

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 2

WEDNESDAY, 18 FEBRUARY 1976

- 1 MEETING OF SENATE: The Senate met at half-past two p.m., pursuant to adjournment. The President (Senator the Honourable Condor L. Laucke) took the Chair.

2 PRAYERS.

- 3 PETITIONS: Senator Keefe presented a petition from 3081 electors of Queensland praying that the Government reinstate the cadet forces.

Petition received and read.

Senator Martin presented a petition from 395 citizens of Australia praying that the Government use its power to protect the natural environment of Fraser Island for the long-term benefit of the people of Australia.

Petition received and read.

- 4 NOTICES OF MOTION: Notices of Motion were given as follows—

The Leader of the Government in the Senate (Senator Withers):

No. 1—That, on the next day of sitting, he would move—That—

- (1) Legislative and General Purpose Standing Committees be appointed and be known, unless otherwise ordered, as the Standing Committees on—

(a) Constitutional and Legal Affairs;

(b) Education and the Arts;

(c) Foreign Affairs and Defence;

(d) Social Welfare;

(e) Trade and Commerce;

(f) National Resources; and

(g) Science and the Environment.

- (2) The Standing Committees appointed pursuant to paragraph (1) be empowered to inquire into and report upon such matters as are referred to them by the Senate, including any Bills, Estimates or Statements of Expenditure, messages, petitions, inquiries or papers, and, in addition, where applicable, have power to inquire into and report upon such matters as were referred to the Legislative and General Purpose Standing Committees appointed during previous Sessions and not disposed of by those Committees.

- (3) In considering matters referred to the Legislative and General Purpose Standing Committees during previous Sessions, the Committees have power to consider the Minutes of Evidence and Records of those Committees.

- (4) Each Standing Committee shall consist of six Senators, three being members of the Government to be nominated by the Leader of the Government in the Senate, and three being Senators who are not members of the Government, to be nominated by the Leader of the Opposition in the Senate or by an Independent Senator.

- (5) The particular Standing Committees in respect of which the Australian Labor Party or the Independents make nominations shall be determined by agreement between that Party and the Independents, and, in the absence of agreement duly notified to the President, the question as to the representation on any particular Standing Committee shall be determined by the Senate.

- (6) Each Standing Committee shall elect a Government member as Chairman.

- (7) The Chairman may from time to time appoint a member of the Committee to be Deputy-Chairman and the member so appointed shall act as Chairman of the Committee at any time when there is no Chairman or the Chairman is not present at a meeting of the Committee.
- (8) In the event of an equality of voting, the Chairman, or the Deputy-Chairman when acting as Chairman, shall have a casting vote.
- (9) The quorum of a Committee shall be three.
- (10) A Senator, though not a member of a Standing Committee, may participate in its public sessions and question witnesses, unless the Committee orders otherwise, but shall not vote.
- (11) Unless it be otherwise specially provided by the Standing Orders, the reference of a matter to a Standing Committee shall be on Motion after Notice. Such Notice of Motion may be given—
 - (a) in the usual manner when Notices are given at the beginning of the business of the day; or
 - (b) at any other time by a Senator—
 - (i) stating its terms to the Senate, when other business is not before the Chair; or
 - (ii) delivering a copy to the Clerk, who shall report it to the Senate at the first opportunity.

Any such Notice of Motion shall be placed on the Notice Paper for the next sitting day as "Business of the Senate" and, as such, shall take precedence of Government and General Business set down for that day.

