

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 51

WEDNESDAY, 9 OCTOBER 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 22 petitions, lodged with the Clerk by the Senators indicated, were received:

Senators Brownhill, MacGibbon (2) and Sheil, from 50, 16, 1054 and 917 petitioners, respectively, praying that the Senate reject certain tax proposals which are outlined in the Government's White Paper of May 1985.

Senator Reid, from 69 petitioners praying that the Senate reject the recommendation of the Vinson inquiry that an abortion clinic be established in Canberra.

Senator Jessop, from 47 petitioners praying that the proposed cut-back of funding for pre-school and child care services be reversed.

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

Senators Crowley, Foreman, Haines, Maguire and Vigor, from 150, 221, 104, 116 and 80 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 Zakharov, from 30 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 Peter Baume, from 3391 petitioners praying that the Senate pass Senator Harradine's Bill to prohibit experiments involving the use of human embryos created by in vitro fertilization.

Senator Peter Rae, from 29 petitioners praying that the proposed introduction of compulsory identification cards be reconsidered and rejected.

Senator Giles, from 400 petitioners praying that the Senate request the Government to ensure child care facilities are included in the plans for the proposed new Customs House Building in Fremantle.

Senator Chipp, from 89 petitioners praying that the Senate support Senator Chipp's various legislative measures dealing with the prohibition of nuclear weapons.

Senator Chipp, from 53 petitioners praying that the Senate urge the Government to take action concerning the continued abuse of human rights in East Timor and to raise that issue in the United Nations.

Senator Michael Baume, from 555 petitioners praying that the Senate ensure that previous veterans' legislation concerning servicemen, servicewomen and their dependants' entitlements, be restored.

Senator MacGibbon, from 130 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 Short, from 287 petitioners praying that the Senate urge the Government to request the Government of Pakistan to negotiate with Pakistani tribesmen to procure the immediate release of Rob and Jenny Williamson.

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

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

- (a) notes with concern the increasing attacks on the independent, self-employed business operator through:
 - (i) continued changes in the Income Tax Assessment Act, forcing independent contractors and workers into the inappropriate PAYE system,
 - (ii) the recommendation of the Hancock Report that the Australian Conciliation and Arbitration Commission be given jurisdiction over independent contractors,
 - (iii) repeated union intimidation in the transport and associated industries to force the self-employed into union-controlled superannuation schemes, and
 - (iv) the Federal Labor Government's capital gains tax; and
- (b) condemns the Federal Government and its senior partner, the Australian Council of Trade Unions, for the continued strangling of the most productive sector of the community.

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

- (a) deplores the fact that 3 Australian rugby union international players, Glen Ella, David Campese and Roger Gould have arrived in South Africa to play in a seven-a-side tournament in Durban on Saturday, 12 October 1985;
- (b) notes that there are persistent reports that 3 other Australian players are poised to join them;
- (c) deplores the decision by these individual players, which can only give the oppressive white minority regime considerable comfort in its continued promotion of the internationally discredited apartheid regime;
- (d) notes that the rugby union and cricket sporting visits have hurt the cause of black South Africans, and are against the spirit of the Gleneagles agreement; and
- (e) urges the Australian rugby union and cricket authorities to impose the heaviest possible penalties on the players on their return.

5 GOVERNMENT PAPERS: The Leader of the Government (Senator Button) tabled the following Papers:

Australian Bicentennial Authority—Opinion, dated 3 October 1985, and Supplemental Notes, dated 4 and 8 October 1985, by the Solicitor-General, Dr G. Griffith, Q.C., together with annexures (14), relating to payments made to Dr D. Armstrong upon his resignation as General Manager of the Australian Bicentennial Authority.

Australian Industry Development Corporation Act—Australian Industry Development Corporation—Annual Report 1984-85, together with financial statements and the Auditor-General's Report thereon.

Primary Industry Bank Act—Primary Industry Bank—Annual Report (7th) 1984-85.

6 NATIONAL RESOURCES—STANDING COMMITTEE—REFERENCE: The Chairman of the Standing Committee on National Resources (Senator Zakharov), pursuant to Notice of Motion not objected to as a Formal Motion, moved—That the

following matter be referred to the Standing Committee on National Resources: The potential of the Kakadu National Park region with particular reference to—

- (a) the nature of the resources available for exploitation; and
- (b) the impact of utilisation of these resources, particularly mining and tourism.

Question—put and passed.

- 7 ESTIMATES COMMITTEE A—CHANGE IN MEMBERSHIP:** The President informed the Senate that he had received a letter from the Leader of the Government (Senator Button) requesting a variation in the membership of Estimates Committee A.

