

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 70

MONDAY, 2 DECEMBER 1985

1 **MEETING OF SENATE:** The Senate met at 2 p.m., pursuant to adjournment. The Deputy-President (Senator Hamer) took the Chair.

2 **PRAYERS.**

3 **DEATH OF THE HON. SIR CHARLES DAVIDSON, K.B.E.:** The Deputy-President informed the Senate of the death, on 29 November 1985, of the Hon. Sir Charles William Davidson, K.B.E.

The Leader of the Government (Senator Button), by leave, moved—That the Senate expresses its deep regret at the death, on 29 November 1985, of the Honourable Sir Charles William Davidson, K.B.E., a former Minister of the Crown and Member of the House of Representatives for the Queensland Divisions of Capricornia, from 1946 to 1949, and Dawson, from 1949 to 1963, places on record its appreciation of his long and meritorious public service and tenders its profound sympathy to his widow and the members of his family in their bereavement.

And the motion having been supported and all Senators present having stood, in silence—

Question—passed.

4 **PETITIONS:** The following 15 petitions, lodged with the Clerk by the Senators indicated, were received:

Senator Vigor, from 71 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.

Senators Michael Baume and Brownhill, from 15 and 42 petitioners, respectively, praying that the Senate defer any action on the Australian Bill of Rights Bill 1985 for a period of 12 months.

Senator Sheil, from 36 petitioners praying that the Senate reject certain tax proposals which are outlined in the Government's White Paper of May 1985.

Senators Brownhill, Harradine and Morris, from 711, 515 and 842 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 Zakharov, from 78 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 21 petitioners praying that the protection of Australian historical and environmental assets be a subject for a referendum.

Senator MacGibbon, from 32 petitioners praying that former legislation banning the entry into Australia and sale of hard-core pornographic and violent videos and publications be re-enacted.

Senator MacGibbon, from 43 petitioners praying that the Senate not legalise the possession, sale, hire or supply of any pornographic material.

Senator Jessop, from 38 petitioners praying that the Senate reject the Australian Bill of Rights Bill 1985.

Senator Vallentine, from 526 petitioners praying that the lease to the Joint Australian-United States Defence Space Research Facility at Pine Gap be terminated.

Senator Short, from 12 petitioners praying that the Senate request the Government to take action to ensure that the activities of trade unions do not extend beyond their traditional role.

Senator Michael Baume, from 54 petitioners praying that the Senate prevent the Government from transferring Illawarra's television station, WIN TV, from VHF to UHF transmission.

5 NOTICES:

Notices of Motion:

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

- (a) notes the Federal Government's recent public commitment to eliminating spinal injuries caused in all football codes;
- (b) notes the excellent work being done in that area by the Spine Care Foundation of Sydney; and
- (c) calls on the Federal Government to reconsider its refusal to provide funds to the Spine Care Foundation to establish a central register of all spinal injuries caused through football accidents.

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

- (a) notes that the Federal Government has developed a new and improper practice of introducing major changes in policy through legislation which is operative from the date of announcement but not presented to the Parliament for consideration until many months or even years later, a breach of previous practice that limited such procedure to the closing of loopholes in existing tax legislation that involved no policy changes or to specific Customs Act changes;
- (b) regrets that this practice imposes an unfair and unreasonable burden on citizens whose actions are affected for many months by laws which do not yet exist, whose terms are not yet specified and whose operation is uncertain, and which may be amended or defeated by the Parliament when ultimately presented to it, or which may be (and indeed have been) considerably changed by the time they come before the Parliament from the broad outline in the original announcement; and
- (c) condemns the Government for this improper practice (evident in the present capital gains tax and negative gearing proposals which operate from 20 September 1985, but which will not be introduced until next February or March) which represents a subverting of the rights and obligations of the Senate and constitutes an authoritarian and unacceptable form of government by decree.

