

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 69

FRIDAY, 29 NOVEMBER 1985

1 **MEETING OF SENATE:** The Senate met at 9 a.m., pursuant to adjournment. The Deputy-President (Senator Hamer) took the Chair.

2 **PRAYERS.**

3 **PETITIONS:** The following 10 petitions, lodged with the Clerk by the Senators indicated, were received:

Senator Black, from 196 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 Peter Rae, from 26 petitioners praying that the proposed introduction of compulsory identification cards be reconsidered and rejected.

Senator Haines, from 120 petitioners praying that the Senate support the Australian Capital Territory Smoking and Tobacco Products Advertisements Prohibition Bill 1983 [1985].

Senator Devlin, from 37 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.

Senators Morris and Richardson, from 1035 and 273 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 Walters, from 818 petitioners praying that the Returned Services League nominee, Mr D. W. Beresford, be appointed to the Veterans' Review Board.

Senator Short, from 16 petitioners praying that the Senate withdraw the Australian Bill of Rights Bill 1985.

Senator Peter Baume, from 1416 petitioners praying that the Senate amend Article 18 of the Australian Bill of Rights Bill 1985.

Senator Durack, from 952 petitioners praying that the Senate oppose any legislation which would disallow taxation deductions for entertainment expenses.

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

From 550 petitioners requesting the Government to construct a primary school in the Canberra suburb of MacKellar.

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

The Manager of Government Business (Senator Grimes): To move on the next day of sitting—That, unless otherwise ordered—

(a) the Senate meet on Friday, 6 December 1985 and the hours of meeting be—

9 a.m.—12.45 p.m.

2 p.m.—4.15 p.m.; and

(b) the Order of Business for that day be as follows:

(i) Petitions,

- (ii) Notices of Motion,
- (iii) Formal Motions—Discovery of Formal Business,
- (iv) Postponement and re-arrangement of Business,
- (v) Business as set down on the Notice Paper,
- (vi) At 2 p.m., Questions, and
- (vii) Further consideration of Business as set down on the Notice Paper.

Senator Kilgarriff: To move on the next day of sitting—That leave be given to introduce a Bill for an Act to amend the *Aboriginal Land Rights (Northern Territory) Act 1976*.

Senator Sanders: To move on the next day of sitting—That leave be given to introduce a Bill for an Act to prohibit research into, and the testing of, certain nuclear weapons, nuclear weapons systems and anti-ballistic missile systems in Australia.

Senator Macklin: To move on the next day of sitting—That the Constitution Alteration (Democratic Elections) Bill 1985 be referred to the Joint Select Committee on Electoral Reform for inquiry and report.

5 CONSTITUTIONAL AND LEGAL AFFAIRS—STANDING COMMITTEE—REFERENCE:

The Chairman of the Standing Committee on Constitutional and Legal Affairs (Senator Tate), pursuant to Notice of Motion not objected to as a Formal Motion, moved—That the following matter be referred to the Standing Committee on Constitutional and Legal Affairs: The operation and administration of the Freedom of Information legislation.

Question—put and passed.

6 DAY AND TIME OF MEETING AND ORDER OF BUSINESS: The Manager of Government Business (Senator Grimes), pursuant to Notice of Motion not objected to as a Formal Motion, moved—That, unless otherwise ordered—

(a) the hours of meeting of the Senate on Tuesday, 3 December 1985, be—

10 a.m.—12.45 p.m.

2 p.m.—6.30 p.m.

8 p.m.—10.30 p.m.; and

(b) the Order of Business for that day be as follows:

- (i) Petitions,
- (ii) Notices of Motion,
- (iii) Formal Motions—Discovery of Formal Business,
- (iv) Postponement and re-arrangement of Business,
- (v) Business as set down on the Notice Paper,
- (vi) At 2 p.m., Questions,
- (vii) Any proposal pursuant to Standing Order 64,
- (viii) Consideration of Government Papers pursuant to Sessional Order, and
- (ix) Further consideration of Business as set down on the Notice Paper.