Senator Button, by leave, moved—That Senator Sibraa be discharged from further attendance on Estimates Committee A and that Senator Cooney, having been duly nominated in accordance with Standing Order 36AB, be appointed a member of the Committee.

Question—put and passed.

- 8 FOREIGN AFFAIRS AND DEFENCE—STANDING COMMITTEE—REFERENCE:** Senator Mason, pursuant to notice, moved—That the following matters be referred to the Standing Committee on Foreign Affairs and Defence for report by 31 March 1986—

- (a) the need for an area of land for the purposes of the relocation and co-location of the Army's School of Infantry and Infantry Centre, Artillery Training and for Army manoeuvres, having regard to strategic and training requirements appropriate to the Australian Defence Force, existing defence facilities and training practices in comparable countries;
- (b) the availability of sites including existing Army training areas suitable for these purposes, whether in New South Wales or elsewhere, having particular regard to the availability of Crown Land, and having regard to the Army's needs and any countervailing public interest; and
- (c) the adequacy and appropriateness of current procedures in protecting the rights of individual landholders and communities in areas where acquisition is contemplated, in providing for fair and prompt compensation, and in providing for appeal procedures.

Debate ensued.

Question—put and passed.

- 9 ORDER OF BUSINESS—POSTPONEMENT:** Senator Reid, at the request of Senator Missen, by leave, moved—That Business of the Senate, Notices of Motion Nos 3 and 4 standing in the name of Senator Missen for the disallowance of certain regulations, be postponed till the next day of sitting.

Question—put and passed.

- 10 SCRUTINY OF BILLS—STANDING COMMITTEE—10TH ALERT DIGEST:** Senator McIntosh, at the request of the Chairman of the Standing Committee for the Scrutiny of Bills (Senator Tate), tabled the following Paper:

Scrutiny of Bills Alert Digest No. 10, dated 9 October 1985.

- 11 BOUNTY (METAL WORKING MACHINES AND ROBOTS) BILL 1985**

BOUNTY (AGRICULTURAL TRACTORS AND EQUIPMENT) 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 these Bills be now read a second time.

Debate resumed.

Senator Short addressing the Chair—

And it being 2 p.m.—

12 QUESTIONS.

13 STATEMENT BY SENATOR: The Leader of the Australian Democrats (Senator Chipp), by leave, made a statement relating to the answer he received to Question on Notice No. 535 concerning Dr Edelsten.

14 PERSONAL EXPLANATION: Senator Georges, by leave, made a personal explanation relating to media reports of his statement in the Senate on 11 September 1985 concerning Dr Edelsten and the tabling of the 236th Report of the Public Accounts Committee.

15 STATEMENT BY SENATOR: Senator Peter Rae, by leave, made a statement relating to a matter raised during Question Time this day.

16 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE: The President informed the Senate that the Leader of the Opposition in the Senate (Senator Chaney) had proposed that a matter of public importance be submitted to the Senate for discussion, viz: "The destructive effects on enterprise and employment of the Government's tax package".

And at least 4 Senators having risen in support of the proposed discussion—
The President called upon Senator Chaney to speak.

Discussion ensued.

Discussion concluded.

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

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

Primary Industry Bank—Annual Report 1984-85—Motion to take note of Paper moved by Senator Vigor, debated and agreed to.

Australian Industry Development Corporation—Annual Report 1984-85—Motion to take note of Paper moved by Senator Coates.

Ordered—That the debate be adjourned till Thursday at General Business.

Australian Bicentennial Authority—Opinion by Solicitor-General—Motion to take note of Paper moved by the Leader of the Opposition in the Senate (Senator Chaney) and debated.

Pursuant to Sessional Order, consideration of Government Papers was interrupted and consideration of Committee Reports called on.

18 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 Georges the debate was adjourned.

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

19 ORDER OF BUSINESS—RE-ARRANGEMENT: The Minister for Education (Senator Ryan) moved—That consideration of Committee Reports pursuant to Sessional Order be not further proceeded with this day.

Question—put and passed.

20 SCRUTINY OF BILLS—STANDING COMMITTEE—12TH REPORT AND 11TH ALERT DIGEST: The Chairman of the Standing Committee for the Scrutiny of Bills (Senator Tate), tabled the following Report and Paper:

12th Report, dated 9 October 1985.

Alert Digest No. 11, dated 9 October 1985.

Ordered—That the Report be printed.

- 21 FOREIGN AFFAIRS AND DEFENCE—JOINT COMMITTEE—PROGRESS OF CURRENT INQUIRIES—STATEMENT BY CHAIRMAN:** The Chairman of the Joint Committee on Foreign Affairs and Defence (Senator Sibraa), by leave, made a statement relating to the progress of inquiries of the Joint Committee on Foreign Affairs and Defence.