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

- (a) aware of the growing disquiet amongst both the financial community and the general community about the degree of indebtedness of Australia;
- (b) recognising that Australia's indebtedness is growing at an incredible rate; and
- (c) certain that unless the pattern is reversed that the living standard of all Australians will continue to fall,

calls upon the Hawke Socialist Government to develop and announce to the people of Australia a financial master plan to reverse the trend, including reduction of Government spending as quickly as is practicable, and the shelving of all unnecessary new Government plans that involve additional expenditure for the period of the years it will take to save this country from financial ruin.

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

- (a) endorses the concept of an International Year of Peace (IYP) in promoting the values of peace, disarmament and conflict resolution through community education and commends the Government in promoting these and for the setting up of IYP committees in each State and Territory;
- (b) expresses its concern at the situation where only \$185 000 is being allocated to community-based IYP groups, out of a total Government budget of \$3m;
- (c) voices its concern that much of this remaining \$3m will be used for public relations exercises by the Department of Foreign Affairs to promote the Labor Government's views on disarmament; and
- (d) suggests that a thorough review of IYP funding priorities be undertaken with a view to giving community groups a greater proportion of the funds allocated for IYP activities.

Postponements: The Chairman of the Standing Committee on Regulations and Ordinances (Senator Cooney) moved—That Business of the Senate, Notices of Motion Nos 1 and 2 standing in his name for this day, for the disallowance of the *Crimes (Amendment) Ordinance (No. 3) 1985* and the *Crimes (Amendment) Ordinance (No. 4) 1985*, be postponed till 2 sitting days after today.

Question—put and passed.

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

Aboriginal and Islander Broadcasting and Communications—Report of the Task Force—Government Response—Statement by the Minister for Aboriginal Affairs.

Acquired Immune Deficiency Syndrome—Parliamentary Liaison Group—Statement by the Minister for Health, dated 27 November 1985 establishing a Parliamentary Liaison Group on Acquired Immune Deficiency Syndrome. Affirmative Action Legislation—Report of the Working Party on Affirmative Action Legislation (Convenor: Senator the Hon. S. Ryan), dated 26 September 1985.

Australia Council Act—Australia Council—Annual Report 1984-85, together with financial statements and the Auditor-General's Report thereon.

Australian Industry and Technology Council—Annual Summary of Proceedings 1984-85.

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

Australian Science and Technology Council Act—Australian Science and Technology Council—Reports—

Future Directions for CSIRO, dated 15 November 1985.

Public Investment in Research and Development in Australia, dated 15 November 1985.

Statement by the Minister for Science on both Reports.

Australian Sports Commission—Annual Report (1st) 1984-85.

Australian Tourist Commission Act—Australian Tourist Commission—Annual Report (17th) 1984-85, together with financial statements and the Auditor-General's Report thereon.

Australia's Security and Intelligence Agencies—Royal Commission—Report on the Office of National Assessments and the Joint Intelligence Organization—Government Response on recommendations concerning the Joint Intelligence Organization—Statement by the Minister for Defence, dated November 1985.

Broadcasting and Television Act—Australian Broadcasting Tribunal—Annual Report 1984-85, together with financial statements and the Auditor-General's Report thereon.

Canberra Development Board—Annual Report 1984-85.

Christmas Island—Annual Report 1984-85.

Freedom of Information Act—Annual Report 1984-85, by the Attorney-General.

High Court of Australia Act—High Court of Australia—Annual Report 1984-85, together with financial statements and the Auditor-General's Report thereon.

International Monetary Agreements Act—Annual Report 1984-85, on the operations of the Act, and, insofar as they relate to Australia, of the International Monetary Fund and the International Bank for Reconstruction and Development.

Judiciary Act—Annual Report 1984-85, by the Attorney-General.

National Film and Sound Archive—Report on its future by the National Film and Sound Archive Advisory Committee (Chairperson: Joan Long), dated 15 October 1985.

Nugan Hand Group—Royal Commission of Inquiry into the Activities of the Nugan Hand Group—Final Report (2 vols) (Commissioner: The Hon. Mr Justice D. G. Stewart), dated 28 June 1985.

