

## THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

**JOURNALS OF THE SENATE**

No. 54

MONDAY, 14 OCTOBER 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 6 petitions, lodged with the Clerk by the Senators indicated, were received:

Senator Peter Rae, from 14 petitioners praying that the proposed introduction of compulsory identification cards be reconsidered and rejected.

Senator Chaney, from 519 petitioners praying that the assets test be repealed.

Senator Zakharov, from 24 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 Vallentine, from 152 petitioners praying that the Senate take action to remove dangers to the earth's ecology imposed by uranium mining and processing and that Government policies be altered to ensure that Australia is not subject to a nuclear threat.

Senator Reid, from 18 petitioners praying that the Senate reject the recommendation of the Vinson inquiry that an abortion clinic be established in Canberra.

Senator Brownhill, from 72 petitioners praying that the Senate reject certain tax proposals which are outlined in the Government's White Paper of May 1985.

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

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

- (a) notes with concern the actions of the Australian Workers' Union and the Builders Labourers' Federation which, because of their dispute at the Newcastle grain silos are threatening the export of the 1985 Australian wheat harvest; and
- (b) calls on the Federal Government to intervene to force the 2 unions to stop their industrial sabotage and return to work.

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

- (a) condemns the Federal Government's plans to expand the submarine and port facilities at Jervis Bay, with the probable increase in visits by nuclear-powered and armed warships and submarines, and the increased danger such visits will pose to the population, both as a safety hazard and as a nuclear target, as well as the social and environmental problems such visits will cause;
- (b) condemns the consequences of such visits as part of the increased militarization of the region and Australia's role as part of the United States' nuclear war fighting capability;
- (c) criticizes the plans of the Department of Defence to establish a munitions dump at Jervis Bay on land proposed as part of a national park system;
- (d) deplors the irreparable environmental damage these proposals and plans for Jervis Bay, including the dredging of Hare Bay, will have on the unique marine and foreshore ecosystem of the area;

- (e) calls on the Department of Defence, the Royal Australian Navy, the Department of Aboriginal Affairs and other relevant Commonwealth and State agencies to enter into a process of full consultation with local councils and community groups, especially the affected Aboriginal people, prior to any decision being made;
- (f) calls for the dedication of already proposed national parks, nature and marine reserves and the preparation of a Regional Environmental Plan for State lands within the environs of Jervis Bay;
- (g) requests the equivalent planning for the Commonwealth lands of Jervis Bay which would include details of Department of Defence intentions and management proposals for natural areas and that management practices for all conservation areas in or near Jervis Bay be co-ordinated; and
- (h) demands that no nuclear materials be stored or used in or near Jervis Bay and no nuclear-armed or powered warships, submarines or aircraft be allowed into Jervis Bay.

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

Advance to the Minister for Finance—Statement for August 1985.

Film Censorship Board—Report on Activities 1984.

Fisheries Act—Copy of Agreement, together with attachments (4), between the Commonwealth of Australia and K.K.F.C. Proprietary Limited, dated 18 July 1985.

Human Rights Commission Act—Human Rights Commission—Report No. 15—The Human Rights of Australian-Born Children: A Report on the Complaint of Mr and Mrs M. Yilmaz, dated 2 August 1985.

Statement by the Attorney-General.

Seat of Government (Administration) Act—Criminal Injuries Compensation Ordinance—Annual Report 1984-85.

**6 MINISTERIAL ARRANGEMENTS:** The Leader of the Government (Senator Button), by leave, informed the Senate that during the absence overseas of Senator Grimes, Dr Blewett would act as Minister for Community Services.

**7 QUESTIONS.**

**8 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE:** The President informed the Senate that Senator Peter Baume had proposed that a matter of public importance be submitted to the Senate for discussion, viz: "The failure of the Federal Labor Government, in common with the New South Wales Labor Government, to provide adequate emergency relief for the poor".

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

The President called upon Senator Peter Baume to speak.

Discussion ensued.

Discussion concluded.

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

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

Film Censorship Board—Report on Activities 1984—Motion to take note of Paper moved by Senator Puplick and debated.

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

Human Rights Commission—Report on Human Rights of Australian-Born children, together with Ministerial Statement—Motion to take note of Papers moved by Senator Puplick and agreed to.

Criminal Injuries Compensation Ordinance—Annual Report 1984-85—Motion to take note of Paper moved by Senator Haines and agreed to.

- 10 **ORDER OF BUSINESS—POSTPONEMENT:** Senator Puplick moved—That Business of the Senate, Notice of Motion No. 1 standing in his name for the disallowance of certain regulations, be postponed till Wednesday, 16 October 1985.

Question—put and passed.

11 **COMPANIES AMENDMENT BILL 1985**

**COMPANIES (FEES) 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.

Question—put and passed.

Bills read a second time.

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

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*In the Committee*

Bills, by leave, taken as a whole.

On the motion of the Minister for Resources and Energy (Senator Evans) the following amendments to the Companies Amendment Bill 1985 were, by leave, taken together, debated and agreed to:

Page 1, sub-clause 2 (2), line 9, leave out “3”, insert “2A”.

