

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 48

WEDNESDAY, 18 SEPTEMBER 1985

1 MEETING OF SENATE: The Senate met at 10 a.m., pursuant to adjournment. The President (Senator the Honourable Douglas McClelland) took the Chair.

2 PRAYERS.

3 PETITIONS: The following 16 petitions, lodged with the Clerk by the Senators indicated, were received:

Senator Brownhill, from 16 petitioners praying that the Senate legislate to ensure that no nuclear weapons are allowed into Australia, that all uranium mining cease in Australia and that the Senate urge the Government to encourage the United States and the Soviet Union to stop the nuclear arms race.

Senator Brownhill, from 116 petitioners praying that the Senate act to protect society from moral pollution and its harmful effects.

Senators Brownhill, Hill, Richardson and Short, from 76, 21, 784 and 342 petitioners, respectively, praying that the Senate pass Senator Harradine's Bill to prohibit experiments involving the use of human embryos created by in vitro fertilisation.

Senator Michael Baume, from 32 petitioners praying that the assets test be repealed.

Senator Hill, from 166 petitioners 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 Collard, from 13 petitioners praying that the Senate support full military co-operation between Australia and the United States for the defence security of the Australian Commonwealth.

Senator Jones, from 639 petitioners praying that the Senate request the Government to ensure that no tax be imposed on health fund contributions or benefits.

Senators Brownhill and Sheil, from 563 and 324 petitioners, respectively, praying that the Senate reject certain tax proposals which are outlined in the Government's White Paper of May 1985.

Senator Brownhill, from 5327 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 15 petitioners praying that measures be taken to develop a fair and equitable taxation system.

Senator Short, from 40 petitioners praying that the Senate not support the passage of the Human Embryo Experimentation Bill 1985.

Senator Short, from 43 petitioners praying that the Senate reject the Human Embryo Experimentation Bill 1985.

The following petitions, not in conformity with the Standing Orders were, by leave, presented by the Senators indicated and received:

Senator Harradine, from 125 and 84 petitioners, respectively, requesting that the Senate support the Human Embryo Experimentation Bill 1985.

Senator Maguire, from 122 petitioners requesting the installation of an Australia Post street letterbox adjacent to 441 Magill Road, St Morris, South Australia.

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

- (a) expressing its deep concern at the consequences for the rest of Australia of what the Prime Minister describes as the “stronger than ever” solidarity between the Government and the Australian Council of Trade Unions (ACTU);
- (b) noting the ACTU’s “declaration of war” on profits and the Government’s acceptance of the ACTU’s demand that profits be curbed through stronger use of the Prices Surveillance Authority;
- (c) recognising that growth in the number of jobs depends directly on growth in profitability and that the profit curbs required by the ACTU must inevitably worsen unemployment;
- (d) taking into account the Government’s renegeing in response to instructions from the ACTU on its Budget time commitment to fully discount wage rises for the currency devaluation; and
- (e) having regard to the severe additions to business costs and reductions in profitability involved in those parts of the Government’s tax package that the ACTU has allowed to survive,

condemns the Government for putting the best interests of the ACTU ahead of those of all Australians, and particularly for advantaging those ACTU members in jobs, to the disadvantage of those 600 000 Australians seeking jobs.

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

Australian Bureau of Statistics Act—

Australian Bureau of Statistics—Annual Report 1984-85.

Australian Statistics Advisory Council—Annual Report 1984-85.

Defence—Statement by the Minister for Defence, dated 17 September 1985.

Legal Needs of Institutionalised People—Report by S. Rendalls, R. West, and D. Whitmont for the Commonwealth Legal Aid Council, dated May 1985.

Overseas Telecommunications Act—Overseas Telecommunications Commission (Australia)—Annual Report for year ended 31 March 1985, together with financial statements and the Auditor-General’s Report thereon.

Trade Practices Act—Trade Practices Commission—Annual Report (11th) 1984-85.

6 **HOSTEL CARE SUBSIDIES ARRANGEMENTS—REPORT OF JOINT REVIEW—PAPER—MINISTERIAL STATEMENT:** The Minister for Community Services (Senator Grimes) tabled the following Paper:

Hostel Care Subsidies Arrangements—Report of the Joint Review by the Department of Community Services, dated 3 September 1985.