Statement by the Special Minister of State.

Postal Services Act—Australian Postal Commission—Annual Report (10th) 1984-85, together with financial statements and the Auditor-General's Report thereon.

Primary Industry Bank Act—Report (8th) on the Operation of Part II of the Act, for period 25 October 1984 to 28 November 1985.

Road Safety—House of Representatives Standing Committee—Report on Road Safety Generally—Government Response—Statement by the Minister for Transport.

7 QUESTIONS: Questions without Notice being proceeded with—

Paper: The Minister for Resources and Energy (Senator Evans) tabled the following Paper from which he had quoted:

Defence—A copy of a letter from the Acting Commonwealth Ombudsman (Mr J. C. Jordan) to Mr G. Campbell, M.P., dated 15 November 1985, relating to a complaint made by Mr Campbell concerning the leaking of information on tenders for the project Definition Study.

Further Questions without Notice were answered.

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

8 GOVERNMENT PAPERS—CONSIDERATION: The following Government Papers, tabled earlier this day (*see Entry No. 6 above*), were considered pursuant to Sessional Order:

Nugan Hand Group—Final Report of the Royal Commission—Motion to take note of Paper moved by Senator Durack and agreed to.

Australian Postal Commission—Annual Report 1984-85—Motion to take note of Paper moved by Senator Maguire and debated.

Ordered—That the debate be adjourned till the next day of sitting.

International Monetary Agreements Act—Annual Report 1984-85—Motion to take note of Paper moved by Senator Watson and agreed to.

Australian Tourist Commission—Annual Report 1984-85—Motion to take note of Paper moved by Senator Kilgariff.

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

9 AUSTRALIA'S SECURITY AND INTELLIGENCE AGENCIES—REPORT OF ROYAL COMMISSION—GOVERNMENT RESPONSE ON JOINT INTELLIGENCE

ORGANIZATION RECOMMENDATIONS—PAPER: Senator Sanders, by leave, moved—That the Senate take note of the following Paper:

Royal Commission on Australia's Security and Intelligence Agencies—Report on the Office of National Assessments and the Joint Intelligence Organization (JIO)—Government Response to JIO recommendations—Ministerial Statement.

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

- 10 **CSIRO—FUTURE DIRECTIONS—REPORT BY AUSTRALIAN SCIENCE AND TECHNOLOGY COUNCIL—PAPER:** Senator Puplick, by leave, moved—That the Senate take note of the following Paper:

Future Directions for CSIRO—Report by Australian Science and Technology Council.

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

- 11 **AUSTRALIAN SPORTS COMMISSION—ANNUAL REPORT 1984-85—PAPER:** Senator Crowley, by leave, moved—That the Senate take note of the following Paper:

Australian Sports Commission—Annual Report 1984-85.

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

- 12 **AFFIRMATIVE ACTION LEGISLATION—REPORT—PAPER:** Senator Crowley, by leave, moved—That the Senate take note of the following Paper:

Affirmative Action Legislation—Report by the Working Group.

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

- 13 **AUSTRALIAN INDUSTRY AND TECHNOLOGY COUNCIL—ANNUAL SUMMARY OF PROCEEDINGS 1984-85—PAPER:** The Leader of the Opposition in the Senate (Senator Chaney), by leave, moved—That the Senate take note of the following Paper:

Australian Industry and Technology Council—Annual Summary of Proceedings 1984-85.

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

- 14 **AUSTRALIAN BROADCASTING TRIBUNAL—ANNUAL REPORT 1984-85—PAPER:** Senator Vigor, by leave, moved—That the Senate take note of the following Paper:

Australian Broadcasting Tribunal—Annual Report 1984-85.

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

- 15 **ROAD SAFETY—HOUSE OF REPRESENTATIVES STANDING COMMITTEE—REPORT ON ROAD SAFETY GENERALLY—GOVERNMENT RESPONSE—PAPER:** Senator Vigor, by leave, moved—That the Senate take note of the following Paper:

Road Safety—House of Representatives Standing Committee—Report on Road Safety Generally—Government Response—Ministerial Statement.