Page 1, after clause 2, insert the following new clause:

**Persons having dealings with companies, &c.**

“2A. Section 68A of the Principal Act is amended by omitting from paragraph (3) (b) ‘or with the Registrar of Companies under the’ and substituting ‘or 263 or with the Registrar of Companies under a’.”

Page 5, clause 9, proposed new sub-section 275A (1), line 25, after “company” (first occurring), insert “(not being an exempt proprietary company that is an unlimited company)”.

Pages 5 and 6, clause 9, proposed new sub-section 275A (4), line 37 (page 5) to line 6 (page 6), leave out the sub-section, insert the following new sub-section:

“(4) A company is not required to lodge a copy of a particular document with the Commission pursuant to a notice under sub-section (1) if, as at the time when the notice is served, the document has not been made out, but, if the document is made out after that time, the company shall lodge a copy of the document with the Commission within 14 days after the document is made out.”

Bills agreed to with amendments to the Companies Amendment Bill 1985.

Companies Amendment Bill 1985 to be reported with amendments and Companies (Fees) Amendment Bill 1985 to be reported without amendment.

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The Acting Deputy-President (Senator Colston) resumed the Chair; and the Temporary Chairman of Committees (Senator MacGibbon) reported accordingly. On the motion of Senator Evans the Report from the Committee was adopted, and the Bills read a third time.

12 **AUSTRALIAN FEDERAL POLICE AMENDMENT BILL 1985**

**COMPLAINTS (AUSTRALIAN FEDERAL POLICE) 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.

Question—put and passed.

Bills read a second time.

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

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*In the Committee*

Bills, by leave, taken as a whole, debated and agreed to.  
Bills to be reported without amendment.

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

On the motion of the Minister for Resources and Energy (Senator Evans) the Report from the Committee was adopted, and the Bills read a third time.

- 13 **INCOME TAX ASSESSMENT AMENDMENT BILL 1985:** Order of the Day read for the adjourned debate on the motion of the Minister for Community Services (Senator Grimes)—That this Bill be now read a second time.

Debate resumed.

On the motion of Senator Sheil the debate was adjourned.

Ordered—That the resumption of the debate be an Order of the Day for a later hour of the day.

- 14 **NATIONAL CAPITAL DEVELOPMENT COMMISSION 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.

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.

- 15 **TAXATION LAWS AMENDMENT BILL (NO. 2) 1985**

**INCOME TAX (INDIVIDUALS) BILL 1985**

**INCOME TAX (COMPANIES, CORPORATE UNIT TRUSTS AND SUPERANNUATION FUNDS) BILL 1985**

**MEDICARE LEVY BILL 1985—**

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

MR PRESIDENT,

Message No. 178

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to amend the law relating to taxation*", in which it desires the concurrence of the Senate.

House of Representatives,  
Canberra, 14 October 1985

H. A. JENKINS,  
Speaker

MR PRESIDENT,

Message No. 175

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to impose a tax upon incomes, other than incomes of companies, corporate unit trusts, superannuation funds and certain other trusts*", in which it desires the concurrence of the Senate.

House of Representatives,  
Canberra, 10 October 1985

H. A. JENKINS,  
Speaker

MR PRESIDENT,

Message No. 174

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to impose a tax upon incomes of companies, corporate unit trusts, superannuation funds and certain other trusts*", in which it desires the concurrence of the Senate.

House of Representatives,  
Canberra, 10 October 1985

H. A. JENKINS,  
Speaker

MR PRESIDENT,

Message No. 176

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to impose a Medicare levy upon certain incomes*", in which it desires the concurrence of the Senate.

House of Representatives,  
Canberra, 10 October 1985

H. A. JENKINS,  
Speaker

*Suspension of Standing Orders to deal with Bills together:* The Minister for Veterans' Affairs (Senator Gietzelt) 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 all or several of the Bills being put in one motion at each stage, and the consideration of all or several 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.

Senator Gietzelt moved—That these Bills be now read a first 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.

- 16 **LOANS BILL 1985**—*Message from the House of Representatives:* The following Message from the House of Representatives was reported:

MR PRESIDENT,

Message No. 177

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to authorise the borrowing and expending of money for certain purposes*", in which it desires the concurrence of the Senate.

House of Representatives,  
Canberra, 14 October 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 Veterans' Affairs (Senator Gietzelt) the Bill was read a first time.

Senator Gietzelt 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.

- 17 **ADJOURNMENT:** The Minister for Veterans' Affairs (Senator Gietzelt) moved—  
That the Senate do now adjourn.  
Debate ensued.  
Question—resolved in the affirmative.  
The Senate adjourned at 10.44 p.m. till tomorrow at 2 p.m..

- 18 **ATTENDANCE:** Present, all Senators except Senators Bjelke-Petersen, Coleman (on leave), Elstob, Grimes, Knowles, McKiernan, Macklin, Missen, Robert Ray and Reynolds.

A. R. CUMMING THOM,  
Clerk of the Senate