

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 7

TUESDAY, 2 MARCH 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 Greenwood presented a petition from 143 citizens of Australia praying that the Government introduce indexation of personal income tax rates in the 1976-77 Budget.

Petition received and read.

Senator O'Byrne presented a petition from 48 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 QUESTIONS.

5 GOVERNOR-GENERAL'S MESSAGE—ASSENT TO BILL: The following Message from His Excellency the Governor-General was presented by the President:

JOHN R. KERR,

Governor-General

Message No. 1

Proposed law intituled:—

National Health Act 1976

as finally passed by the Senate and the House of Representatives of the Commonwealth, having been presented to the Governor-General for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said law.

Government House,

Canberra, 29 February 1976.

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

Australian Wool Corporation—Interim Report, for year 1974-75.

Industries Assistance Commission—Interim Report—Domestic Refrigerators, Washing Machines and Clothes Dryers, dated 12 December 1975.

International Labour Organisation—Report of the Australian Government, Employers' and Workers' Delegates to the 59th Session of the International Labour Conference, held at Geneva, 5 to 25 June 1974.

The following Papers were presented, pursuant to Statute:

Commonwealth Banks Act—Appointment—C. P. De Verdic.

Conciliation and Arbitration Act—Nineteenth Annual Report of the President of the Australian Conciliation and Arbitration Commission, for year ended 13 August 1975.

International Monetary Agreements Act—Annual Report 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, for year 1974-75.

Lands Acquisition Act—Land, etc., acquired for extensions to the danger area of the Scottsdale Rifle Range, Scottsdale, Tasmania.

Northern Territory (Administration) Act—Ordinances—1976—

No. 8—Crown Lands (No. 2) 1975.

No. 9—Crown Lands (No. 3) 1975.

Seat of Government (Administration) Act—

Ordinances—1976—No. 4—Districts.

Regulations—1976—

No. 4—(Poker Machine Control Ordinance).

No. 5—(Milk Authority Ordinance).

Wool Industry Act—

Australian Wool Board—

Annual Report, together with financial statements and the Auditor-General's Report thereon, for year 1971–72.

Report, together with financial statements and the Auditor-General's Report thereon, for period 1 July to 31 December 1972.

Australian Wool Corporation—

Report, together with financial statements and the Auditor-General's Report thereon, for period 1 January to 30 June 1973.

Annual Report, together with financial statements and the Auditor-General's Report thereon, for year 1973–74.

- 7 CROWN OF THORNS STARFISH—PAPER: The Minister for Science (Senator Webster), by Command of His Excellency the Governor-General, laid upon the Table the following Paper:

Crown of Thorns Starfish—Report on Research Sponsored by the Advisory Committee established by the Australian and Queensland Governments on Research into the Crown of Thorns Starfish, dated 31 December 1975.

Senator Keefe, 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 Keefe have leave to continue his speech on the resumption of the debate.

- 8 NEXT MEETING OF SENATE: The Leader of the Government in the Senate (Senator Withers), by leave, moved—That, unless otherwise ordered, the Senate, at its rising, adjourn till tomorrow at 3 p.m., or such later time as the President may take the Chair.

Question—put and passed.

- 9 POSTPONEMENT: The Leader of the Government in the Senate (Senator Withers) moved—That Government Business, Order of the Day No. 1 (Governor-General's Opening Speech—Address-in-Reply) be postponed till after the consideration of Government Business, Orders of the Day No. 2 (Australian Security Intelligence Organization Bill 1976) and No. 3 (Conciliation and Arbitration Bill 1976).

Debate ensued.

Question—put and passed.

- 10 STATES GRANTS (CAPITAL ASSISTANCE) BILL 1976—*Message from the House of Representatives*: The following Message from the House of Representatives was received and read:

MR PRESIDENT,

Message No. 4

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to grant Financial Assistance to the States in connexion with Expenditure of a Capital Nature and to Authorize the Borrowing of Certain Moneys by the Commonwealth*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 26 February 1976

B. M. SNEDDEN,
Speaker

The Minister for Industry and Commerce (Senator Cotton) moved—That the Bill may be taken through all its stages without delay.