Question—put and passed.

7 AUSTRALIA BILL 1986 [1985]

AUSTRALIA (REQUEST AND CONSENT) BILL 1985—

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

MR PRESIDENT,

Message No. 228

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to bring constitutional arrangements affecting the Commonwealth and the States into conformity with the status of the Commonwealth of Australia as a sovereign, independent and federal nation*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 25 November 1985

H. A. JENKINS,
Speaker

MR PRESIDENT,

Message No. 229

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to request, and consent to, the enactment by the Parliament of the United Kingdom of an Act in the terms set out in the Schedule to this Act*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 25 November 1985

H. A. JENKINS,
Speaker

Suspension of Standing Orders to deal with Bills together: The Minister for Community Services (Senator Grimes) 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 Grimes the Bills were read a first time.

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

On the motion of Senator Kilgariff the debate was adjourned.

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

8 STATES GRANTS (NURSE EDUCATION TRANSFER ASSISTANCE) BILL 1985

STATES GRANTS (TERTIARY EDUCATION ASSISTANCE) AMENDMENT BILL (NO. 2) 1985—

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

MR PRESIDENT,

Message No. 221

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act relating to the grant of financial assistance to the States and the Northern Territory with respect to nurse education*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 21 November 1985

H. A. JENKINS,
Speaker

MR PRESIDENT,

Message No. 214

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to amend the 'States Grants (Tertiary Education Assistance) Act 1984'*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 20 November 1985

H. A. JENKINS,
Speaker

Suspension of Standing Orders to deal with Bills together: The Minister for Community Services (Senator Grimes) 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 Grimes the Bills were read a first time.

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

On the motion of Senator Kilgariff the debate was adjourned.

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

9 BROADCASTING AND TELEVISION LEGISLATION AMENDMENT BILL (NO. 2) 1985—

Message from the House of Representatives: The following Message from the House of Representatives was reported:

MR PRESIDENT,

Message No. 207

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to amend the 'Broadcasting and Television Act 1942'* and

the 'Broadcasting and Television Amendment Act 1985', and for related purposes", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 20 November 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 Community Services (Senator Grimes) the Bill was read a first time.

Senator Grimes moved—That this Bill be now read a second time.

On the motion of Senator Kilgarriff the debate was adjourned.

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

10 COMMONWEALTH TERTIARY EDUCATION COMMISSION AMENDMENT BILL

1985—*Message from the House of Representatives:* The following Message from the House of Representatives was reported:

MR PRESIDENT,

Message No. 209

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to amend the 'Commonwealth Tertiary Education Commission Act 1977', and for related purposes*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 20 November 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 Community Services (Senator Grimes) the Bill was read a first time.

Senator Grimes moved—That this Bill be now read a second time.

On the motion of Senator Kilgarriff the debate was adjourned.

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

11 COMPANIES AMENDMENT BILL 1985—*Message from the House of Representatives:*

The following Message from the House of Representatives was reported:

MR PRESIDENT,

Message No. 233

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 to amend the 'Companies Act 1981'*".

House of Representatives,
Canberra, 27 November 1985

H. A. JENKINS,
Speaker

12 ORDERS OF THE DAY DISCHARGED: Senator Kilgarriff, by leave, moved—That the following General Business, Orders of the Day, be discharged from the Notice Paper:

Industries Assistance Commission—Report on Separate Articles Direction No. 1 of the Customs Tariff—Paper: Adjourned debate on the motion of the Leader of the Opposition in the Senate (Senator Chaney)—That the Senate take note of the Paper.

Industries Assistance Commission—Report on Certain Consumer Electronic Equipment and Components—Paper: Adjourned debate on the motion of the Leader of the Opposition in the Senate (Senator Chaney)—That the Senate take note of the Paper.

South Africa—Ministerial Statement—Paper: Adjourned debate on the motion of the Leader of the Opposition in the Senate (Senator Chaney)—That the Senate take note of the Paper.