Senator Grimes, by leave, made a statement relating to the Paper and moved—That the Senate take note of the Statement.

Debate ensued.

Ordered—That the debate be adjourned till the next day of sitting, and that Senator Haines have leave to continue her speech on the resumption of the debate.

7 **VOLATILE SUBSTANCE FUMES—SELECT COMMITTEE—EXTENSION OF TIME TO REPORT:** Senator Kilgariff, pursuant to Notice of Motion not objected to as a Formal Motion, moved—That the time for presentation of the Report of the Select Committee on Volatile Substance Fumes be extended to 26 November 1985.

Question—put and passed.

8 **EXPORT MARKET DEVELOPMENT GRANTS AMENDMENT BILL 1985—Message from the House of Representatives:** The following Message from the House of Representatives was reported:

MR PRESIDENT,

Message No. 161

The House of Representatives transmits to the Senate a Bill intituled “*A Bill for an Act to amend the ‘Export Market Development Grants Act 1974’ and*

the 'Export Market Development Grants Amendment Act 1982', and for related purposes", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 17 September 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 Peter Baume the debate was adjourned.

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

- 9 **QANTAS AIRWAYS LIMITED (LOAN GUARANTEE) BILL 1985**—*Message from the House of Representatives: The following Message from the House of Representatives was reported:*

MR PRESIDENT,

Message No. 160

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act relating to the provision of certain equipment for Qantas Airways Limited*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 16 September 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 Messner the debate was adjourned.

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

- 10 **LEAVE OF ABSENCE:** The Manager of Government Business (Senator Grimes), by leave, moved—That Senator Coleman be granted leave of absence for 3 months, on account of ill-health.

Question—put and passed.

- 11 **BUDGET STATEMENT AND PAPERS 1985-86:** Order of the Day read for the adjourned debate on the motion of the Minister for Finance (Senator Walsh)—That the Senate take note of the Statement and Papers—*And on the amendment moved thereto by the Leader of the Opposition in the Senate (Senator Chaney), viz: Leave out all words after "That", insert*

"the Senate condemns the Budget because—

- (a) it is only half a Budget which fails to outline any approach to the urgent problem of tax reform and tax relief;
- (b) it fails to remove the threat of new taxes on investment and jobs, such as a capital gains tax which will include death duties and gift taxes;
- (c) it condemns 750 000 Australians to higher marginal tax brackets during the year;
- (d) it fails to remove the fundamental problems facing the Australian economy, particularly high inflation, the lack of international competitiveness and the need for further cuts in Government spending;
- (e) it fails to provide clear direction on the Government's approach to discounting wage indexation for the effects of depreciation of the dollar, so potentially destroying its employment benefit;
- (f) it fails to move towards the deregulation of labour markets required to give all Australians a chance for a job; and
- (g) it burdens Australia with the threat of continued high interest rates which hurt not only home buyers but hit business investment and jobs".

Debate resumed.

On the motion of Senator Robertson the debate was adjourned.

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

- 12 **SUPERANNUATION LEGISLATION 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.

Senator Coates addressing the Chair—

And it being 2 p.m.—

- 13 **QUESTIONS:** Questions without Notice being proceeded with—

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

Petroleum Exploration and Development Industry—Background paper, including graphs relating to dissatisfaction with Government policies.

Further Questions without Notice were answered.

Distinguished Visitors: The President drew attention to the presence in the gallery of a delegation from the National Diet of Japan, led by Mr Heihachiro Yamasaki and, on behalf of honourable Senators, extended a warm welcome to the members of the delegation.

Further Questions without Notice were answered.

- 14 **HANSARD ALTERATIONS—STATEMENT BY PRESIDENT:** The President made a statement in response to the personal explanations made by Senator Michael Baume and the Minister for Finance (Senator Walsh) on 17 September 1985, concerning a matter raised during Question Time on 16 September 1985 and its consequent recording in *Hansard*.

The Leader of the Opposition in the Senate (Senator Chaney) and Senator Walsh, by leave, made statements relating thereto.

- 15 **URGENCY MOTION:** The President informed the Senate that he had received a letter from Senator Giles advising that this day she intended to move—That in the opinion of the Senate the following is a matter of urgency: “The need for all Party leaders and other parliamentarians in the Australian Parliament to condemn apartheid, and to endorse and support the action taken by the Australian Government against the oppressive South African regime”.