- (12) Unless otherwise ordered, matters referred to Standing Committees should relate to subjects which can be dealt with expeditiously.
- (13) A Standing Committee shall take care not to inquire into any matters which are being examined by a Select Committee of the Senate specially appointed to inquire into such matters and any question arising in connection therewith may be referred to the Senate for determination.
- (14) A Standing Committee shall have power to appoint sub-committees consisting of three or more of its members, and to refer to any such sub-committee any of the matters which the Committee is empowered to consider. The quorum of a sub-committee shall be two Senators.
- (15) A Standing Committee or any sub-committee shall have power to send for and examine persons, papers and records, to move from place to place, and to meet and transact business in public or private session and notwithstanding any prorogation of the Parliament or dissolution of the House of Representatives.
- (16) Unless otherwise ordered by the Senate, all records and all documents received by a Committee during its inquiry shall remain in the custody of the Senate after the completion of that Committee's inquiry.
- (17) A Standing Committee may proceed to the despatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy.
- (18) Members of the public and representatives of the news media may attend and report any public session of a Standing Committee unless the Committee otherwise orders.
- (19) A Standing Committee shall be empowered to print from day to day such papers and evidence as may be ordered by it. A daily *Hansard* shall be published of such proceedings of the Committee as take place in public.
- (20) A Standing Committee shall be provided with all necessary staff, facilities and resources and shall be empowered to appoint persons with specialist knowledge for the purposes of the Committee, with the approval of the President.
- (21) A Standing Committee shall not meet while the Senate is actually sitting, unless by special order of the Senate.
- (22) A Standing Committee shall have leave to report from time to time its proceedings and the evidence taken and such recommendations as it may deem fit, and is expected to make regular reports as to the progress of the proceedings of the Committee.

- (23) The Senate authorises the televising of public hearings of the Committees, at the discretion of each such Committee, and under such rules as the Senate may adopt.
- (24) The foregoing provisions of this Resolution, so far as they are inconsistent with the Standing Orders, shall have effect notwithstanding anything contained in the Standing Orders.

No. 2—That, on the next day of sitting, he would move—That—

- (1) All annual reports of Government departments and authorities, including statutory corporations, laid on the Table of the Senate, shall stand referred, without any Question being put, for consideration and, if necessary, for report thereon, to the Legislative and General Purpose Standing Committees.
- (2) The President shall transmit a copy of each report so tabled to the Committee which he deems appropriate.
- (3) The Legislative and General Purpose Standing Committees may, at their discretion, pursue or not pursue inquiries into reports so received; but any action necessary, arising from a Report of a Committee, shall be taken in the Senate on Motion after Notice.

The Minister for Education (Senator Carrick): That, on the next day of sitting, he would move—That leave be given to introduce a Bill for an Act to amend the *Commonwealth Teaching Service Act 1972-1973*.

5 QUESTIONS.

6 PAPERS: The President presented the following Paper, pursuant to Statute:

Audit Act—Finance—Supplementary Report of the Auditor-General upon other accounts, for year ended 30 June 1975.

The following Papers were presented, by Command of His Excellency the Governor-General:

Industries Assistance Commission—

Interim Report—

Fruitgrowing, dated 30 October 1975.

Reports—

Dairy Industry, dated 23 October 1975.

Iron and Steel Industry—Short term Assistance for Hoop, Strip, Sheets and Plates of Certain Alloy Steels, dated 8 October 1975.

Temporary Assistance Authority—General Report for period 1 January 1974 to 23 October 1975.

Referendums—1974—Statistical Returns in respect of each of the States showing the voting within each Subdivision in relation to the Submission to the Electors of Proposed Laws for the Alteration of the Constitution, entitled:

- 1. Constitution Alteration (Simultaneous Elections)—1974.
- 2. Constitution Alteration (Mode of Altering the Constitution)—1974.
- 3. Constitution Alteration (Democratic Elections)—1974.
- 4. Constitution Alteration (Local Government Bodies)—1974.

The following Papers were tabled, pursuant to Statute:

Air Force Act—Regulations—Statutory Rules 1976, Nos 60, 61.

Australian Capital Territory Electricity Supply Act—Twelfth Annual Report of the Australian Capital Territory Electricity Authority, together with financial statements and the Auditor-General's Report thereon, for year 1974-75.

Australian Shipping Commission Act—Annual Report of the Australian Shipping Commission, together with financial statements and the Auditor-General's Report thereon, for year 1974-75.

Commonwealth Inscribed Stock Act—Regulations—Statutory Rules 1976, No. 64.

Defence Act—Regulations—Statutory Rules 1976, Nos 49, 51, 52, 55.

Defence (Visiting Forces) Act—Regulations—Statutory Rules 1976, No. 45.

Defence Force Retirement and Death Benefits Act—Regulations—Statutory Rules 1976, No. 63.

