

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 64

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

Senator Vigor, from 422 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 Chaney, from 534 petitioners praying that the Senate request the Government to abandon the proposed tax on fringe benefits.

Senator Durack, from 224 petitioners praying that the Senate pass a motion that the existing Australian National Flag be changed only with the approval of the nation as expressed in a referendum.

Senator Peter Rae, from 5 petitioners praying that the proposed introduction of compulsory identification cards be reconsidered and rejected.

Senators Sir John Carrick, Chaney, Puplick, Richardson and Sibraa, from 91, 135, 115, 100 and 84 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.

Senator Puplick, from 48 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 Zakharov, from 47 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 Sheil, from 63 petitioners praying that the Senate reject certain tax proposals which are outlined in the Government's White Paper of May 1985.

Senator Boswell, from 39 petitioners praying that the decision to allow privileges and travel entitlements to homosexual staff of the Australian Broadcasting Corporation be reversed.

4 NOTICES:*Notices of Motion:*

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

(a) notes the decision to hand over the Australian Capital Territory (ACT) Schools Authority media services film and sound recording studio to Film Australia:

- (i) without fully investigating other alternatives,
- (ii) without consulting with ACT teachers who will be affected, and
- (iii) without taking the needs of ACT students into consideration; and

- (b) calls upon the Council of the Authority to provide the Senate with the reasons for the decision and a financial statement detailing the cost of maintaining the studio and the cost to provide the same service by Film Australia.

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

- (a) notes that because of an Industrial Court decision in Queensland, some 3000 members of the Electrical Trades Union are now without representation;
- (b) notes that in its judgment, the Industrial Court blamed the activity of the Queensland Government in sacking some 1100 employees of the South East Queensland Electricity Board as the basis for its decision, saying the workers then had no chance to comply with its Order to return to work; and
- (c) condemns the actions of the Queensland National Party Government for its obvious failure to observe the terms of a Court Order by sacking the men before they had a chance to be re-employed.

Senator Michael Baume: To move on the next day of sitting—That the Senate expresses its concern at the fundamental weakness in the Australian dollar arising from—

- (a) the worsening current account deficit evidenced by its 25 per cent rise to \$5000m in the first 4 months of the current financial year;
- (b) the rising rate of inflation which now appears certain to exceed 8.5 per cent in the 1985-86 financial year—double that of our trading partners; and
- (c) the failure of the Federal Government to genuinely discount wage rises for devaluation by offsetting next year's nominal and partial discount with a tax cut, paid for mainly by business (particularly small business) and the farming community,

and calls on the Federal Government to replace its present policies of effective full wage indexation under the Accord, excessive Government spending and consequential record high interest rates, with policies that will restore Australia's international competitiveness and therefore its economic health.

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

- (a) commends the independent report commissioned by the United States (US) State Department which notes that French colonialism and some American policies are the main sources of political tension and instability in the South Pacific;
- (b) agrees with the response of the New Zealand Prime Minister, Mr Lange, in endorsing the report's contention that the only threat to the region is great power rivalry;
- (c) in accord with the report, urges the French Government to immediately recognize the legitimate and strongly felt aspirations of the South Pacific peoples for a nuclear-free and independent Pacific;
- (d) calls on the US to change its rigid aid practices, import quotas, hardline attitudes on unrestricted access to island fisheries and the increased presence of nuclear weapons in the region; and
- (e) endorses the report's view that it is very much in the interests of the West to maintain continued political, economic and social stability in the South Pacific region and that this can only occur through a recognition by the US and France that such changes must take place, otherwise, the as yet unrealized "Soviet threat" they so much fear will eventuate.

Senator Walters: To move on the next day of sitting—That the Senate condemns the Hawke Labor Government for presiding over the worst-ever performance of the Australian dollar on world markets.

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

- (a) notes that the Federal Labor Government's proposed fringe benefits tax will cost Queensland mining companies \$20m per year;

(b) condemns the Federal Labor Government for adding unwarranted costs to mining companies at a time when international mineral markets are extremely competitive and Australia's balance of payments in November 1985 is \$1600m "in the red"; and

(c) expresses concern that this tax will act to reduce the living standards of people in the isolated and de-centralised areas of Queensland.

Intention to withdraw: The Chairman of the Standing Committee on Regulations and Ordinances (Senator Coates), pursuant to Standing Order 109A, gave notice of his intention, on the next day of sitting, at giving of Notices, to withdraw Business of the Senate, Notice of Motion No. 2 standing in his name for the next day of sitting, for the disallowance of the Extradition (Republic of South Africa) Regulations (Amendment).

Senator Coates, by leave, made a statement relating thereto.