Inquiry into the Community Housing Expansion Program in the Australian Capital Territory—Papers: Adjourned debate on the motion of the Leader of the Opposition in the Senate (Senator Chaney)—That the Senate take note of the Papers.

Government Expenditure—Answer to Question: Adjourned debate on the motion of the Leader of the Opposition in the Senate (Senator Chaney)—That the Senate take note of the Answer.

Department of the Parliamentary Library—Annual Report 1984-85—Paper: Adjourned debate on the motion of the Leader of the Opposition in the Senate (Senator Chaney)—That the Senate take note of the Paper.

Question—put and passed.

- 13 **PIPELINE AUTHORITY AMENDMENT BILL 1985:** Order of the Day read for the adjourned debate on the motion of the Minister for Resources and Energy (Senator Evans)—That this Bill be now read a second time.

Debate resumed.

Question—put.

The Senate divided—

AYES, 35

Senators—

Aulich	Crowley	McIntosh	Robertson (Teller)
Black	Devlin	McKiernan	Ryan
Bolkus	Elstob	Macklin	Sanders
Childs	Foreman	Maguire	Sibraa
Chipp	Georges	Mason	Siddons
Coates	Gietzelt	Morris	Vigor
Colston	Giles	Ray, Robert	Walsh
Cook	Haines	Reynolds	Zakharov
Cooney	Jones	Richardson	

NOES, 26

Senators—

Archer	Chaney	Knowles	Sheil (Teller)
Baume, Michael	Collard	Lewis	Short
Baume, Peter	Durack	MacGibbon	Teague
Bjelke-Petersen	Guilfoyle, Dame	Messner	Vanstone
Boswell	Margaret	Missen	Walters
Brownhill	Jessop	Puplick	Watson
Carrick, Sir John	Kilgariff	Reid	

And so it was resolved in the affirmative.

Bill read a second time.

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

In the Committee

Bill, by leave, taken as a whole, debated and agreed to.

Bill to be reported without amendment.

The Deputy-President resumed the Chair; and the Temporary Chairman of Committees (Senator Haines) reported accordingly.

On the motion of the Minister for Finance (Senator Walsh) the Report from the Committee was adopted, and the Bill read a third time.

- 14 **SALES TAX LAWS AMENDMENT BILL (NO. 2) 1985**
SALES TAX (NOS 1 TO 4) AMENDMENT BILLS 1985
SALES TAX (NO. 5) AMENDMENT BILL (NO. 2) 1985
SALES TAX (NOS 6 TO 9) AMENDMENT BILLS 1985
SALES TAX (EXEMPTIONS AND CLASSIFICATIONS) AMENDMENT BILL 1985—

Order of the Day read for the adjourned debate on the motion of the Minister for Finance (Senator Walsh)—That these Bills be now read a first time.

Question—put and passed.

Bills read a first time.

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

Debate ensued.

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 and debated.

On the motion of the Minister for Industry, Technology and Commerce (Senator Button), the following amendments to the Sales Tax (Exemptions and Classifications) Amendment Bill 1985 were, by leave, taken together, debated and agreed to:

Page 1, sub-clause 2 (3), line 13, leave out "Section", insert "Sections 2A and".

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

"2A. After section 6AA of the Principal Act the following section is inserted:

Goods incorporating solar panels, &c.

'6AB. Notwithstanding anything contained in any Sales Tax Assessment Act, sales tax is not payable upon so much of the sale value under any Sales Tax Assessment Act of goods in which are incorporated goods covered by sub-item (1) of item 153 in the First Schedule as is equal to the amount which would have been the sale value of the first-mentioned goods under that Act if the transaction, act or operation in relation to which the first-mentioned sale value arose had been a transaction, act or operation in relation to the second-mentioned goods only.'."

