

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 23

WEDNESDAY, 28 APRIL 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 MINISTERIAL ARRANGEMENTS: The Leader of the Government in the Senate (Senator Withers), by leave, informed the Senate that, during the absence overseas of Mr Nixon, Mr McLeay would act as Minister for Transport.

- 4 PETITIONS: Senator Colston presented a petition from 78 citizens of Australia praying that cows' milk substitutes be restored to the Schedule of Pharmaceutical Benefits for children up to the age of six years as soon as possible.

Petition received and read.

Senator Baume presented a petition from 98 citizens of Australia praying that the Australian Heritage Commission be appointed, and that there be a proper balance between the Government's programme of public austerity and the need for action in conservation.

Petition received and read.

Senator Gietzelt presented a petition from 54 citizens of Australia praying that a system of double income tax on personal incomes not be introduced.

Petition received and read.

Senator Brown presented a petition from 152 citizens of Australia praying that the Government reject any proposal to build an Omega Station in Australia.

Petition received and read.

Senator Sibraa presented a petition from 221 citizens of Australia praying that the Government continue to support financially and politically the Australian Assistance Plan in its present form.

Petition received and read.

Senator Knight presented a petition from 208 residents of Turner, Australian Capital Territory, praying that the Senate note their objections to the construction of up to 150 family flats on the site between Condamine Court flats and Construction House.

Petition received and read.

Senator Knight presented a petition from 279 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.

The Clerk announced that Senator Chaney had lodged two petitions for presentation, viz.:

From 12 and 25 citizens of Australia praying that the Senate take the most urgent steps to readjust payments under the National Employment and Training System so that they are equivalent to the average adult male award wage.

Petitions received.

- 5 NOTICE OF MOTION: The Minister for Administrative Services (Senator Withers) gave a Notice of Motion as follows—That, on the next day of sitting, he would move—That leave be given to introduce a Bill for an Act to amend the *Grants Commission Act 1973-1975*.

6 QUESTIONS.

- 7 URGENCY MOTION: The President informed the Senate that he had received a letter from the Leader of the Opposition in the Senate (Senator Wriedt) advising that this day he intended to move—“That in the opinion of the Senate the following is a matter of urgency: The imposition of a double taxation system on the Australian people, and the implications flowing therefrom.”.

And at least four Senators having risen in support of the motion—

Senator Wriedt thereupon moved the motion.

Debate ensued.

Closure: Senator Wright moved—That the Question be now put.

Question—That the Question be now put—put.

The Senate divided—

AYES, 31		NOES, 25	
Senator—	Senator—	Senator—	Senator—
Archer	Maunsell	Bishop	McClelland,
Baume	Messner	Brown	James
Bonner	Missen	Button	McLaren
Carrick	Rae	Cameron	Melzer
Collard	Scott	Cavanagh	Mulvihill
Cormack,	Sheil	Colston	O'Byrne
Sir Magnus	Sim	Devitt	Primmer
Cotton	Tehan	Gietzelt	Robertson
Drake-Brockman	Thomas	Grimes	Ryan
Greenwood	Townley	Harradine	Sibraa
Guilfoyle	Walters	Keeffe	Walsh
Jessop	Webster	McAuliffe	Wriedt
Kilgariff	Wood	McClelland,	<i>Teller:</i>
Knight	Wright	Douglas	Georges
Lajovic			
Laucke	<i>Teller:</i>		
Martin	Chaney		

And so it was resolved in the affirmative.

Main Question—That the motion be agreed to—put and negatived.

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

Australian Sports Institute Study Group—Report, dated November 1975.

Industries Assistance Commission—Report—Spectacle and Sunglass Frames, Sunglasses, etc., dated 20 February 1976.

The following Paper was presented, pursuant to Statute:

Public Service Act—Appointment—Department—Aboriginal Affairs—R. J. Moore.

- 9 DEFENCE FORCES RETIREMENT BENEFITS FUND—PAPER—MINISTERIAL STATEMENT: 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:

Defence Forces Retirement Benefits Fund—Report by the Defence Forces Retirement Benefits Board, together with a Report to the Board by the Australian Government Actuary on the Assets and Liabilities of the Fund at 30 September 1972, dated 3 June 1975.

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

Senator Keeffe, by leave, moved—That the Senate take note of the Statement.

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

10 ESTIMATES COMMITTEES—APPOINTMENT: The Minister for Environment, Housing and Community Development (Senator Greenwood), at the request of the Leader of the Government in the Senate (Senator Withers) and pursuant to Notice of Motion not objected to as a Formal Motion, moved—That—

