

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 8

WEDNESDAY, 3 MARCH 1976

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

2 PRAYERS.

3 PETITIONS: Senator Gietzelt presented a petition from 6 citizens of Australia praying that a system of double income tax on personal incomes be not introduced.

Petition received and read.

Senator Martin presented a petition from 380 electors of Queensland praying that the Government reinstate the cadet forces.

Petition received and read.

Senator Knight presented a petition from 73 citizens of Wreck Bay in the Jervis Bay area of the Australian Capital Territory praying that the Government undertake an inquiry into proposed mining operations on the Aurukun Aboriginal Reserve in Queensland, and ensure that the interests of the Aboriginal people of Aurukun are fully protected.

Petition received.

4 QUESTIONS: Questions without Notice being proceeded with—

Document tabled: The Minister for Science (Senator Webster) laid upon the Table the following document quoted from in answering a Question:

Australian Institute of Marine Science—Jellyfish and Stinger Research.

Further Questions without Notice were answered.

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

Treaties—

Airworthiness Certifications—Exchange of Notes between Australia and the United States of America constituting an Agreement concerning reciprocal acceptance of airworthiness certifications, signed at Washington on 24 December 1974 and 11 June 1975.

Cultural—

Cultural Agreement between Australia and Singapore, signed at Singapore on 26 September 1975.

Cultural Agreement between Australia and Malaysia, signed at Canberra on 16 October 1975.

Statutes of the International Centre for the Study of the Preservation and Restoration of Cultural Property, adopted by the General Assembly of the Centre on 24 April 1963 and acceded to by Australia on 26 June 1975.

Customs—

Customs Convention on Containers, 1972, concluded at Geneva on 2 December 1972, and acceded to by Australia on 10 November 1975.

Customs Procedures—Annex concerning drawback (Annex E4) to the International Convention on Simplification of Customs Procedures drawn up at Kyoto on 18 May 1973 and accepted for Australia on 13 November 1975.

Double Taxation—Exchange of Notes extending Article 18 (3) of the Agreement between Australia and Singapore concerning the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income concluded on 11 February 1969, signed at Canberra on 21 May 1975.

Extradition—

Treaty of extradition between Australia and Italy, signed at Canberra on 28 November 1973, to which Australia is considering becoming a party by ratification.

Treaty on extradition between Australia and the United States of America, signed at Washington on 14 May 1974, to which Australia is considering becoming a party by ratification.

Financial Support Fund—Agreement establishing a Financial Support Fund of the Organisation for Economic Co-operation and Development done at Paris on 9 April 1975, signed for Australia on 9 April 1975.

Foreign Exchange Operations Fund—Exchange of Notes between Australia and Laos further amending the Agreement of 24 December 1963 concerning the Foreign Exchange Operations Fund for Laos, signed at Vientiane on 15 July 1975.

Importation of Meat—Exchange of Notes between Australia and the United States of America constituting an Agreement concerning the importation of meat into the United States, signed at Washington on 16 May and 20 June 1975.

Tariffs and Trade—Protocol for the Accession of the People's Republic of Bangladesh to the General Agreement on Tariffs and Trade, done at Geneva on 7 November 1972, signed for Australia on 25 June 1975.

Trade—

Agreement on the development of trade and economic relations between Australia and the Republic of Korea, signed at Seoul on 17 June 1975.

Agreement on trade and industrial and technical co-operation between Australia and the Socialist Republic of Romania, signed at Bucharest on 29 May 1975. Notes were exchanged pursuant to Article XII on 29 May and 26 June 1975.

Trade Agreement between Australia and the Philippines, signed at Manila on 25 June 1975.

World Health Organisation—Amendments to Articles 24 and 25 of the Constitution of the World Health Organization adopted by the twentieth World Health Assembly at Geneva on 23 May 1967, accepted by Australia on 14 October 1968 and entered into force on 21 May 1975.

The following Papers were presented, pursuant to Statute:

Australian War Memorial Act—Twelfth Annual Report of the Board of Trustees of the Australian War Memorial, together with financial statements and the Auditor-General's Report thereon, for year 1974–1975.

Cocos (Keeling) Islands Act—Regulations 1976—No. 1—(Maintenance Orders (Facilities for Enforcement) Ordinance).