Page 3, Schedule 2, before paragraph 1 (a), insert the following new paragraphs:

- "(aa) by inserting in paragraph (f) of the definition of 'aids to manufacture' in sub-clause (1) 'a manufacturer of savoury snacks or' after 'goods for use by';
- (ab) by inserting in that paragraph 'savoury snacks', before 'confectionery';"

Page 4, Schedule 2, paragraph 1 (b), proposed definition of "savoury snacks", leave out all words after paragraph (b) of that definition, insert—

"but does not include—

- (c) goods marketed exclusively or principally as ingredients of food for human consumption or as goods to be mixed with or added to food for human consumption; or
- (d) nuts or seeds that have not been processed or treated by salting, spicing, smoking or roasting or in any similar manner, being nuts or seeds of a kind used exclusively or principally as ingredients of food for human consumption or as goods mixed with or added to food for human consumption".

Page 4, Schedule 2, paragraph 1 (c), proposed sub-clause 1 (6), after "goods for use by", insert "a manufacturer of savoury snacks or".

Page 5, Schedule 2, clause 4, at end of proposed new item 23, add the following word and paragraph:

"; or (n) bicarbonate of soda marketed exclusively or principally for non-culinary purposes.

Page 8, Schedule 2, clause 34, leave out the clause, insert the following clause:

"34. Item 152 in the First Schedule is omitted and the following item is substituted:

- | | | |
|-------|---|--------------|
| '152. | (1) Satellite earth stations exclusively for non-business use | Nos. 1 to 9 |
| | (2) Accessories and parts (but not including batteries) for goods covered by sub-item (1) | Nos. 1 to 9' |

For the purposes of this item—

- (a) "Aussat satellite" and "space satellite" have the same respective meanings as in the *Satellite Communications Act 1984*;
- (b) "business" means a business carried on for the purpose, or for purposes including the purpose, of profit or gain;
- (c) "business use" means use in connection with a business;
- (d) "non-business use" means use other than business use;
- (e) "satellite earth station" means a device designed for the reception on earth of signals transmitted from a space satellite, being signals constituting a satellite program service, and includes any goods exclusively or principally designed to be ancillary to, or to be associated with, that device for the purposes of receiving those signals;
- (f) "satellite program service" means a broadcasting and television service transmitted by means of one or more Aussat satellites, being—
 - (a) if regulations under this Act prescribing such a service for the purposes of this item are in force—the service so prescribed; or
 - (b) if no such regulations are in force—the service described as the "Homestead and Community Broadcasting Satellite Service" in the Transmission Standard relating to that service issued by the Minister for Communications on 16 November 1984 pursuant to sub-section 111C (1) of the *Broadcasting and Television Act 1942*; and
- (g) where goods are for both business use and non-business use, and the business use constitutes a minimal or insignificant part of the overall use of the goods, the goods shall be taken not to be for business use".

Page 8, Schedule 2, clause 35, leave out the clause.

Page 9, Schedule 2, clause 44, at end of proposed sub-item 3 (3), add " , but not including books marketed exclusively or principally for use in schools, colleges or universities".

Page 9, Schedule 2, clause 47, leave out proposed sub-item 12 (1), insert the following sub-item:

"12 (1) Water heating and hot water storage equipment, being goods of a kind installed as fixtures in domestic premises, but not including goods covered by sub-item (1) of item 153 in the First Schedule;"

On the motion of Senator Button the following amendments to the Sales Tax Laws Amendment Bill (No. 2) 1985 were, by leave, taken together and agreed to:

Page 5, before paragraph 19 (a), insert the following new paragraphs:

"(aa) by inserting in paragraph (f) of the definition of 'aids to manufacture' in sub-regulation (1) 'a manufacturer of savoury snacks or' after 'goods for use by';

(ab) by inserting in that paragraph 'savoury snacks,' before 'confectionery';".
Page 6, paragraph 19 (b), line 11, after "goods for use by", insert "a manufacturer of savoury snacks or".

Bills, as amended, agreed to.