Postponements:

The Chairman of the Standing Committee on Regulations and Ordinances (Senator Coates), by leave, moved—That Business of the Senate, Notices of Motion Nos 1, 3, 4, 5 and 6 standing in his name for the next day of sitting for the disallowance of certain ordinances and an amendment to certain by-laws, be postponed till 3 sitting days after today.

Question—put and passed.

Senator Vigor, by leave, moved—That Business of the Senate, Notice of Motion No. 7 standing in his name for the next day of sitting for the disallowance of a section of an ordinance, be postponed till 3 sitting days after today.

Question—put and passed.

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

Aussat Pty Ltd—Annual Report 1984-85.

Australian National Railways Commission—Accident Statistics for period 1 January 1984 to 30 June 1985, including attachments (2).

Broadcasting and Television Act—Australian Broadcasting Tribunal—Remote Commercial Television Services—2nd Report on North East Region, dated 27 September 1985.

Commonwealth Schools Commission Act—Curriculum Development Council—Report for the period 1 July 1984 to 31 December 1984.

Dairying Research Act—Australian Dairy Research Committee—Annual Report (13th) 1984-85.

Defence Act—Royal Military College—Annual Report for period 1 February 1984 to 31 January 1985.

Department of Community Services—Annual Report for period 13 December 1984 to 30 June 1985.

Department of Housing and Construction—Annual Report 1984-85, together with Annual Reports under the *Home Savings Grant Act 1976*, the *Home Deposit Assistance Act 1982* and the *First Home Owners Act 1983* for 1984-85.

Department of the Special Minister of State—Annual Report 1984-85.

Industries Assistance Commission Act—Industries Assistance Commission—Annual Report 1984-85, together with the Annual Report (Final) under the *Industries Assistance Amendment Act 1984* of the Temporary Assistance Authority for period 1 July 1984 to 18 October 1984.

Papua New Guinea (Staffing Assistance) Act—Papua New Guinea Superannuation Scheme and Certain Other Schemes—Annual Report 1984-85 by the Commissioner for Superannuation on the General Administration and Operation of the Schemes.

Remuneration Tribunals Act—

Academic Salaries Tribunal—Annual Report 1984-85.

Remuneration Tribunal—Annual Report 1984-85.

Steel Industry Authority Act—Steel Industry Authority—Annual Report 1984-85.

Tobacco Industry Act—Tobacco Industry Trust Account—Annual Report 1984-85.

Urban and Regional Development (Financial Assistance) Act—Amending Agreements in relation to the provision of financial assistance to—
Victoria, dated 8 October 1985.

Western Australia, dated 8 October 1985.

6 ELECTORAL REFORM—JOINT SELECT COMMITTEE—AMENDMENT TO TERMS OF REFERENCE: The Minister for Resources and Energy (Senator Evans), pursuant to Notice of Motion not objected to as a Formal Motion, moved—

1. That paragraph (1) of the Resolution agreed to by the Senate and the House of Representatives on 28 February 1985 and 27 February 1985, respectively, relating to the appointment of the Joint Select Committee on Electoral Reform, be amended to read as follows—

“(1) That a joint select committee be appointed to inquire into and report upon—

- (a) all aspects of the conduct of elections for the Parliament of the Commonwealth and matters related thereto, including:

- (i) legislation governing, and the operation of, the Australian Electoral Commission,

- (ii) the provision of ‘free’ radio time for political messages during election periods,

- (iii) the provisions of the *Commonwealth Electoral Act 1918* concerning the defamation of candidates for election,

- (iv) tax deductibility of political donations, and

- (v) the establishment of fixed formulae for determining the number of Senators and Members of the House of Representatives to which the Australian Capital Territory, the Northern Territory and other territories are entitled; and

- (b) such other matters relating to Australian electoral laws and practices as may be referred to it by either House of the Parliament.”.

2. That the foregoing Resolution be communicated to the House of Representatives by Message requesting its concurrence in the Resolution.

Question—put and passed.

7 PRIVILEGES—STANDING COMMITTEE—REFERENCE: Senator Reynolds, pursuant to Notice of Motion not objected to as a Formal Motion, moved—

- (1) That the following matters be referred to the Committee of Privileges for urgent investigation and report:

- (a) the circumstances which led to Senator Georges’ bail being conditional upon fingerprinting for identification purposes; and

- (b) the failure of Queensland authorities to notify the President of the Senate of the detention of a Senator in accordance with paragraph 17 of the Fifth Report of the Committee of Privileges entitled, “Imprisonment of a Senator”, tabled in the Senate on 25 October 1979.

- (2) That, notwithstanding anything contained in the Standing Orders, the Committee of Privileges for the purposes of its inquiry and report shall have power to send for persons, papers and records.

Question—put and passed.

8 ORDER OF BUSINESS—RE-ARRANGEMENT: The Manager of Government Business (Senator Grimes) moved—That consideration of Committee Reports pursuant to Sessional Order be not proceeded with this day.