Question—put and passed.

On the motion of Senator Cotton the Bill was read a first time.

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

On the motion of Senator Douglas McClelland the debate was adjourned.

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

11 LEGISLATIVE AND GENERAL PURPOSE STANDING COMMITTEES—APPOINTMENT: The Leader of the Government in the Senate (Senator Withers), pursuant to notice, moved—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.

Senator Douglas McClelland moved an amendment, viz.: Leave out all words after "That", insert—

- "(1) Joint Standing Committees be appointed and be known, unless otherwise ordered, as the Joint 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 Committees appointed pursuant to paragraph (1) be empowered to inquire into and report upon such matters as are referred to them by the Senate or the House of Representatives.
- (3) Provisions relating to membership, powers and proceedings of the Committees be contained in a subsequent Resolution.
- (4) A Message be sent to the House of Representatives acquainting it with this Resolution and requesting it to concur and take action accordingly".

Debate ensued.

On the motion of Senator Keffe the debate was adjourned.

Ordered—That the resumption of the debate be an Order of the Day for a later hour of the day.

- 12 AUSTRALIAN SECURITY INTELLIGENCE ORGANIZATION BILL 1976: Order of the Day read for the adjourned debate on the Question—That this Bill be now read a second time. Debate resumed.

Ordered—That the debate be adjourned till a later hour of the day, and that Senator Mulvihill have leave to continue his speech on the resumption of the debate.

- 13 LEGISLATIVE AND GENERAL PURPOSE STANDING COMMITTEES—APPOINTMENT: Order of the Day read for the adjourned debate on the motion by the Leader of the Government in the Senate (Senator Withers) for the appointment of Legislative and General Purpose Standing Committees—*And on the amendment moved thereto by Senator Douglas McClelland. (See Entry 11 above.)*

Debate resumed.

Question—That the words proposed to be left out be left out—put.

The Senate divided—

AYES, 24		NOES, 33	
Senator—	Senator—	Senator—	Senator—
Bishop	McIntosh	Archer	Messner
Cameron	McLaren	Baume	Missen
Cavanagh	Melzer	Bonner	Rae
Coleman	Mulvihill	Carrick	Scott
Colston	Primmer	Collard	Sheil
Devitt	Robertson	Cormack,	Sim
Gietzelt	Ryan	Sir Magnus	Tehan
Grimes	Sibraa	Cotton	Thomas
Keffe	Walsh	Davidson	Townley
McAuliffe	Wheeldon	Drake-Brockman	Walters
McClelland,	Wriedt	Durack	Webster
Douglas		Greenwood	Withers
McClelland,	<i>Teller:</i>	Guilfoyle	Wood
James	Georges	Jessop	Wright
		Kilgariff	Young
		Knight	
		Lajovic	<i>Teller:</i>
		Maunsell	Chaney

Amendment negated accordingly.

Senator Douglas McClelland, by leave, moved a further amendment, viz.: Paragraph (1), sub-paragraph (c), leave out the sub-paragraph.

Debate ensued.

Question—That the words proposed to be left out be left out—put and negated.

Amendment negated accordingly.

Main Question—put and passed.

- 14 AUSTRALIAN SECURITY INTELLIGENCE ORGANIZATION BILL 1976: Order of the Day read for the adjourned debate on the Question—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 debated.

And it being half-past ten p.m.: The Temporary Chairman of Committees (Senator Devitt), under Sessional Order, put the Question—That he do leave the Chair and report to the Senate.

Question—resolved in the affirmative.

The Deputy-President (Senator Drake-Brockman) resumed the Chair; and Senator Devitt reported accordingly.

15 ADJOURNMENT: The Deputy-President (Senator Drake-Brockman), under Sessional Order, put the Question—That the Senate do now adjourn.

Debate ensued.

Question—resolved in the affirmative.

The Senate adjourned at twenty-four minutes to eleven p.m. till to-morrow at three p.m., or such later time as the President may take the Chair.

16 ATTENDANCE: Present, all Senators except Senator Brown.

J. R. ODGERS,
Clerk of the Senate