Sales Tax (Nos 1 to 4) Amendment Bills 1985; Sales Tax (No. 5) Amendment Bill (No. 2) 1985 and Sales Tax (Nos 6 to 9) Amendment Bills 1985 to be reported without requests.

Sales Tax (Exemptions and Classifications) Amendment Bill 1985 and Sales Tax Laws Amendment Bill (No. 2) 1985 to be reported with amendments.

The Deputy-President resumed the Chair; and the Temporary Chairman of Committees (Senator Elstob) reported accordingly.

On the motion of Senator Button the Report from the Committee was adopted, and the Bills read a third time.

15 VETERANS' ENTITLEMENTS BILL 1985—*Message from the House of Representatives:*

The following Message from the House of Representatives was reported:

MR PRESIDENT,

Message No. 244

The House of Representatives returns to the Senate the 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*", 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 not made the requested amendments.

House of Representatives,

H. A. JENKINS,

Canberra, 29 November 1985 a.m.

Speaker

Ordered—That the Message be considered in Committee of the Whole forthwith.

The Senate, according to Order, resolved itself into Committee for the consideration of Message No. 244 of the House of Representatives.

In the Committee

Message read.

The Minister for Veterans' Affairs (Senator Gietzelt) moved—That the requests be not pressed.

Debate ensued.

Question—put and negatived.

Requests to be pressed accordingly.

Resolution to be reported.

The Deputy-President resumed the Chair; and the Temporary Chairman of Committees (Senator Haines) reported that the Committee had considered Message No. 244 of the House of Representatives with reference to the Senate's requests on the Veterans' Entitlements Bill 1985, and had resolved to press the requests.

On the motion of the Minister for Education (Senator Ryan) the Report from the Committee was adopted.

16 ORDER OF BUSINESS—RE-ARRANGEMENT: The Minister for Education (Senator Ryan) moved—That intervening business be postponed till after consideration of Government Business, Order of the Day No. 4 (Overseas Students Charge Amendment Bill 1985).

Question—put and passed.

17 OVERSEAS STUDENTS CHARGE 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.

Question—put.

The Senate divided—

AYES, 55

Senators—

Archer	Colston	Kilgariff	Richardson
Aulich	Cook	Knowles	Robertson (Teller)
Baume, Michael	Cooney	Lewis	Ryan
Baume, Peter	Crowley	MacGibbon	Sheil
Bjelke-Petersen	Devlin	McIntosh	Short
Black	Durack	McKiernan	Sibraa
Bolkus	Elstob	Maguire	Tate
Boswell	Foreman	Messner	Teague
Brownhill	Georges	Missen	Vanstone
Carrick, Sir John	Gietzelt	Morris	Walsh
Chaney	Giles	Puplick	Walters
Childs	Hamer	Ray, Robert	Watson
Coates	Jessop	Reid	Zakharov
Collard	Jones	Reynolds	

NOES, 7

Senators—

Chipp	Macklin (Teller)	Sanders	Vigor
Haines	Mason	Siddons	

And so it was resolved in the affirmative.

Bill read a second time.

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

In the Committee

Bill, by leave, taken as a whole.

Senator Macklin, by leave, moved the following amendments together:

Page 2, paragraph 4 (b), proposed new paragraphs 6 (2) (a) and (b), lines 5 to 8, leave out the paragraphs, insert “the relevant maximum amount”.

Page 2, paragraph 4 (b), proposed new paragraphs 6 (3) (a) and (b), lines 12 to 19, leave out the paragraphs, insert “an amount equal to the amount of the charge imposed in respect of the enrolment of that student in that course for the first year of enrolment”.

Page 2, paragraph 4 (b), proposed new sub-sections 6 (4) and (5), lines 20 to 43, leave out the sub-sections.

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

On the motion of Senator Peter Baume the following amendments were, by leave, taken together and agreed to:

Page 2, paragraph 4 (b), proposed new paragraph 6 (2) (a), line 7, after “in relation to”, insert “the enrolment of the student in that course for”.