Question—put and passed.

9 PROPOSED SUSPENSION OF STANDING ORDERS: Senator Mason, pursuant to contingent notice, moved—That so much of the Standing Orders be suspended

as would prevent Senator Mason moving a motion to give precedence over all other business to the Order of the Day relating to the Commission of Inquiry (Chamberlain Convictions) Bill 1984 [1985].

Debate ensued.

Question—put and negatived.

10 FREEDOM OF INFORMATION (CHARGES) REGULATIONS (AMENDMENT)—

MOTION FOR DISALLOWANCE: Senator Missen, pursuant to notice, moved—That the Freedom of Information (Charges) Regulations (Amendment), as contained in Statutory Rules 1985 No. 113 and made under the *Freedom of Information Act 1982*, be disallowed.

Debate ensued.

Papers: The Chairman of the Standing Committee on Regulations and Ordinances (Senator Coates), by leave, tabled the following Papers:

Freedom of Information (Charges) Regulations (Amendment)—Copy of correspondence between the Chairman of the Standing Committee on Regulations and Ordinances and the Attorney-General relating to the charges payable for requests for information under the Freedom of Information Act, dated—

10 September 1985.

8 October 1985, including a copy of a news release by the Attorney-General, dated 14 June 1985 and copies of Revised FOI Memorandum No. 41—Remission of Charges, dated June 1985 and FOI Memorandum No. 77—Government Directions on Administration of the Freedom of Information Act, dated June 1985.

15 October 1985.

Debate continued.

Senator Lewis addressing the Chair—

And it being 2 p.m.—

11 QUESTIONS: Questions without Notice being proceeded with—

Paper: The Minister for Finance (Senator Walsh) tabled the following Paper from which he had quoted:

Electromagnetic Energy Levels—Table comparing energy levels resulting from 13 sources, prepared by Overseas Telecommunications Commission (Australia).

Further Questions without Notice were answered.

12 NOTICE: The Minister for Community Services (Senator Grimes), by leave, gave a Notice of Motion, as follows: To move on the next day of sitting—That leave be given to introduce a Bill for an Act to amend the *Child Care Act 1972*, and for related purposes.

13 MATTER OF PUBLIC IMPORTANCE: The President informed the Senate that at 8.30 a.m. this day, 2 Senators each submitted letters in accordance with Standing Order 64—Senator Colston proposing a matter of urgency and Senator Michael Baume proposing a matter of public importance.

To decide which letter should be submitted to the Senate, the matter was determined by lot.

In accordance with the result of that procedure, the President thereupon informed the Senate that Senator Michael Baume had proposed that a matter of public

importance be submitted to the Senate for discussion, viz: "The impact of the Hawke Government's policies on interest rates and the value of the Australian dollar".

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

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

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

Australian Dairy Research Committee—Annual Report 1984-85—Motion to take note of Paper moved by Senator Archer, debated and agreed to.

Remuneration Tribunal—Annual Report 1984-85—Motion to take note of Paper moved by Senator Harradine and agreed to.

Australian National Railways Commission—Report on Accident Statistics, 1 January 1984 to 30 June 1985—Motion to take note of Paper moved by Senator Vigor.

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

Remote Commercial Television Services—2nd Report—Motion to take note of Paper moved by Senator Puplick and debated.

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

Department of the Special Minister of State—Annual Report 1984-85—Motion to take note of Paper moved by Senator Archer and agreed to.

Aussat Pty Ltd—Annual Report 1984-85—Motion to take note of Paper moved by Senator Kilgariff.

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

- 15 **ARREST OF SENATOR GEORGES—STATEMENT BY PRESIDENT:** The President made a statement relating to the events involving the arrest of Senator Georges in Brisbane on 11 November 1985.

Senator Reynolds, by leave, moved—That the Senate take note of the Statement.

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

Statements by Senators: The Leader of the Opposition in the Senate (Senator Chaney), Senator Georges and the Minister for Veterans' Affairs (Senator Gietzelt), by leave, made statements relating thereto.

- 16 **VETERANS' ENTITLEMENTS BILL 1985**

VETERANS' ENTITLEMENTS (TRANSITIONAL PROVISIONS AND CONSEQUENTIAL AMENDMENTS) BILL 1985—

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

MR PRESIDENT,

Message No. 188

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to provide for the payment of pensions and other benefits to, and to provide medical and other treatment for, veterans and certain other persons, and for other purposes*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 12 November 1985

H. A. JENKINS,
Speaker

MR PRESIDENT,

Message No. 189

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to make certain transitional provisions and consequential amendments related to the enactment of the 'Veterans' Entitlements Act 1985'*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 12 November 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 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 Gietzelt the Bills were read a first time.