Defence Forces Retirement Benefits Act—Regulations—Statutory Rules 1976, No. 62.

Hospitals and Health Services Commission Act—Report of the Auditor-General on the Statement of Receipts and Payments of the Hospitals and Health Services Commission for year ended 30 June 1975, dated 20 October 1975.

Lands Acquisition Act—

Land etc., acquired for Telecommunications Services purposes—

Berendebba, New South Wales.

Billys Lookout, New South Wales.

Booberoi, New South Wales.

Brindiwilpa, New South Wales.

Bulla Park, New South Wales.

Coronga Peak, New South Wales.

Delladale, New South Wales.

First Look, New South Wales.

Illewong, New South Wales.

Kaloola, New South Wales.

Korreo, New South Wales.

Marra, New South Wales.

Mt Pleasant, New South Wales.

Mt Stuart, New South Wales.

Peery, New South Wales.

Pudman Creek, New South Wales.

Purnanga-Questa Park, New South Wales.

Quarry View, New South Wales.

Tarango Downs, New South Wales.

The Cottage, New South Wales.

Thule, New South Wales.

Tibooburra, New South Wales.

Tilpilly, New South Wales.

White Cliffs, New South Wales.

National Library Act—Fifteenth Annual Report of the Council of the National Library of Australia, together with financial statements and the Auditor-General's Report thereon, for year 1974–75.

Naval Defence Act—Regulations—Statutory Rules 1976, Nos 46, 50.

Northern Territory (Administration) Act—Ordinances 1976—

No. 2—Pharmacy 1975.

No. 3—Police and Police Offences (No. 2) 1975.

No. 4—Wildlife Conservation and Control 1975.

No. 5—Local Courts 1975.

No. 6—Landlord and Tenant (Control of Rents) 1975.

No. 7—Inspection of Machinery 1975.

Petroleum Search Subsidy Act—Sixteenth Annual Statement by the Minister on the operation of the Act, for year 1974–75.

Seat of Government (Administration) Act—

Ordinances—

Consumer Affairs Ordinance—Second Annual Report on the operations of the Consumer Affairs Council and the Consumer Affairs Bureau, for year 1974–75.

1976—

No. 1—Canberra Showground Trust.

No. 2—Flammable Liquids.

No. 3—Motor Traffic.

Regulations—1976—

No. 2—(Building and Services Ordinance).

No. 3—(Motor Traffic Ordinance).

Stevedoring Industry Charge Act—Regulation—Statutory Rules 1976, No. 65.

Transport—Second Annual Report of the Department of Transport, including those matters on which the Minister is required to report pursuant to section 29 of the Air Navigation Act, for year 1974–75.

War Service Estates Act—Regulations—Statutory Rules 1976, No. 47.

- 7 POVERTY IN AUSTRALIA—COMMISSION OF INQUIRY—PAPER—MINISTERIAL STATEMENT: The Minister for Social Security (Senator Guilfoyle), by Command of His Excellency the Governor-General, laid upon the Table the following Paper:

Poverty in Australia—

First Main Report (Vol. 2) of the Commission of Inquiry into Poverty, dated April 1975.

Senator Guilfoyle, by leave, made a statement relating to the Paper and moved—That the Senate take note of the Paper.

On the motion of 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.

- 8 AUSTRALIAN METEOROLOGICAL SERVICES—PAPER—MINISTERIAL STATEMENT: The Minister for Science (Senator Webster), by Command of His Excellency the Governor-General, laid upon the Table the following Paper:

Australian Meteorological Services—Discussion Paper entitled “Towards New Perspectives for Australian Meteorological Services”, dated 12 January 1976.

Senator Webster, by leave, made a statement relating to the Paper.

Senator Grimes, by leave, moved—That the Senate take note of the Paper.

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

- 9 AUSTRALIAN SENATE PRACTICE—FIFTH EDITION—PAPER: The President laid upon the Table the following Paper:

Australian Senate Practice—Fifth Edition—by the Clerk of the Senate.

Ordered to be printed.