Conciliation and Arbitration Act—Report on the operations of the Australian Arbitration Inspectorate, Department of Employment and Industrial Relations, for year 1974–75.

Health Insurance Commission Act—Report of the Health Insurance Commission, together with financial statement and the Auditor-General's Report thereon, for period 26 September 1974 to 30 June 1975.

Public Service Act—Regulation—Statutory Rules 1976, No. 71.

Telecommunications Act—By-laws—Telecommunications (Staff) Amendment No. 5.

- 6 INTERNATIONAL LABOUR ORGANISATION—LABOUR INSPECTION CONVENTION, 1947—TREATY—PAPER: The Minister for Environment, Housing and Community Development (Senator Greenwood), by Command of His Excellency the Governor-General, laid upon the Table the following Paper:

Treaty—International Labour Organisation—Convention No. 81—Convention Concerning Labour Inspection in Industry and Commerce, adopted by the International Labour Conference at Geneva on 11 July 1947, and ratified for Australia (excluding Part II, pursuant to Article 25 of the Convention), 24 June 1975.

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

- 7 AIR NAVIGATION (CHARGES) BILL 1976—*Message from the House of Representatives*: The following Message from the House of Representatives was received and read:

MR PRESIDENT,

Message No. 5

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to amend the 'Air Navigation (Charges) Act 1952-1974'*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 2 March 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 Keeffe 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 SECURITY INTELLIGENCE ORGANIZATION BILL 1976: The Senate, according to Order, resolved itself into Committee for the further consideration of the Bill.

In the Committee

Bill further considered.

Senator Harradine moved an amendment, viz.: Page 2, clause 4, sub-sections (3) and (4) of proposed section 6B, lines 14 to 29, leave out the sub-sections, insert the following sub-sections:

"(3) If the Director-General is a Judge and the rate per annum of his salary as a Judge is less than the rate per annum of the salary that would be payable to him if he were President of the Trade Practices Tribunal, he shall be paid additional salary at a rate equal to the difference between the rates of those salaries, and, if the rate per annum of his annual allowance as a Judge is less than the rate per annum of the annual allowance that would be payable to him if he were President of the Trade Practices Tribunal, he shall be paid additional annual allowance at a rate equal to the difference between the rates of those annual allowances.

"(4) Where a Judge retires as a Judge or dies and, immediately before his retirement or death, he held office as Director-General, the *Judges' Pensions Act* 1968-1974 applies to and in relation to him as if the appropriate current judicial salary applicable to him for the purposes of that Act were salary (including additional salary payable by virtue of sub-section (3)) at the rate that would be payable to him as Director-General if he had not retired or died."

Debate continued.

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

Amendment negatived accordingly.

Bill agreed to.

Bill to be reported without amendment.

The President resumed the Chair; and the Chairman of Committees (Senator Drake-Brockman) reported accordingly.

On the motion of the Minister for Environment, Housing and Community Development (Senator Greenwood) the Report from the Committee was adopted, and the Bill read a third time.

- 9 CONCILIATION AND ARBITRATION 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 agreed to.

Bill to be reported without amendment.

The President resumed the Chair; and the Chairman of Committees (Senator Drake-Brockman) reported accordingly.

On the motion of the Minister for Environment, Housing and Community Development (Senator Greenwood) the Report from the Committee was adopted, and the Bill read a third time.

- 10 GOVERNOR-GENERAL'S OPENING SPEECH—ADDRESS-IN-REPLY: Order of the Day read for the adjourned debate on the motion by Senator Knight—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—*And on the amendment moved thereto by Senator Harradine*—That the following words be added to the Address-in-Reply: “, and the Senate is of the opinion that your advisers, having declared their intention of taking particular care over the special circumstances of the less populous States, should obtain the approval of those States prior to the implementation of your advisers’ new approach to Federalism”.

Debate resumed.

Senator Brown moved an amendment to the proposed amendment, viz.: At end of proposed amendment, add “. The Senate is also of the opinion that, because of the financial plight of local government organizations throughout Australia, your advisers should take action immediately to re-institute hearings by the Australian Grants Commission for the purpose of assessing appropriate untied and unconditional grants to local government”.

Debate continued.

Senator Wright addressing the Chair—

And it being eleven p.m.—

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

Question—resolved in the affirmative.

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

- 12 ATTENDANCE: Present, all Senators.

J. R. ODGERS,
Clerk of the Senate