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

- 16 **FREEDOM OF INFORMATION ACT—ANNUAL REPORT 1984-85—PAPER:** Senator Vigor, by leave, moved—That the Senate take note of the following Paper:
Freedom of Information Act—Annual Report 1984-85.
Ordered—That the debate be adjourned till the next day of sitting, and that Senator Vigor have leave to continue his speech on the resumption of the debate.
- 17 **CHRISTMAS ISLAND—ANNUAL REPORT 1984-85—PAPER:** Senator Kilgariff, by leave, moved—That the Senate take note of the following Paper:
Christmas Island—Annual Report 1984-85.
Ordered—That the debate be adjourned till the next day of sitting, and that Senator Kilgariff have leave to continue his speech on the resumption of the debate.
- 18 **ABORIGINAL AND ISLANDER BROADCASTING—REPORT OF TASK FORCE—GOVERNMENT RESPONSE—PAPER:** Senator Kilgariff, by leave, moved—That the Senate take note of the following Paper:
Aboriginal and Islander Broadcasting—Report of Task Force—Government Response—Ministerial Statement.
Ordered—That the debate be adjourned till the next day of sitting, and that Senator Kilgariff have leave to continue his speech on the resumption of the debate.
- 19 **PAPER:** The following Paper was tabled:
Acts Interpretation Act—Correspondence and Statement relating to extension of specified period for presentation of the National Library of Australia Annual Report 1984-85.
- 20 **ABORIGINAL LAND RIGHTS (NORTHERN TERRITORY) AMENDMENT BILL (NO. 2) 1985:** Senator Kilgariff, pursuant to Notice of Motion not objected to as a Formal Motion, moved—That leave be given to introduce a Bill for an Act to amend the *Aboriginal Land Rights (Northern Territory) Act 1976*.
Question—put and passed.
Bill presented, and on the motion of Senator Kilgariff read a first time.
Senator Kilgariff, by leave, moved—That this Bill be now read a second time.
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.
- 21 **NUCLEAR WEAPONS (RESEARCH AND TESTING) PROHIBITION BILL 1985:** Senator Sanders, pursuant to Notice of Motion not objected to as a Formal Motion, moved—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.
Question—put and passed.
Bill presented, and on the motion of Senator Sanders read a first time.
Senator Sanders, by leave, moved—That this Bill be now read a second time.
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.
- 22 **AUSTRALIAN BILL OF RIGHTS BILL 1985**
HUMAN RIGHTS AND EQUAL OPPORTUNITY COMMISSION BILL 1985
HUMAN RIGHTS AND EQUAL OPPORTUNITY COMMISSION AMENDMENT BILL 1985
HUMAN RIGHTS AND EQUAL OPPORTUNITY COMMISSION (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. 198

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act relating to the human rights and fundamental freedoms of all Australians and all people in Australia*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 19 November 1985

H. A. JENKINS,
Speaker

MR PRESIDENT,

Message No. 199

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to establish the Human Rights and Equal Opportunity Commission, to make provision in relation to human rights and in relation to equal opportunity in employment, and for related purposes*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 19 November 1985

H. A. JENKINS,
Speaker

MR PRESIDENT,

Message No. 200

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to amend the 'Human Rights and Equal Opportunity Commission Act 1985', and for related purposes*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 19 November 1985

H. A. JENKINS,
Speaker

MR PRESIDENT,

Message No. 201

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to repeal the 'Human Rights Commission Act 1981' and to enact certain transitional provisions and make certain amendments in consequence of the enactment of the 'Human Rights and Equal Opportunity Commission Act 1985'*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 19 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 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, and as would prevent the reading of the short titles only on every order for the reading of the Bills.

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 Sheil the debate was adjourned.

