

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 49

THURSDAY, 19 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 10 petitions, lodged with the Clerk by the Senators indicated, were received:

Senator Reynolds, from 12 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 Ryan, from 27 petitioners praying that staffing cuts in Australian Capital Territory government schools and TAFE colleges be not implemented.

Senator Bjelke-Petersen, from 15 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Senator Chaney, from 15 petitioners praying that the assets test be repealed.

Senator Peter Rae, from 121 petitioners praying that the Senate reject the Industries Assistance Commission recommendation that no assistance be provided to the frozen pea industry and support measures which assist the industry.

Senator Haines, from 665 petitioners praying that the Senate support the Australian Capital Territory Smoking and Tobacco Products Advertisements Prohibition Bill 1983 [1985].

Senators Bjelke-Petersen, Collard, Jessop and Sibraa, from 2300, 1522, 24 and 2345 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.

The following petition, not in conformity with the Standing Orders, was, by leave, presented by Senator Missen and received:

From 370 petitioners requesting the Minister for Community Services to include communications aids on the equipment list funded through the Provision of Aids for Disabled People program.

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

Senator Walters: To move on the next day of sitting—That the Senate—

- (a) censures the Minister for Aboriginal Affairs, Mr Holding, for warning the Australian Mining Industry Council that it will be penalised by the Government if it proceeds with a national campaign against land rights for Aborigines;
- (b) alerts all Australians to the inherent threat to one of the priceless, fundamental rights of the people of true democracies, that of freedom to express a political view; and
- (c) calls upon the Prime Minister to explain why one of his Ministers has been allowed, without reprimand or caution, to publicly declare that the Hawke

Government is willing to employ police state tactics in order to crush dissent from Government policy.

Senator Haines: To move on the next day of sitting—That leave be given to introduce a Bill for an Act to amend the *Social Security Act 1947* to ensure that payments made under the Federal Restitution Act of the Federal Republic of Germany as compensation, restitution or reparation for persecution inflicted by the Nazi regime do not affect social security entitlements.

5 QUESTIONS.

6 SITTING PATTERN—MINISTERIAL STATEMENT: The Leader of the Government (Senator Button), by leave, made a statement relating to the proposed sitting pattern of the Senate for the current period of sittings.

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

Senator Button, by leave, made a further statement.

7 CONDUCT OF A JUDGE—SELECT COMMITTEE—LETTER FROM SECRETARY OF THE ROYAL COMMISSION OF INQUIRY INTO ALLEGED TELEPHONE INTERCEPTIONS—PAPER: The President tabled the following Paper:

Conduct of a Judge—Select Committee—Letter to the President, dated 4 September 1985 from the Secretary of the Royal Commission of Inquiry into Alleged Telephone Interceptions (including copies of Letters Patent appointing the Commission), requesting a copy of certain evidence taken by the Select Committee on the Conduct of a Judge.

Senator Tate, by leave, moved—That the Senate take note of the Paper.

Debate ensued.

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.

8 DEPARTMENT OF THE PARLIAMENTARY REPORTING STAFF—ANNUAL REPORT 1984-85—PAPER: The President tabled the following Paper:

Public Service Act—Department of the Parliamentary Reporting Staff—Annual Report 1984-85.

9 PUBLIC ACCOUNTS—JOINT STATUTORY COMMITTEE—237TH REPORT: Senator Dame Margaret Guilfoyle, on behalf of the Joint Committee of Public Accounts, tabled the following Report:

237th Report—Finance Minute on Report 225—Department of Social Security, Stratplan.

Ordered to be printed.

Senator Dame Margaret Guilfoyle, by leave, made a statement relating to the Report.

10 PUBLICATIONS—STANDING COMMITTEE—5TH REPORT: The Chairman of the Standing Committee on Publications (Senator Elstob) tabled the following Report:

FIFTH REPORT

The Publications Committee has the honour to report that it has met in conference with the Publications Committee of the House of Representatives.

The Joint Committee, having considered petitions and papers presented to Parliament since the last meeting of the Committee, and papers previously presented, recommends that the following be printed.

Aboriginal Land Rights (Northern Territory) Act—Cox River (Alawa/Ngandji) Land Claim—Report by the Aboriginal Land Commissioner, dated 20 November 1984.

Advance Australia Logo Protection Act—Advance Australia Foundation—Annual Report 1983-84.