- 10 DESTROYERS FOR THE ROYAL AUSTRALIAN NAVY—MINISTERIAL STATEMENT: The Minister for Administrative Services (Senator Withers), by leave, made a statement relating to destroyers for the Royal Australian Navy and moved—That the Senate take note of the Statement.

Debate ensued.

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

- 11 WOOMERA—FUTURE ARRANGEMENTS—MINISTERIAL STATEMENT: The Minister for Administrative Services (Senator Withers), by leave, made a statement relating to future arrangements at Woomera, South Australia, and moved—That the Senate take note of the Statement.

Debate ensued.

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

- 12 ROTATION OF SENATORS—SECTION 13, CONSTITUTION: The Leader of the Government in the Senate (Senator Withers), pursuant to Notice of Motion not objected to as a Formal Motion, moved—That, in pursuance of section 13 of the Constitution of the Commonwealth, the Senators chosen for each State shall be divided into two classes, as follows:

(1) The name of the Senator first elected shall be placed first on the Senators' Roll for each State and the name of the Senator next elected shall be placed next, and so on in rotation.

(2) The Senators whose names are placed first, second, third, fourth and fifth on the Roll shall be Senators of the second class, that is, the long-term Senators,

and Senators whose names are placed sixth, seventh, eighth, ninth and tenth on the Roll shall be Senators of the first class, that is, the short-term Senators.

Question—put and passed.

13 **SESSIONAL ORDERS:** The Leader of the Government in the Senate (Senator Withers), pursuant to Notice of Motion not objected to as a Formal Motion, moved—

- (1) *Days of Meeting:* That the days of meeting of the Senate, unless otherwise ordered, be Tuesday, Wednesday and Thursday of each week; and that the hour of meeting, unless otherwise ordered, be half-past two p.m. on Tuesdays and Wednesdays, and eleven a.m. on Thursdays.
- (2) *Suspension of Sittings:* That, during the present Session, unless otherwise ordered, the sittings of the Senate, or of a Committee of the Whole Senate, be suspended from one p.m. till a quarter-past two p.m. and from six p.m. till eight p.m.
- (3) *Adjournment of Senate:* That, during the present Session, unless otherwise ordered, at half-past ten p.m. on Tuesdays, eleven p.m. on Wednesdays and five p.m. on Thursdays the President shall put the Question—That the Senate do now adjourn—which Question shall be open to debate; if the Senate be in Committee at that hour, the Chairman shall in like manner put the Question—That he do leave the Chair and report to the Senate; and upon such report being made the President shall forthwith put the Question—That the Senate do now adjourn—which Question shall be open to debate: Provided that if the Senate or the Committee be in Division at the time named, the President or the Chairman shall not put the Question referred to till the result of such Division has been declared; and if the business under discussion shall not have been disposed of at such adjournment it shall appear on the Notice Paper for the next sitting day.
- (4) *Government and General Business—Precedence:* That, on all sitting days of the Senate during the present Session, unless otherwise ordered, Government Business shall take precedence of all other business on the Notice Paper, except Questions and Formal Motions, and except that General Business take precedence of Government Business on Thursdays, after three p.m.; and that, unless otherwise ordered, General Orders of the Day take precedence of General Notices of Motion on alternate Thursdays.

Question—put and passed.

14 **ANSWERS TO QUESTIONS ON NOTICE—INCORPORATION IN HANSARD:** The Leader of the Government in the Senate (Senator Withers), pursuant to Notice of Motion not objected to as a Formal Motion, moved—That the following procedure shall apply in lieu of that provided in Standing Orders 102 and 103—

- (1) The Clerk shall place notices of Questions on the Notice Paper in the order in which they are received by him.
- (2) The reply to a Question on Notice shall be given by delivering the same to the Clerk. A copy thereof shall be supplied to the Senator who has asked the Question, and such Question and reply shall be printed in *Hansard*: Provided that any Senator who, pursuant to this Standing Order, has received a copy of a reply may, by leave, ask the Question and have the reply read in the Senate.

Question—put and passed.