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

23 AUSTRALIAN TRADE COMMISSION BILL 1985

AUSTRALIAN TRADE COMMISSION (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. 218

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to establish an Australian Trade Commission for the purpose of facilitating and promoting trade between Australia and foreign countries, and for related purposes*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 21 November 1985

H. A. JENKINS,
Speaker

MR PRESIDENT,

Message No. 219

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to repeal certain Acts, to enact certain transitional provisions, to make certain amendments in consequence of the enactment of the 'Australian Trade Commission Act 1985', and for related purposes*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 21 November 1985

H. A. JENKINS,
Speaker

Suspension of Standing Orders to deal with Bills together: The Minister for Resources and Energy (Senator Evans) 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 Evans the Bills were read a first time.

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

On the motion of Senator Sheil the debate was adjourned.

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

24 SALES TAX (EXEMPTIONS AND CLASSIFICATIONS) AMENDMENT BILL (NO. 2) 1985

SALES TAX ASSESSMENT BILL (NO. 11) 1985

SALES TAX BILL (NO. 11A) 1985

SALES TAX BILL (NO. 11B) 1985—

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

MR PRESIDENT,

Message No. 239

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to amend the 'Sales Tax (Exemptions and Classifications) Act 1935', and for related purposes*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 28 November 1985

H. A. JENKINS,
Speaker

MR PRESIDENT,

Message No. 240

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act relating to the imposition, assessment and collection of a tax upon the sale value of certain airport shop goods, and for other purposes*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 28 November 1985

H. A. JENKINS,
Speaker

MR PRESIDENT,

Message No. 241

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to impose a tax, being a duty of excise, upon the sale value of certain airport shop goods*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 28 November 1985

H. A. JENKINS,
Speaker

MR PRESIDENT,

Message No. 242

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to impose a tax, being neither a duty of excise nor a duty of customs, upon the sale value of certain airport shop goods*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 28 November 1985

H. A. JENKINS,
Speaker

Suspension of Standing Orders to deal with Bills together: The Minister for Resources and Energy (Senator Evans) 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, and as would prevent the reading of the short titles only on every order for the reading of the Bills.

Question—put and passed.

Ordered—That the Bills may be taken through all their stages without delay.

On the motion of Senator Evans the Bills were read a first time.

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

On the motion of Senator Sheil the debate was adjourned.

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

- 25 **QUARANTINE (VALIDATION OF FEES) BILL 1985**—*Message from the House of Representatives*: The following Message from the House of Representatives was reported:

MR PRESIDENT,

Message No. 243

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act relating to fees for services, and payment of expenses, under the 'Quarantine Act 1908'*", in which it desires the concurrence of the Senate.

House of Representatives,

H. A. JENKINS,

Canberra, 28 November 1985

Speaker

Ordered—That the Bill may be taken through all its stages without delay.

On the motion of the Minister for Resources and Energy (Senator Evans) the Bill was read a first time.

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

On the motion of Senator Sheil the debate was adjourned.

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

- 26 **JUDICIAL AND STATUTORY OFFICERS (REMUNERATION AND ALLOWANCES) AMENDMENT BILL 1985**—*Message from the House of Representatives*: The following Message from the House of Representatives was reported:

MR PRESIDENT,

Message No. 234

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to amend the 'Judicial and Statutory Officers (Remuneration and Allowances) Act 1984'*", in which it desires the concurrence of the Senate.

House of Representatives,

H. A. JENKINS,

Canberra, 27 November 1985

Speaker

Ordered—That the Bill may be taken through all its stages without delay.

On the motion of the Minister for Resources and Energy (Senator Evans) the Bill was read a first time.

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

On the motion of Senator Sheil the debate was adjourned.

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

- 27 **TRADE PRACTICES AMENDMENT BILL 1985**—*Message from the House of Representatives*: The following Message from the House of Representatives was reported:

MR PRESIDENT,

Message No. 227

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

House of Representatives,

H. A. JENKINS,

Canberra, 22 November 1985

Speaker

Ordered—That the Bill may be taken through all its stages without delay.