- 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 year ended 30 June 1985.
- Advisory Council for Inter-government Relations Act—Advisory Council for Inter-government Relations—Report 8—Implications of constitutional recognition for Australian local government.
- Australia New Zealand Foundation—Annual Report (5th) 1983-84.
- Australian Apple and Pear Corporation Act—Australian Apple and Pear Corporation—Annual Report (10th) 1984.
- Australian Bureau of Statistics Act—
Australian Bureau of Statistics—Report 1984-85.
Australian Statistics Advisory Council—Report 1984-85.
- Australian Meat and Livestock Industry Selection Committee Act—Australian Meat and Livestock Industry Selection Committee—Report 1984-85.
- Australian Postal Commission—Service and Business Outlook 1985-86, dated August 1985.
- Australian Safeguards Office—Annual Report 1983-84.
- Australian Telecommunications Commission—Service and Business Outlook 1985-86, dated August 1985.
- Bankruptcy Act—Report 1983-84.
- Broadcasting and Television Act—Australian Broadcasting Tribunal—Remote Commercial Television Services—1st Report, dated June 1985.
- Canberra College of Advanced Education Act—Canberra College of Advanced Education—Report of Council 1984.
- Canned Fruits Marketing Act—Australian Canned Fruits Corporation—Annual Report (5th) 1984.
- Commonwealth Tertiary Education Commission—Annual Report 1984.
- Defence Act—Army and Air Force Canteen Service Board of Management—Report (4th) for period 31 January 1984 to 28 January 1985.
- Department of the Prime Minister and Cabinet—Annual Report 1984-85.
- 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 of 25 March 1982 and 22 February 1985.
- Family Law Act—Family Law (Institute of Family Studies) Regulations—Institute of Family Studies—Annual Report (5th), 1984-85.
- Family Law Council—Creating Children—A Uniform Approach to the Law and Practice of Reproduction Technology in Australia—Report, dated July 1985.
- Human Rights Commission Act—Human Rights Commission—Annual Report 1983-84.
- Industrial Research and Development Incentives Act—Australian Industrial Research and Development Incentives Board—Annual Report 1983-84.
- Industries Assistance Commission—Reports—
Castors (Developing Country Preferences), dated 4 July 1985 (No. 367).
Ceramic Electric Jug Bodies—Developing Country Preferences, dated 4 March 1985 (No. 359).
Electric Lamps—Filament Lamps (Interim Report), dated 29 May 1985 (No. 365).
Vinyl Planar Forms (Developing Country Preferences), dated 5 July 1985 (No. 368).
- Inter-State Commission Act—Report 1984-85 on operations of the Commission.
- Law Reform Commission Act—Law Reform Commission—Report (No. 26 Interim)—Evidence (2 vols).
- Joint Standing Committee on the New Parliament House—Proposed Work in the Parliamentary Zone—Australian National Gallery Administrative Accommodation.
- Maritime College Act—Australian Maritime College—Annual Report of Council (6th) 1984.

- National Debt Sinking Fund Act—National Debt Commission—Annual Report (62nd) 1984-85.
- National Committee on Discrimination in Employment and Occupation—Annual Report (11th) 1983-84.
- National Health Act—Operations of Registered Health Insurance Organizations—Annual Report 1983-84.
- Official Establishments Trust—Annual Report (5th) 1983-84.
- Overseas Telecommunications Act—Overseas Telecommunications Commission (Australia)—Report for year ended 31 March 1985.
- Ombudsman Act—Commonwealth Ombudsman—Special Report No. 1—The Cotton Case involving the Australian Broadcasting Corporation, dated 2 September 1985.
- Portfolio Program Statements 1985-86.
- Public Service Act—
 Department of the House of Representatives—Report 1984-85.
 Joint House Department—Annual Report 1984-85.
- Reserve Bank Act—Annual Report 1984-85 of the Board of the Reserve Bank of Australia.
- River Murray Waters Act—River Murray Commission—Annual Report 1983-84.
- Services Trust Fund Act—
 Australian Military Forces Relief Trust Fund—Annual Report (38th) 1984 by Trustees.
 Royal Australian Air Force Welfare Trust Fund—Annual Report (37th) 1984 by Trustees.
- Royal Australian Navy Relief Trust Fund—Annual Report 1984 by Trustees.
- Services Canteen Trust Fund—Annual Report (37th) 1984 by Trustees.
- Telecommunications Act—Australian Telecommunications Commission—Annual Report 1984-85.
- Tobacco Marketing Act—Australian Tobacco Board—Annual Report 1984.
- Trade Practices Act—Trade Practices Commission—Annual Report (11th) 1984-85.
- Use and Effects of Chemical Agents on Australian Personnel in Vietnam—Royal Commission (Commissioner: The Hon. Mr Justice P. Evatt)—Reports, dated 31 July 1985—
 Introduction and Exposure (vol. 1).
 Toxicology and General Health (vol. 2).
 Birth Anomalies (vol. 3).
 Cancer (vol. 4).
 Mental Well-being (vol. 5).
 Mortality, Class Action VVAA and Section 47 (vol. 6).
 Benefits and Treatment (vol. 7).
 Conclusions, Recommendations and Epilogue (vol. 8).
 Exhibits List and Bibliography (vol. 9).
- United Nations—Commission on Human Rights—41st Session, Geneva, 4 February to 15 March 1985—Report of Australian delegation.
- 19 September 1985

Ron Elstob,
 Chairman

Senator Elstob, by leave, moved—That the Report be adopted.

Question—put and passed.

- 11 ESTIMATES COMMITTEES—CHANGE IN MEMBERSHIP:** The President informed the Senate that he had received a letter from the Leader of the Government (Senator Button) requesting variations in the membership of Estimates Committees A and D.

The Manager of Government Business (Senator Grimes), by leave, moved—

- (1) That, from and including 23 September 1985, Senator Robert Ray be discharged from further attendance on Estimates Committee A and that Senator Sibraa.

having been duly nominated in accordance with Standing Order 36AB, be appointed a member of the Committee.

- (2) That, from and including 23 September 1985, Senator Reynolds be discharged from further attendance on Estimates Committee D and that Senator Coates, having been duly nominated in accordance with Standing Order 36AB, be appointed a member of the Committee.

Question—put and passed.

- 12 **ADJOURNMENT:** The Manager of Government Business (Senator Grimes) moved

That the Senate do now adjourn.

Debated ensued.

Question—resolved in the affirmative.

The Senate adjourned at 11.42 a.m. till Tuesday, 8 October 1985 at 2 p.m.

- 13 **ATTENDANCE:** Present, all Senators except Senators Coleman (on leave), Cook, McKiernan, Macklin and Reynolds.

A. R. CUMMING THOM,
Clerk of the Senate