Page 2, paragraph 4 (b), proposed new sub-section 6 (3), line 11, after “in relation to”, insert “the enrolment of a student in that course for”.

Page 2, paragraph 4 (b), proposed new paragraph 6 (3) (b), lines 14 to 19, leave out the paragraph, insert the following new paragraph:

“(b) in the case of a subsequent year—the amount prescribed for the purpose of this sub-section, being an amount not exceeding the amount calculated by multiplying by 1.15 the amount of the charge imposed by this Act that would have been applicable to that enrolment if that enrolment had been an enrolment in that course for the immediately preceding year.”.

Bill, as amended, agreed to.

Bill to be reported with amendments.

The Deputy-President resumed the Chair; and the Temporary Chairman of Committees (Senator Haines) reported accordingly.

On the motion of the Minister for Education (Senator Ryan) the Report from the Committee was adopted, and the Bill read a third time, all Australian Democrat Senators present, by leave, having recorded their votes for the Noes.

And it being 2 p.m.—

18 **QUESTIONS:** Questions without Notice being proceeded with—

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

Privatisation—A copy of a letter from Senator Jessop to his colleagues relating to privatisation in the context of reducing public expenditure.

Further Questions without Notice were answered.

19 **GOVERNOR-GENERAL'S MESSAGES—ASSENT TO LAWS:** Messages from His Excellency the Governor-General were reported, notifying that His Excellency had, in the name of Her Majesty, assented to the following laws:

28 November 1985—

Message No. 43—

Liquefied Petroleum Gas (Grants) Amendment Act 1985 (Act No. 135 of 1985)

Message No. 44—

Student Assistance (Loans Guarantee and Subsidy) Repeal Act 1985 (Act No. 136 of 1985)

Student Assistance Amendment Act 1985 (Act No. 137 of 1985)

20 **PUBLIC ACCOUNTS—JOINT STATUTORY COMMITTEE—240TH REPORT:** Senator Cooney, on behalf of the Joint Committee of Public Accounts, tabled the following Report:

240th Report—Report of the Auditor-General—March 1984.

Ordered to be printed.

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

21 **NATIONAL CRIME AUTHORITY—JOINT STATUTORY COMMITTEE—1ST REPORT:** Senator Missen, on behalf of the Joint Committee on the National Crime Authority, tabled the following Report:

1st Report, dated November 1985.

Senator Missen, by leave, moved—That the Senate take note of the Report.

Ordered—That the debate be adjourned till the next day of sitting, and that Senator Missen have leave to continue his speech on the resumption of the debate.

Statement, by leave: Senator Missen, by leave, made a statement relating to the Report.

22 **ANIMAL WELFARE—SELECT COMMITTEE—REPORT ON DOLPHINS AND WHALES IN CAPTIVITY:** The Chairman of the Select Committee on Animal Welfare (Senator Georges) tabled the following Report:

Dolphins and whales in captivity.

Ordered to be printed.

Senator Georges, by leave, moved—That the Senate take note of the Report.

Debate ensued.

Ordered—That the debate be adjourned till the next day of sitting, and that Senator Brownhill have leave to continue his speech on the resumption of the debate.

23 PAPERS: The following Papers were tabled:

Acts Interpretation Act—Correspondence and Statement relating to extension of specified period for presentation of the Australian Institute of Aboriginal Studies Annual Report 1984-85.

Canned Fruits Levy Act—Regulations—Statutory Rules 1985 No. 314.

Christmas Island Act—Ordinance 1985—No. 9—Supreme Court (Amendment).

Cocos (Keeling) Islands Act—Ordinance 1985—No. 2—Criminal Procedure Code (Amendment).

Fisheries Act—Fisheries Notice—No. 117C—Prohibition on the taking of prawns and scallops off the east coast of Australia, dated 18 November 1985.