On the motion of the Minister for Resources and Energy (Senator Evans) the Bill was read a first time.

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

On the motion of Senator Sheil the debate was adjourned.

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

28 CHILD CARE AMENDMENT BILL 1985—*Message from the House of Representatives:*

The following Message from the House of Representatives was reported:

MR PRESIDENT,

Message No. 246

The House of Representatives returns to the Senate the Bill intituled "*A Bill for an Act to amend the 'Child Care Act 1972', and for related purposes*", and acquaints the Senate that the House of Representatives has agreed to the Bill without amendment.

House of Representatives,
Canberra, 29 November 1985

H. A. JENKINS,
Speaker

29 PUBLIC SERVICE AND STATUTORY AUTHORITIES AMENDMENT BILL 1985—

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

MR PRESIDENT,

Message No. 247

The House of Representatives returns to the Senate the Bill intituled "*A Bill for an Act relating to employees of the Commonwealth*", and acquaints the Senate that the House of Representatives has agreed to the Bill with the amendments indicated by the annexed Schedule, in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 29 November 1985

H. A. JENKINS,
Speaker

Ordered—That consideration of the Message in Committee of the Whole be an Order of the Day for the next day of sitting.

30 PUBLIC ACCOUNTS—JOINT STATUTORY COMMITTEE—CHANGE IN MEMBERSHIP—*Message from the House of Representatives:* The following Message from the House of Representatives was reported:

MR PRESIDENT,

Message No. 254

The House of Representatives acquaints the Senate that, in accordance with the provisions of the *Public Accounts Committee Act 1951*, Mr Ruddock, a Member of the House of Representatives, has been appointed a member of the Joint Committee of Public Accounts in the place of Mr Cadman, discharged.

House of Representatives,
Canberra, 2 December 1985

H. A. JENKINS,
Speaker

31 DAY AND HOURS OF MEETING AND ORDER OF BUSINESS: The Manager of Government Business (Senator Grimes), pursuant to notice, moved—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.

On the motion of the Leader of the Opposition in the Senate (Senator Chaney) the following amendment was debated and agreed to:

Paragraph (b), leave out the proposed Order of Business, insert the following Order of Business:

- (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.

Main Question, as amended, agreed to.

32 AUSTRALIA BILL 1986 [1985]

AUSTRALIA (REQUEST AND CONSENT) 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.

In the Committee

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

Bills to be reported without amendment.

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

33 GOVERNOR-GENERAL'S MESSAGE—ASSENT TO LAWS: A Message from His Excellency the Governor-General was reported, notifying that His Excellency had, in the name of Her Majesty, assented to the following laws:

28 November 1985—Message No. 45—

Appropriation Act (No. 1) 1985–86 (Act No. 138 of 1985)

Appropriation Act (No. 2) 1985–86 (Act No. 139 of 1985)

34 STATES GRANTS (GENERAL REVENUE) 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.

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 and agreed to.

Bill to be reported without amendment.

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

- 35 **APPROPRIATION (PARLIAMENTARY DEPARTMENTS) BILL 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.

Question—put and passed.

Bill read a second time.

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

In the Committee

Senator Button moved—

- (1) That leave be given to Senators to move motions expressing opinions or making recommendations based on the Report of Estimates Committee A.
- (2) That where more than one motion is proposed, the motions may be debated together, but in all cases a motion or motions shall be disposed of before the Question is put on the Vote before the Chair.
- (3) That any Resolutions be reported when the Chairman makes his report to the President at the conclusion of proceedings in Committee of the Whole.

Question—put and passed.

Bill, by leave, taken as a whole.