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

Senator Durack, pursuant to Standing Order 130, requested the President to divide the Question.

Ruling of President: The President ruled that, as Standing Order 64 provides that a proposed Matter of Urgency may not be amended, he would not accede to the request, as this could, in effect, amount to an opportunity for amendment. Further, the fact that any Question might contain more than one part does not necessarily make it a complicated Question for the purpose of Standing Order 130.

Leave refused: Senator Durack sought leave to move an amendment to the proposed matter of urgency.

Objection being raised, leave not granted.

Suspension of Standing Order 64: Senator Durack moved—That so much of Standing Order 64 be suspended as would prevent Senator Durack moving an amendment to the proposed matter of urgency.

Debate ensued.

Question—put and passed.

Senator Giles thereupon moved the motion.

Debate ensued.

Senator Durack, pursuant to the suspension of Standing Order 64, agreed to this day, moved an amendment to the proposed matter of urgency, viz: Leave out all words after "apartheid".

Debate continued.

Closure: Senator Jones moved—That the Question be now put.

Question—That the Question be now put—put and passed.

Question—That the words proposed to be left out of the proposed matter of urgency be left out—put.

The Senate divided—

AYES, 29

Senators—

Archer	Durack	MacGibbon	Teague
Baume, Michael	Guilfoyle,	Messner	Townley
Baume, Peter	Dame Margaret	Missen	Vanstone
Bjelke-Petersen	Hamer	Parer	Walters
Boswell	Hill	Puplick	Watson
Brownhill	Jessop	Reid	Withers
Carrick, Sir John	Kilgariff (Teller)	Sheil	
Collard	Lewis	Short	

NOES, 38

Senators—

Aulich	Evans	McIntosh (Teller)	Ryan
Black	Foreman	McKiernan	Sanders
Button	Georges	Macklin	Sibraa
Childs	Gietzelt	Maguire	Siddons
Coates	Giles	Mason	Tate
Colston	Grimes	Morris	Vigor
Cooney	Haines	Ray, Robert	Walsh
Crowley	Harradine	Reynolds	Zakharov
Devlin	Jones	Richardson	
Elstob	McClelland	Robertson	

And so it was negatived.

Question—That the motion be agreed to—put accordingly and passed.

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

16 **GOVERNMENT PAPERS—CONSIDERATION:** The following Government Papers, tabled earlier this day (*see Entry No. 5 above*), were considered pursuant to Sessional Order:

Overseas Telecommunications Commission (Australia)—Annual Report 1984-85—Motion to take note of Paper moved by Senator Vigor, debated and agreed to.

Trade Practices Commission—Annual Report 1984-85—Motion to take note of Paper moved by Senator Puplick, debated and agreed to.

Legal Needs of Institutionalised People—Commonwealth Legal Aid Council Report—Motion to take note of Paper moved by Senator Crowley.

Ordered—That the debate be adjourned till the next day of sitting.

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

- 17 **AUSTRALIAN BUREAU OF STATISTICS AND AUSTRALIAN STATISTICS ADVISORY COUNCIL—ANNUAL REPORTS 1984-85—PAPERS:** Senator Crowley, by leave, moved—That the Senate take note of the following Papers:
 Australian Bureau of Statistics—Annual Report 1984-85.
 Australian Statistics Advisory Council—Annual Report 1984-85.
 Ordered—That the debate be adjourned till the next day of sitting, and that Senator Crowley have leave to continue her speech on the resumption of the debate.
- 18 **PERSONAL EXPLANATIONS:** Senators Coates and Peter Rae, by leave, made personal explanations relating to a matter raised during debate on 16 September 1985.

Pursuant to Sessional Order, consideration of Committee Reports was called on.