15 **PETITIONS—PROCEDURE FOR PRESENTATION:** The Leader of the Government in the Senate (Senator Withers), pursuant to Notice of Motion not objected to as a Formal Motion, moved—That, notwithstanding anything contained in the Standing Orders, the procedure for the presentation of petitions be varied as follows—

- (1) A Senator desiring personally to present a petition shall notify the Clerk when lodging the petition. When presenting such petition to the Senate, the Senator may announce—
 - (a) that he presents a petition from a stated number of petitioners relating to a certain matter; or

(b) that he presents a petition from a stated number of petitioners similarly worded to one presented earlier by a Senator.

The Senator may ask that the petition be read by the Clerk: Provided that, unless otherwise ordered, a petition exceeding 250 words may not be read.

- (2) The Clerk shall then make an announcement as to other petitions lodged with him, indicating in respect of each petition the Senator who presents it, the number of signatures, the identity of the petitioners and the subject-matter of the petition.
- (3) Every petition presented shall be deemed to have been received by the Senate unless a motion, moved forthwith, that a particular petition be not received, be agreed to.
- (4) The terms of the petitions presented shall be printed in *Hansard*.

Question—put and passed.

- 16 DEATH OF TUN ABDUL RAZAK—PRIME MINISTER OF MALAYSIA: The Leader of the Government in the Senate (Senator Withers) referred to the death of Tun Abdul Razak, Prime Minister of Malaysia, and, by leave, moved—That the Senate records its sincere regret at the death of Tun Abdul Razak, Prime Minister of Malaysia, and expresses to the people of Malaysia profound regret and to his family tenders sympathy in their bereavement.

And the motion having been seconded by the Leader of the Opposition in the Senate (Senator Wriedt), and supported by Senator Harradine—

And all Senators present having risen, in silence—

Question—passed.

- 17 DEATH OF CHOU EN-LAI—PREMIER OF THE STATE COUNCIL OF THE PEOPLE'S REPUBLIC OF CHINA: The Leader of the Government in the Senate (Senator Withers) referred to the death of Chou En-Lai, Premier of the State Council of the People's Republic of China, and, by leave, moved—That the Senate records its sincere regret at the death of Chou En-Lai, Premier of the State Council of the People's Republic of China, and expresses to the people of China profound regret and to his family tenders sympathy in their bereavement.

And the motion having been seconded by the Leader of the Opposition in the Senate (Senator Wriedt), and supported by Senator Gietzelt—

And all Senators present having risen, in silence—

Question—passed.

- 18 DEATH OF GENERAL MURTALA RUFAl MOHAMMED—HEAD OF STATE AND COMMANDER OF THE ARMED FORCES OF NIGERIA: The Leader of the Government in the Senate (Senator Withers) referred to the death of General Murtala Rufai Mohammed, Head of State and Commander of the Armed Forces of Nigeria, and, by leave, moved—That the Senate records its sincere regret at the death of General Murtala Rufai Mohammed, Head of State and Commander of the Armed Forces of Nigeria and expresses to the people of Nigeria profound regret and to his family tenders sympathy in their bereavement.

And the motion having been seconded by the Leader of the Opposition in the Senate (Senator Wriedt)—

And all Senators present having risen, in silence—

Question—passed.

- 19 GOVERNOR-GENERAL'S OPENING SPEECH—ADDRESS-IN-REPLY: Order of the Day read for the consideration of the Governor-General's Opening Speech.

Senator Knight moved—That the following Address-in-Reply be agreed to:

To His Excellency the Governor-General

MAY IT PLEASE YOUR EXCELLENCY—

We, the Senate of the Commonwealth of Australia in Parliament assembled, desire to express our loyalty to our Most Gracious Sovereign, and to thank

Your Excellency for the Speech which you have been pleased to address to Parliament.

Senator Kilgariff seconded the motion.

Debate ensued.

Senator Sim addressing the Chair—

And it being eleven p.m.—

20 ADJOURNMENT: The President, under Sessional Order, put the Question—That the Senate do now adjourn.

Debate ensued.

Question—resolved in the affirmative.

The Senate adjourned at nineteen minutes past eleven p.m. till to-morrow at eleven a.m.

21 ATTENDANCE: Present, all Senators.

J. R. ODGERS,

Clerk of the Senate