

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 62

MONDAY, 11 NOVEMBER 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 13 petitions, lodged with the Clerk by the Senators indicated, were received:

Senators Chipp and Zakharov, from 72 and 36 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 46 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 Vigor, from 371 petitioners praying that the further development of the Belconnen Mall, Canberra, include the development of community facilities and the retention of the present child care centre.

Senator Peter Rae, from 22 petitioners praying that the proposed introduction of compulsory identification cards be reconsidered and rejected.

Senator Bjelke-Petersen, from 25 petitioners praying that the Senate ensure that the concessional rate of duty on old cars and car parts be maintained.

Senator Bjelke-Petersen, from 34 petitioners praying that the Senate not legalise the possession, sale, hire or supply of any pornographic material.

Senator Bjelke-Petersen, from 13 petitioners praying that the Senate reject certain tax proposals which are outlined in the Government's White Paper of May 1985.

Senator Bjelke-Petersen, from 81 petitioners praying that the Senate support the introduction of a broad-based consumption tax with no exemptions to replace current sales tax legislation.

Senator Bjelke-Petersen, from 1572 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 150 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 Chaney, from 838 petitioners praying that the Senate request the Government to abandon the proposed tax on fringe benefits.

Senator Sibraa, from 8 corporations praying that the Senate request the Government to initiate policies to encourage the growth of a research-based pharmaceutical manufacturing industry in Australia.

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

From 88 petitioners concerned about increases in fuel costs, particularly in country areas.

4 NOTICES:*Notices of Motion:*

Senator Coates: To move on the next day of sitting—That the Senate, noting that 11 November 1985 is the 10th anniversary of the dismissal of the Whitlam Labor Government while it maintained its majority in the House of Representatives—

- (a) records its condemnation of the disgraceful actions of:
 - (i) the then Liberal Premier of New South Wales in ignoring convention by not appointing a replacement of the same party to a Senate vacancy in 1975,
 - (ii) the then and now Premier of Queensland in repeating that breach of convention following the death of a Labor senator,
 - (iii) the then Leader of the Opposition for taking advantage of the situation and forcing Opposition senators to block the 1975-76 Appropriation Bills, and
 - (iv) the then Governor-General for exercising doubtful powers while a parliamentary solution was still possible;
- (b) declares that such fundamental breaches of the Constitution must never be allowed to occur again; and
- (c) congratulates the Whitlam Labor Government for those of its reforms and achievements which have endured for the benefit of the Australian people.

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

- (a) expresses its regret that Senator Gerry Jones misled the Senate by giving a Notice of Motion on 8 November 1985, that: "The Senate congratulates the Camelia Restaurant on its endeavours to spend \$1.5m in redeveloping the Riverside development in Brisbane.", thereby clearly implying that the owner of this restaurant was tendering for a new restaurant, when the Senate had been advised in an answer to a Question without Notice on 7 November 1985, that due to the new tax proposals this formerly successful business would have to close on 9 November 1985;
- (b) notes that the owner of the Camelia Restaurant for the last 2 years 7 months and at the time of its closure last week, was Mr James Allen and that Mr Allen has made no application for any new restaurant in the Riverside development; and
- (c) notes that the application for the new Riverside restaurant was made by Mr Michael Platsis, the owner of Michaels Restaurant, who has no interest whatsoever in the Camelia Restaurant and that such application was made 6 months ago, before the new legislation against deductibility was introduced.

Contingent Notice of Motion: The Leader of the Australian Democrats (Senator Chipp): To move (contingent on the moving of a motion to debate a matter of urgency under Standing Order 64 and the expiration of the time provided for discussion of the motion)—That so much of the Standing and Sessional Orders be suspended as would prevent the Question on the matter of urgency being put forthwith.

5 QUESTIONS.

6 CONDUCT OF QUESTION TIME—STATEMENT BY PRESIDENT: The President made a statement relating to the answering of Questions without Notice by Senators, pursuant to Standing Order 98, and the possible inconsistency which may arise under Standing Order 419, which disallows discussion or anticipation of any subject listed on the Notice Paper.

The Leader of the Opposition in the Senate (Senator Chaney), by leave, made a statement relating thereto.

7 PERSONAL EXPLANATION: Senator Sanders, by leave, made a personal explanation relating to a matter raised during debate on 8 November 1985.

8 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE: The Deputy-President (Senator Hamer) informed the Senate that Senator Hill had proposed that a matter of public importance be submitted to the Senate for discussion, viz: "The detrimental effect on South Australians of the high interest and high taxation policies of current Labor Governments".

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

The Deputy-President called upon Senator Hill to speak.

Discussion ensued.

And the discussion having reached the limit of 2 hours allowed by Standing Order 64, the business of the day was called on.

9 PAPERS: The following Papers were tabled:

Australian Federal Police Act—Regulations—Statutory Rules 1985 Nos 292, 293.
Complaints (Australian Federal Police) Act—Regulation—Statutory Rules 1985 No. 291.

Extradition (Commonwealth Countries) Act—Regulations—Statutory Rules 1985 No. 287.

Fisheries Act—Plan of Management No. 1—Southern Bluefin Tuna Fishery.

Foreign Fishing Boats Levy Act—Declaration under sub-section 4 (4), dated 31 October 1985.

Health Insurance Act—Regulation—Statutory Rules 1985 No. 290.

Lands Acquisition Act—

Land, etc., acquired for Defence purposes—Churchill, Queensland.

Statements (2) by the Minister describing lands acquired by agreement under sub-section 7 (1) of the Act, for specified public purposes.

National Health Act—Regulations—Statutory Rules 1985 No. 288.

Navigation Act—Regulations—Statutory Rules 1985 No. 294.

Nursing Homes Assistance Act—Regulations—Statutory Rules 1985 No. 289.

Seat of Government (Administration) Act—Ordinances 1985—

No. 57—Artificial Conception.

No. 58—Interpretation (Amendment) (No. 2).

No. 59—Child Welfare (Amendment).

States Grants (Tertiary Education Assistance) Act—Directions under sections 37 and 41 to vary Schedule 19, dated 29 October 1985.

10 GOVERNOR-GENERAL'S PROCLAMATION—COMMENCEMENT OF ACT: A

Proclamation by His Excellency the Governor-General was tabled, notifying that His Excellency had proclaimed the following Act to come into operation on the date specified:

Snowy Mountains Engineering Corporation Amendment Act 1985—14 November 1985 (Gazette No. S 461, 7 November 1985).

11 APPROPRIATION BILL (NO. 1) 1985-86: 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 Hamer addressing the Chair—

And it being 10.30 p.m.—

12 ADJOURNMENT: The Acting Deputy-President (Senator Bjelke-Petersen), under Sessional Order, put the Question—That the Senate do now adjourn.

Debate ensued.

Question—resolved in the affirmative.

The Senate adjourned at 11.05 p.m. till tomorrow at 2 p.m.

13 **ATTENDANCE:** Present, all Senators except Senators Black, Coleman (on leave), Georges, Morris and Siddons.

A. R. CUMMING THOM,
Clerk of the Senate