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

On the motion of Senator Lewis the debate was adjourned.

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

- 17 **INTERSTATE ROAD TRANSPORT BILL 1985**—*Message from the House of Representatives:* The following Message from the House of Representatives was reported:

MR PRESIDENT,

Message No. 190

The House of Representatives acquaints the Senate that it has agreed to the amendments made by the Senate in the Bill intituled "*A Bill for an Act relating to road transport'*".

House of Representatives,
Canberra, 13 November 1985

H. A. JENKINS,
Speaker

- 18 **INTERSTATE ROAD TRANSPORT CHARGE BILL 1985**—*Message from the House of Representatives:* The following Message from the House of Representatives was reported:

MR PRESIDENT,

Message No. 191

The House of Representatives returns to the Senate the Bill intituled "*A Bill for an Act to impose a charge by way of or in the nature of a tax in respect of the registration of a motor vehicle or trailer under the 'Interstate Road Transport Act 1985'*", and acquaints the Senate that the House of Representatives has considered the Message of the Senate requesting the House to make certain amendments in such Bill.

The House of Representatives has made the requested amendments.

House of Representatives,
Canberra, 13 November 1985

H. A. JENKINS,
Speaker

On the motion of the Minister for Veterans' Affairs (Senator Gietzelt) the Bill was read a third time.

- 19 **SCRUTINY OF BILLS—STANDING COMMITTEE—15TH REPORT AND 14TH ALERT DIGEST:** The Chairman of the Standing Committee for the Scrutiny of Bills (Senator Tate) tabled the following Report and Paper:

15th Report, dated 13 November 1985.

Alert Digest No. 14, dated 13 November 1985.

Ordered—That the Report be printed.

- 20 **AUSTRALIAN AUDIT OFFICE—ANNUAL REPORT 1984-85—PAPER:** The President tabled the following Paper:

Audit Act—Australian Audit Office—Annual Report 1984-85—Supplementary Report by the Auditor-General to the Report upon the Financial Statements prepared by the Minister for Finance.

- 21 **FREEDOM OF INFORMATION (CHARGES) REGULATIONS (AMENDMENT)—MOTION FOR DISALLOWANCE:** Order of the Day read for the adjourned debate on the motion of Senator Missen—That the Freedom of Information (Charges) Regulations (Amendment), as contained in Statutory Rules 1985 No. 113 and made under the *Freedom of Information Act 1982*, be disallowed.

Debate resumed.

Question—put.

The Senate divided—

AYES, 38

Senators—

Archer	Crichton-Browne	MacGibbon	Short
Baume, Michael	Guilfoyle, Dame	Mason	Siddons
Baume, Peter	Margaret	Messner	Teague
Bjelke-Petersen	Haines	Missen	Townley
Boswell	Hamer	Parer	Vallentine
Brownhill	Harradine	Puplick	Vigor
Carriack, Sir John	Jessop	Rae, Peter	Walters
Chaney	Kilgariff	Reid	Watson
Chipp	Knowles	Sanders	Withers
Collard	Lewis	Sheil (Teller)	

NOES, 30

Senators—

Aulich	Crowley	Grimes	Richardson
Black	Devlin	Jones	Robertson (Teller)
Bolkus	Elstob	McClelland	Ryan
Childs	Evans	McIntosh	Tate
Coates	Foreman	McKiernan	Walsh
Colston	Georges	Maguire	Zakharov
Cook	Gietzelt	Ray, Robert	
Cooney	Giles	Reynolds	

And so it was resolved in the affirmative.

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

Quarantine Act—Determinations under section 86E, dated 29 October 1985.

States Grants (Tertiary Education Assistance) Act—Directions—

Section 41, to vary Schedule 20, dated 12 November 1985.

Section 41, to vary Schedules 19 and 20, dated 12 November 1985.

Sections 37 and 41, to vary Schedule 20, dated 12 November 1985.

- 23 **REMUNERATION TRIBUNALS ACT—DETERMINATION NO. 11 OF 1985—PROPOSED MOTION FOR DISAPPROVAL:** Senator Harradine, by leave, amended Business of the Senate, Notice of Motion No. 2 standing in his name and pursuant to notice, moved—That the Remuneration Tribunal Determination No. 11 of 1985, relating to Entitlements of Members of the Parliament and made under the *Remuneration Tribunals Act 1973*, be disapproved.

Debate ensued.

On the motion of the Minister for Community Services (Senator Grimes) the debate was adjourned.

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

—
And it being 7 p.m.—

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

Question—resolved in the affirmative.

The Senate adjourned at 7 p.m. till tomorrow at 10 a.m.

25 **ATTENDANCE:** Present, all Senators except Senators Coleman (on leave), Morris and Vanstone.

A. R. CUMMING THOM,
Clerk of the Senate