- 19 **PRIVILEGES—STANDING COMMITTEE—9TH REPORT:** Order of the Day read for the adjourned debate on the motion of Senator Childs—That the Report be adopted.
 Question—put and passed.
- 20 **PUBLIC ACCOUNTS—JOINT STATUTORY COMMITTEE—236TH REPORT:** Order of the Day read for the adjourned debate on the motion of Senator Peter Baume—That the Senate take note of the Report.
 On the motion of Senator Messner the debate was adjourned.
 Ordered—That the resumption of the debate be an Order of the Day for the next day of sitting.
- 21 **EDUCATION AND THE ARTS—STANDING COMMITTEE—3RD REPORT ON EXAMINATION OF ANNUAL REPORTS:** Order of the Day read for the adjourned debate on the motion of Senator Colston—That the Senate take note of the Report.
 Debate resumed.
 Question—put and passed.
- 22 **ORDER OF BUSINESS—RE-ARRANGEMENT:** The Manager of Government Business (Senator Grimes) moved—That consideration of Committee Reports pursuant to Sessional Order be not further proceeded with this day.
 Question—put and passed.
- 23 **ORDER OF BUSINESS—RE-ARRANGEMENT:** The Manager of Government Business (Senator Grimes) moved—That, unless otherwise ordered, the Order of Business for Thursday, 19 September 1985, be as follows:
 (1) Petitions
 (2) Notices of Motion
 (3) Formal Motions—Discovery of Formal Business
 (4) Questions
 (5) Ministerial Statements, by leave
 (6) Presentation of Papers
 (7) Adjournment
 Debate ensued.
 Question—put.
 The Senate divided—

AYES, 36

Senators—

Aulich
 Black
 Bolkus
 Childs
 Coates
 Colston
 Cooney
 Crowley
 Devlin

Elstob
 Evans
 Foreman
 Georges
 Gietzelt
 Giles
 Grimes
 Haines
 Jones

McClelland
 McIntosh
 Macklin
 Maguire
 Mason
 Morris
 Ray, Robert
 Reynolds
 Richardson

Robertson (Teller)
 Ryan
 Sanders
 Sibraa
 Siddons
 Tate
 Vigor
 Walsh
 Zakharov

NOES, 30

Senators—

Archer	Durack	Knowles	Short
Baume, Michael	Guilfoyle, Dame	Lewis	Teague
Baume, Peter	Margaret	MacGibbon	Townley
Bjelke-Petersen	Hamer	Missen	Vanstone
Boswell	Harradine	Parer	Walters
Brownhill	Hill	Puplick	Watson
Carrick, Sir John	Jessop	Rae, Peter	Withers
Collard	Kilgariff	Sheil (Teller)	

And so it was resolved in the affirmative.

- 24 **SCRUTINY OF BILLS—STANDING COMMITTEE—11TH REPORT:** Senator Jones, at the request of the Chairman of the Standing Committee for the Scrutiny of Bills (Senator Tate), tabled the following Report:

11th Report, dated 18 September 1985.

Ordered to be printed.

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

Australian Bureau of Statistics Act—Australian Bureau of Statistics—Proposals 1985—

No. 7—New topics to be included in the population survey.

No. 8—Survey of exits from the labour force.

Defence Act—Determination 1985—No. 58—Intermediate Term Duty Living Allowance and others.

Public Service Act—Determinations 1985 Nos 71, 77.

- 26 **CHEQUES BILL 1985**

BILLS OF EXCHANGE AMENDMENT BILL 1985—

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

MR PRESIDENT,

Message No. 148

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act relating to cheques and certain other negotiable instruments*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 22 August 1985

H. A. JENKINS,
Speaker

MR PRESIDENT,

Message No. 149

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to amend the 'Bills of Exchange Act 1909', and for related purposes*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 22 August 1985

H. A. JENKINS,
Speaker

Suspension of Standing Orders to deal with Bills together: The Minister for Resources and Energy (Senator Evans) moved—That so much of the Standing Orders be suspended as would prevent the Questions with regard to the several stages for the passage through the Senate of the Bills being put in one motion at each stage, and the consideration of such Bills together in Committee of the Whole.

Question—put and passed.

Ordered—That the Bills may be taken through all their stages without delay.

On the motion of Senator Evans the Bills were read a first time.

Senator Evans moved—That these Bills 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.

- 27 **ADJOURNMENT:** The Minister for Resources and Energy (Senator Evans) moved—That the Senate do now adjourn.

Debate ensued.

Question—resolved in the affirmative.

The Senate adjourned at 8.06 p.m. till tomorrow at 10 a.m.

28 ATTENDANCE: Present, all Senators except Senators Coleman (on leave) and Cook.

A. R. CUMMING THOM,

Clerk of the Senate