The Chairman of Estimates Committee A (Senator Richardson) moved—That the Committee, having considered the report of Estimates Committee A, recommends: That—

- (a) the provisions of the Resolution of the Senate dated 25 March 1982, relating to the responsibilities of the Standing Committee on Appropriations and Staffing with respect to the Estimates for the Senate, are re-affirmed;
- (b) the estimates of expenditure for the Senate to be included in the Appropriation (Parliamentary Departments) Bill shall continue to be those determined by the Standing Committee on Appropriations and Staffing;
- (c) if before the introduction of the Bill the Minister for Finance should, for any reason, wish to vary the details of the estimates determined by the Committee he should consult with the President of the Senate with a view to obtaining the agreement of the Committee to any variation;
- (d) in the event of agreement not being reached between the President and the Minister, then the Leader of the Government in the Senate, as a member of the Appropriations and Staffing Committee, be consulted;
- (e) the Senate acknowledges that in considering any request from the Minister for Finance the Committee and the Senate would take into consideration the relevant expenditure and staffing policies of the Government of the day; and
- (f) in turn the Senate expects the Government of the day to take into consideration the role and responsibilities of the Senate which are not of the Executive Government and which may at times involve conflict with the Executive Government.

Debate ensued.

Question—put and passed.

Bill agreed to.

Bill to be reported without amendment, but with a Resolution containing a recommendation.

The Deputy-President resumed the Chair; and the Temporary Chairman of Committees (Senator Giles) reported that the Committee had considered the Bill and had agreed to the following:

- (1) That the Bill be reported without amendment.
- (2) That the Committee, having considered the Report of Estimates Committee A, recommends—That—
 - (a) the provisions of the Resolution of the Senate dated 25 March 1982, relating to the responsibilities of the Standing Committee on Appropriations and Staffing with respect to the Estimates for the Senate, are re-affirmed;
 - (b) the estimates of expenditure for the Senate to be included in the Appropriation (Parliamentary Departments) Bill shall continue to be those determined by the Standing Committee on Appropriations and Staffing;
 - (c) if before the introduction of the Bill the Minister for Finance should, for any reason, wish to vary the details of the estimates determined by the Committee he should consult with the President of the Senate with a view to obtaining the agreement of the Committee to any variation;
 - (d) in the event of agreement not being reached between the President and the Minister, then the Leader of the Government in the Senate, as a member of the Appropriations and Staffing Committee, be consulted;
 - (e) the Senate acknowledges that in considering any request from the Minister for Finance the Committee and the Senate would take into consideration the relevant expenditure and staffing policies of the Government of the day; and
 - (f) in turn the Senate expects the Government of the day to take into consideration the role and responsibilities of the Senate which are not of the Executive Government and which may at times involve conflict with the Executive Government.

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

36 CUSTOMS AND EXCISE LEGISLATION AMENDMENT BILL (NO. 2) 1985

CUSTOMS TARIFF AMENDMENT BILL (NO. 2) 1985

CUSTOMS UNDERTAKING (PENALTIES) AMENDMENT BILL 1985—

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

MR PRESIDENT,

Message No. 238

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to amend the 'Customs Act 1901', the 'Customs Amendment Act 1979' and the 'Excise Act 1901', and for related purposes*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 28 November 1985

H. A. JENKINS,
Speaker

MR PRESIDENT,

Message No. 255

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to amend the 'Customs Tariff Act 1982'*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 2 December 1985

H. A. JENKINS,
Speaker

MR PRESIDENT,

Message No. 237

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to amend the 'Customs Undertakings (Penalties) Act 1985', and for related purposes*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 28 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 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 Grimes moved—That these Bills be now read a first time.

On the motion of Senator Peter Baume the debate was adjourned.

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

- 37 **HEALTH LEGISLATION AMENDMENT BILL (NO. 2) 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.

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

And it being 10.30 p.m.—

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

Debate ensued.

Question—resolved in the affirmative.

The Senate adjourned at 10.53 p.m. till tomorrow at 10 a.m.

- 39 **ATTENDANCE:** Present, all Senators except Senators Black, Coleman (on leave), Hill, Jones, McClelland and Missen.

A. R. CUMMING THOM,
Clerk of the Senate