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

Australian Citizenship Act—Regulations—Statutory Rules 1985 No. 260.
 Banks (Shareholdings) Act—Regulations—Statutory Rules 1985 No. 233.
 Barley Research Levy Act—Regulations—Statutory Rules 1985 No. 243.
 Census and Statistics Act—Australian Bureau of Statistics—Release of Lists—
 Proposal No. 5 of 1985—Provision of Classification Codes to the Patent, Trade
 Marks and Designs Office.
 Christmas Island Act—Regulations 1985—No. 2 (Motor Traffic Ordinance).
 Currency Act—Regulations—Statutory Rules 1985 No. 241.
 Dairying Industry Research and Promotion Levy Act—Regulations—Statutory Rules
 1985 No. 245.
 Defence Act—Regulations—Statutory Rules 1985 No. 235.
 Excise Act—Regulations—Statutory Rules 1985 No. 234.
 Export Inspection Charge Act—Regulations—Statutory Rules 1985 No. 258.
 Honey Export Charge Act—Regulations—Statutory Rules 1985 No. 242.
 Honey Levy Act (No. 1)—Regulations—Statutory Rules 1985 No. 246.
 Honey Levy Act (No. 2)—Regulations—Statutory Rules 1985 No. 247.
 Live-stock Slaughter (Export Inspection Charge) Act—Regulations—Statutory Rules
 1985 No. 236.
 Live-stock Slaughter (Export Inspection Charge) Collection Act—Regulations—
 Statutory Rules 1985 No. 237.
 Meat Export Charge Act—Regulation—Statutory Rules 1985 No. 238.
 Migration Act—Regulations—Statutory Rules 1985 No. 261.
 Navigation Act—Regulations—Statutory Rules Nos 248, 249, 250, 251, 252, 253,
 254, 255, 256, 257.
 Pig Slaughter Levy Act—Regulations—Statutory Rules 1985 No. 244.
 Postal Services Act—By-laws 1985—Postal (Amendment) No. 5.
 Remuneration Tribunals Act—Regulation—Statutory Rules 1985 No. 239.
 Seat of Government (Administration) Act—Ordinances 1985—
 No. 52—Rates (Amendment).
 No. 53—Motor Omnibus Services (Amendment).
 No. 54—Motor Omnibus Services (Amendment) (No. 2).
 Shipping Registration Act—Regulations—Statutory Rules 1985 No. 262.
 Telecommunications Act—By-laws—
 Telecommunications (Charging Zones and Charging Districts) Amendment No.
 60.
 Telecommunications (General) Amendment No. 45.
 Trade Commissioners Act—Regulations—Statutory Rules 1985 No. 240.
 Wool Industry Act—Regulations—Statutory Rules 1985 No. 259.

- 23 BOUNTY (METAL WORKING MACHINES AND ROBOTS) BILL 1985**

BOUNTY (AGRICULTURAL TRACTORS AND EQUIPMENT) 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 these Bills be
 now read a second time.

Debate resumed.

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.

The Leader of the Opposition in the Senate (Senator Chaney), by leave, moved the following amendments to the Bounty (Agricultural Tractors and Equipment) Bill 1985 together:

Page 4, sub-clause 4 (1), definition of "terminating day", leave out the definition, insert the following new definition:

"'terminating day' means 31 December 1990 or such later day, not being a day later than 30 June 1991, as is fixed by the Minister by a notice published in the *Gazette* before 31 December 1990;"

Page 13, paragraphs 12 (1) (a), (b) and (c), leave out the paragraphs, insert "an amount equal to 25% of the value added to the tractor by the manufacturer."

Page 13, paragraphs 12 (2) (a), (b) and (c), leave out the paragraphs, insert "an amount equal to 25% of the value added to the cab by the manufacturer."

Debate ensued.

Question—That the amendments be agreed to—put and negatived.

Bills agreed to.

Bills to be reported without amendment.

The President 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.

And it being 7 p.m.—

24 **ADJOURNMENT:** The President, under Sessional Order, put the Question—That the Senate do now adjourn.

Debate ensued.

Paper: Senator Colston, by leave, tabled the following Paper:

Housing Loans—Background paper relating to the loan service fee for home loan accounts.

Debate continued.

Question—resolved in the affirmative.

The Senate adjourned at 7.35 p.m. till tomorrow at 10 a.m.

25 **ATTENDANCE:** Present, all Senators except Senators Archer, Bjelke-Petersen, Coleman (on leave), Elstob, Harradine, Kilgariff, Knowles, McKiernan, Macklin, Robert Ray, Reynolds and Sanders.

A. R. CUMMING THOM,
Clerk of the Senate