Navigation Act—Regulations—Statutory Rules 1985 Nos 317, 318.

Patents Act—Regulations—Statutory Rules 1985 No. 316.

Quarantine Act—Regulations—Statutory Rules 1985 No. 313.

Sales Tax Procedure Act—Regulations—Statutory Rules 1985 No. 319.

Therapeutic Goods Act—Regulations—Statutory Rules 1985 No. 312.

24 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 section of an Act to come into operation on the date specified:

Statute Law (Miscellaneous Amendments) Act (No. 2) 1982—Section 178—3 December 1985 (Gazette No. S 498, 27 November 1985).

25 BROADCASTING AND TELEVISION LEGISLATION 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.

Question—put and passed.

Bill read a second time.

Education and the Arts—Standing Committee—Proposed reference: Senator Puplick, pursuant to Standing Order 196A, moved—That the Broadcasting and Television Legislation Amendment Bill 1985 be referred to the Standing Committee on Education and the Arts for inquiry and report by the first sitting day in February 1986.

Question—put and negatived.

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

In the Committee

Bill, by leave, taken as a whole.

On the motion of the Minister for Finance (Senator Walsh) the following amendment was agreed to:

Page 5, clause 5, at end of clause, add the following new sub-clauses:

“(3) Where, before the commencement of this Act, a purported election of a person as the staff-elected Director or as the deputy of the staff-elected Director was held or commenced to be held in a manner approved by the Board, the purported election so held, or the purported election so commenced to be held as completed after the commencement of this Act, shall be deemed to have been or to be as valid and effectual as it would have been or would be if it had been or were held after the commencement of this Act in accordance with sub-section (2).

“(4) An election of the staff-elected Director to which sub-section (3) applies shall, for the purposes of sub-section 4 (4), be deemed to be the first

election of the staff-elected Director to be held after the commencement of this Act.”.

On the motion of Senator Peter Baume the following amendment was debated and agreed to:

Page 11, after clause 18, add the following new clause:

Special provisions relating to advertisements

“19. Section 100 of the Principal Act is amended by adding at the end of sub-section (6) ‘, provided that, where a period of 60 days has elapsed from the date of lodgement of the text of the proposed advertisement and the Secretary to the Department of Health or the Secretary’s delegate has not notified approval or disapproval of the text, the licensee may broadcast or televise the advertisement in the terms of the text as lodged with the Secretary or the Secretary’s delegate’.”.

On the motion of Senator Puplick the following amendment was debated and agreed to:

After new clause 19, add the following new clause:

Broadcasting or televising of political matter or controversial matter

“20. Section 116 of the Principal Act is amended by omitting sub-section (2).”.

Bill, as amended, agreed to.

Bill to be reported with amendments.

The Deputy-President resumed the Chair; and the Temporary Chairman of Committees (Senator Elstob) reported accordingly.

On the motion of Senator Walsh the Report from the Committee was adopted, and the Bill read a third time.

26 **AUSTRALIA CARD—JOINT SELECT COMMITTEE—APPOINTMENT:** Order of the Day read for the adjourned debate on the motion of the Minister for Veterans’ Affairs (Senator Gietzelt)—

- (1) That the Senate concurs in the Resolution transmitted to the Senate by Message No. 194 of the House of Representatives relating to the appointment of a Joint Select Committee on the Government’s proposals for an Australia Card.
- (2) That the provisions of the Resolution, so far as they are inconsistent with the Standing Orders, have effect notwithstanding anything contained in the Standing Orders.
- (3) That the foregoing Resolution be communicated to the House of Representatives by Message.

Question—put and passed.

27 **ADJOURNMENT:** The Senate adjourned at 4.12 p.m. till Monday next at 2 p.m.

28 **ATTENDANCE:** Present, all Senators except Senators Coleman (on leave), Crichton-Browne, Evans, Harradine, Hill, McClelland, Parer, Vallentine and Withers.

A. R. CUMMING THOM,
Clerk of the Senate