

## Procedural Information Bulletin No. 24

*For the sitting period 27 May to 5 June 1987*

### DOUBLE DISSOLUTION

The sittings were cut short by the announcement on 27 May that the government had sought and obtained a dissolution of both Houses of the Parliament under section 57 of the Constitution. The correspondence between the Prime Minister and the Governor-General relating to the dissolution was tabled on the following day, and showed, as expected, that the government's request was based on the rejection by the Senate of the Australia Card Bill, which clearly fulfilled the procedural conditions for a double dissolution.

### RECONSIDERATION OF BILLS

After another unsuccessful attempt to restore the Broadcasting Amendment Bill 1986 to the notice Paper on 27 May, the Government succeeded in having it restored on 1 June. It was Passed on 2 June, with amendments moved by the Government, national Party and some independent senators voted with the Government to restore the bill and to subject it and other bills to a guillotine (see item on guillotined Bills below).

The Sales Tax (Exemptions and Classifications) Amendment Bill (No.2) 1986 and the Taxation Laws Amendment Bill (No.5) 1986, which were the subject of reports by the Finance and Government Operations Committee, were restored to the Notice Paper on 27 May.

When the latter Bill was considered on 1 June, the Opposition moved amendments, reflecting the dissenting report attached to the Committee's report, to narrow the retrospective application of the Bill to what was claimed to be the expressed intention of the Treasurer's press release announcing the legislation. Those amendments were not agreed to, but the Bill was amended on the motion of the Australian Democrats to modify its retrospective application.

## GUILLOTINED BILLS

The government successfully sought to apply guillotines under Standing Order 407B to a number of Bills in order to have them passed before the day set for the dissolution, 5 June. Guillotines were applied to packages of Bills on 2 May and 2 June and to the Telecommunications (Interception) Amendment Bill on 4 June. The allotments of time for the Bills took the form of quantities of time allocated to Bills or particular stages of Bills, rather than fixed cut-off times; this allowed the Senate to leave the Bills and return to them without losing any of the time available.

The Opposition and the Australian Democrats had a number of contingent notices of motion on the Notice Paper to suspend the Standing Orders to allow debate to continue and non-government amendments to be put at the expiration of the times allotted. The notices relating to the putting of amendments were employed on a number of occasions, successfully by the Australian Democrats on 3 June. These notices, which provided for non-government amendments to be put at the expiration of the allotted time regardless of the stage the Bill or Bills had reached, provided more flexibility than Standing Order 407B itself, which provides for only government amendments which have not been moved to be put, and only if they have been circulated two hours previously and the Committee of the Whole stage has been reached.

One of the packages of Bills subject to the guillotine was a "media package", including the Broadcasting Amendment Bill 1986. This guillotine was applied by the government with the support of National Party and some independent senators.

The Appropriation Bills were passed under a guillotine on 29 May. The non-government parties voted to postpone some groups of votes in the Bills after complaining of a lack of response from the government to questions. The postponed votes were then passed when the allotted time elapsed.

The Senate's cut-off date for consideration of government bills, 1 June, was suspended in relation to only one Bill, the Telecommunications (Interception) Amendment Bill 1987.

## OTHER BILLS AMENDED

The Aboriginal Land Rights (Northern Territory) Amendment Bill (No. 3) 1987 was amended on 27 May on the motion of the Australian Democrats. The Telecommunications (Interception) Amendment Bill 1987 was amended on the motion of the Opposition on 4 June in relation to the admissibility of evidence gained by illegal interceptions.

## SECOND READING AMENDMENTS

On a number of occasions different second reading amendments were moved to different Bills which were being taken together, the amendments being moved one after the other. In this situation, the questions for the second reading of the Bills are automatically Put separately by the Chair and the amendments thereby voted on separately. This is based on the principle that an order allowing Bills to be taken together does not compel voting on them together, and at the request of any senator the questions are put separately.

Second reading amendments were carried to the Appropriation Bills on 28 May, condemning the government over the early election and economic policy, and to a group of taxation bills on 1 June criticising the government on taxation policy.

## PARLIAMENTARY DEPARTMENTS

The following motion, moved by Senator Georges, was carried without debate or division on 3 June:

That the Senate declares that no changes in the structure or responsibilities of the Parliamentary Departments should be made until —

- (a) particulars of proposed changes have been provided to all Senators;
- (b) the Standing Committee on Appropriations and Staffing has examined the proposed changes and reported to the Senate; and
- (c) the Senate has approved of the changes.

## COMMITTEE MATTERS

The Constitutional and Legal Affairs Committee, on the motion of its Chairman, received a reference on 27 May concerning Taxation Commissioner's rulings. Advertisements for submissions were placed before the dissolution, and the submissions will be received and processed by Committee staff during the dissolution period.

The Finance and Government Operations Committee presented its report on 29 May on the interest rates paper presented by Senator Ryan, and the report was debated on that day.

The Education and the Arts Committee presented on 5 June a substantial report on the proposed amalgamation of the ABC and the SBS. The Committee concluded that

a single national broadcasting organisation should be considered for establishment in the early 1990's. The Committee also presented a report on annual reports on the same day.

The Finance and Government Operations Committee presented on 5 June its report relating to the court actions concerning the film "The Return of Captain Invincible". The Committee concluded that the Department of Arts, Heritage and Environment and its predecessor department had learned "a particularly expensive lesson" on giving advice about eligible films. The Committee also presented on the same day reports on the list of statutory authorities and the annual report of the Parliament House Construction Authority.

Senator Georges made a statement on 5 June on the work of the Select Committee on Animal Welfare, which led to something of a debate on the Committee.

The Regulations and Ordinances Committee was particularly active during the period of sittings, and many notices of disallowance motions were given and withdrawn following receipt of satisfactory explanations or undertakings from responsible Ministers. It was not necessary for the Committee to proceed to the moving of a disallowance motion in any case. The Chairman of the Committee made a statement on 4 June informing the Senate of the work of the Committee.

A number of amendments were made to bills as a result of the comments of the Scrutiny of Bills Committee, including the amendment to the Telecommunications (Interception) Amendment Bill.