BY SENATOR: Senator Sanders, by leave, made a statement relating to an answer given this day by the Minister for Resources and Energy (Senator Evans), to a Question without Notice asked by Senator Sanders on 21 August 1985.

9 PERSONAL EXPLANATION: Senator Vigor, by leave, made a personal explanation relating to Question on Notice No. 412 on the Senate Notice Paper.

10 STATEMENTS BY SENATORS:

Senator Short, by leave, made a statement relating to an answer to a Question without Notice given this day by the Minister for Finance (Senator Walsh).

Senator Walters, by leave, made a statement relating to an answer to a Question without Notice given this day by the Minister for Education (Senator Ryan).

11 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE: The President informed the Senate that Senator Messner had proposed that a matter of public importance be submitted to the Senate for discussion, viz: "The disastrous consequences of the Government's wages pact with the Australian Council of Trade Unions for interest rates".

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

The President called upon Senator Messner to speak.

Discussion ensued.

Discussion concluded.

12 ADMINISTRATOR'S MESSAGES—ASSENT TO LAWS: Messages from His Excellency the Administrator of the Government of the Commonwealth of Australia were reported, informing the Senate that His Excellency had, in the name of Her Majesty, assented to the following laws:

26 August 1985—

Message No. 26—

Wheat Marketing Amendment Act 1985 (Act No. 91 of 1985)

Message No. 27—

Building Industry Act 1985 (Act No. 92 of 1985)

2 September 1985—Message No. 28—

Aboriginal Land Rights (Northern Territory) Amendment Act 1985 (Act No. 93 of 1985)

National Parks and Wildlife Conservation Amendment Act 1985 (Act No. 94 of 1985)

5 September 1985—Message No. 29—

Social Security and Repatriation Legislation Amendment Act 1985 (Act No. 95 of 1985)

- 13 DEPARTMENT OF THE SENATE AND STANDING COMMITTEE ON APPROPRIATIONS AND STAFFING—ANNUAL REPORTS 1984-85—PAPER:** The Acting Deputy-President (Senator Elstob) tabled the following Paper:

Department of the Senate—Annual Report 1984-85, pursuant to the Public Service Act, together with Annual Report 1984-85 of the Standing Committee on Appropriations and Staffing, pursuant to Resolutions of the Senate.

- 14 JOINT HOUSE DEPARTMENT—ANNUAL REPORT 1984-85—PAPER:** The Acting Deputy-President (Senator Elstob) tabled the following Paper:

Public Service Act—Joint House Department—Annual Report 1984-85.

- 15 AUDITOR-GENERAL—REPORT—SEPTEMBER 1985—PAPER:** The Acting Deputy-President (Senator Elstob) tabled the following Paper:

Audit Act—Report of the Auditor-General upon audits, examinations and inspections under the Audit and other Acts, dated 10 September 1985.

- 16 COMMONWEALTH OMBUDSMAN—SPECIAL REPORT NO. 1—PAPER:** The Acting Deputy-President (Senator Elstob) tabled the following Paper:

Ombudsman Act—Commonwealth Ombudsman—Special Report No. 1—The Cotton Case involving the Australian Broadcasting Corporation, dated 2 September 1985.

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

Aboriginal and Torres Strait Islander Heritage (Interim Protection) Act—Declaration relating to significant Aboriginal objects, dated 21 June 1985 (*Gazette* No. S 224, 24 June 1985), accompanied by a statement from the Minister for Aboriginal Affairs.

Automotive Industry Authority Act—Directions under the Motor Vehicles and Components Development Grants Scheme, dated 29 August 1985.

Defence Act—Determinations 1985—

No. 52—Special Royal Navy Allowance Paid to RAN Members Posted to and Serving in Britain.

No. 53—Separation Allowance.

No. 54—Meal Allowance Overseas.

No. 55—Salary of Permanent Force Members.

No. 56—Temporary Rental Allowance and others.

Fisheries Act—Notices—

No. 75B—Variation of Fisheries Notice No. 75—Restrictions relating to rock lobster pots, dated 9 August 1985.

No. 136—Prohibition relating to the use and possession of rock lobster pots in certain waters off Victoria, dated 9 August 1985.

Lands Acquisition Act—Land, etc., acquired for airport purposes (Extensions to Brisbane Airport), Eagle Farm, Queensland.

Postal Services Act—By-laws 1985—Postal Amendment No. 4.

Public Service Act—

Appointment—Department of Aboriginal Affairs—B. M. Mansell.

Determinations 1985 Nos 61, 63, 65, 66, 67, 68, 70.

Seat of Government (Administration) Act—Determinations made under the following Ordinances—

Business Franchise (Tobacco and Petroleum Products).

Co-operative Societies.

Dog Control.

Housing.

Plumbers, Drainers and Gasfitters Board.

Pounds.

Motor Traffic.

Weights and Measures.

States Grants (Petroleum Products) Act—Amendments of the schedules to the subsidy scheme in relation to the States and the Northern Territory, dated 20 August 1985 and 3 September 1985.

- 18 **ADMINISTRATOR'S PROCLAMATIONS—COMMENCEMENT OF ACTS:** Proclamations by His Excellency the Administrator of the Government of the Commonwealth of Australia were tabled, notifying that His Excellency had proclaimed the following Acts and sections of Acts to come into operation on the dates specified:

Fisheries Licences Levy Act 1984—31 August 1985 (*Gazette* No. S 347, 30 August 1985).

Fishing Legislation Amendment Act 1985—31 August 1985 (*Gazette* No. S 347, 30 August 1985).

Health Legislation Amendment Act 1985—Sections 4, 5, 7 and 10—1 September 1985 (*Gazette* No. S 346, 29 August 1985).

Petroleum (Submerged Lands) Amendment Act 1985—Section 33—6 September 1985 (*Gazette* No. S 356, 4 September 1985).

- 19 **ADVANCE TO THE MINISTER FOR FINANCE 1984-85—STATEMENT OF EXPENDITURE:** The Leader of the Government (Senator Button) tabled the following Paper: Advance to the Minister for Finance—Statement of Heads of Expenditure and the amounts charged thereto, pursuant to section 36A of the *Audit Act 1901*, for the year ended 30 June 1985.

Ordered—That consideration of the Statement in Committee of the Whole be an Order of the Day for the next day of sitting.

- 20 **ADJOURNMENT:** The Senate adjourned at 5.27 p.m. till tomorrow at 10 a.m.

- 21 **ATTENDANCE:** Present, all Senators except Senators Bjelke-Petersen, Coleman (on leave), Colston, Durack, Jessop and Sibraa.

A. R. CUMMING THOM,
Clerk of the Senate