- (1) Unless otherwise ordered, the annual Estimates, as contained in the Papers presenting the Particulars of Proposed Expenditure, and the Additional Estimates, as contained in the Papers presenting the Particulars of Proposed Provision for Additional Expenditure, shall on motion be referred for examination and report to six committees, to be known as Estimates Committees A, B, C, D, E and F, which are appointed by this Resolution.
- (2) Each Estimates 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.
- (3) The particular Estimates Committees in respect of which the Leader of the Opposition or the Independents make nominations shall be determined by agreement between the Leader and the Independents, and, in the absence of agreement duly notified to the President, the question as to the representation on any particular Committee shall be determined by the Senate.
- (4) Each Committee may proceed to the despatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy.
- (5) Each Committee shall elect a Government member as Chairman.
- (6) The Chairman may from time to time appoint another member of the Committee to be Deputy-Chairman and the member so appointed shall act as Chairman of the Committee at any time when the Chairman is not present at a meeting of the Committee.
- (7) In the event of an equality of voting, the Chairman, or the Deputy-Chairman when acting as Chairman, shall have a casting vote.
- (8) Three members of a Committee shall constitute a quorum.
- (9) A Senator, though not a member of a Committee, may attend and participate in its deliberations, and question witnesses, unless the Committee orders otherwise, but shall not vote.
- (10) The Committees shall sit in open session, unless otherwise ordered, may sit during any adjournment or suspension of the Senate, and may adjourn from time to time.
- (11) A Committee shall not meet while the Senate is actually sitting, unless by special order of the Senate.
- (12) Not more than three Committees shall sit simultaneously.
- (13) In considering the Estimates, the Chairman shall, without motion, call on divisions of expenditure in the order decided upon and declare the proposed expenditure open for examination.
- (14) The Committees may ask for explanations from Ministers of State in the Senate, or officers, relating to the items of proposed expenditure.
- (15) The Resolution referring the Estimates to the Committees may fix a day for the reporting of their proceedings to the Senate, by which day the final Reports of the Committees shall be brought up.
- (16) The Report of a Committee shall be presented to the Senate by the Chairman and, if considered necessary, may propose the further consideration of any particular items. A reservation by any member of a Committee may be added to the Report.
- (17) The Reports from the Committees shall be received by the Senate without debate and their consideration deferred until consideration of the Appropriation Bills.
- (18) A *Hansard* report of Committee proceedings shall be circulated, in manner similar to the daily Senate *Hansard*, as soon as practicable after each day's proceedings.

- (19) 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.

Question—put and passed.

11 PARTICULARS OF PROPOSED ADDITIONAL EXPENDITURE 1975-76—PAPERS—REFERENCE TO ESTIMATES COMMITTEES: The Minister for Industry and Commerce (Senator Cotton), by Command of His Excellency the Governor-General, laid upon the Table the following Papers:

Particulars of Proposed Additional Expenditure for the Service of the year ending 30 June 1976.

Particulars of Certain Proposed Additional Expenditure in respect of the year ending on 30 June 1976.

Statement of Savings Expected in Annual Appropriations made by Appropriation Acts (Nos 1 and 2) 1975-76.

Reference to Estimates Committees: The Minister for Environment, Housing and Community Development (Senator Greenwood), by leave, moved—

- (1) That the Particulars of Proposed Additional Expenditure for the Service of the year ending 30 June 1976 and the Particulars of Certain Proposed Additional Expenditure in respect of the year ending on 30 June 1976 be referred herewith to Estimates Committees for examination and report.
- (2) That, unless otherwise ordered, the Committees deal with departmental estimates as follows:

Estimates Committee A

Department of Administrative Services
Parliament
Department of the Prime Minister and Cabinet
Department of National Resources
Department of Foreign Affairs
Department of Defence

Estimates Committee B

Department of Environment, Housing and Community Development
Department of Employment and Industrial Relations
Attorney-General's Department
Department of Business and Consumer Affairs

Estimates Committee C

Department of Industry and Commerce
Department of Overseas Trade
Department of the Treasury
Department of Primary Industry

Estimates Committee D

Department of Education
Department of Transport
Postal and Telecommunications Department

Estimates Committee E

Department of Social Security
Department of Health
Department of Immigration and Ethnic Affairs
Department of Aboriginal Affairs
Department of Repatriation

Estimates Committee F

Department of Science
Department of the Northern Territory
Department of Construction
Department of the Capital Territory

(3) That the Committees report to the Senate on or before Tuesday, 18 May 1976. Debate ensued.

Question—put and passed.

- 12 SOCIAL SERVICES AMENDMENT BILL 1976—*Message from the House of Representatives*: The following Message from the House of Representatives was received and read:

MR PRESIDENT,

Message No. 45

The House of Representatives acquaints the Senate that it has agreed to the amendments made by the Senate in the Bill intituled "*A Bill for an Act relating to Social Services*".

House of Representatives,
Canberra, 28 April 1976

B. M. SNEDDEN,
Speaker

- 13 ACTS CITATION BILL 1976—*Message from the House of Representatives*: The following Message from the House of Representatives was received and read:

MR PRESIDENT,

Message No. 44

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

House of Representatives,
Canberra, 27 April 1976

B. M. SNEDDEN,
Speaker

The Minister for Environment, Housing and Community Development (Senator Greenwood) moved—That the Bill may be taken through all its stages without delay.

Question—put and passed.

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

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

On the motion of Senator Button the debate was adjourned.

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

- 14 LEGISLATIVE AND GENERAL PURPOSE STANDING COMMITTEES—REFERENCE OF ANNUAL REPORTS: The Minister for Environment, Housing and Community Development (Senator Greenwood), at the request of the Leader of the Government in the Senate (Senator Withers) and pursuant to notice, moved—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.

Debate ensued.

Question—put and passed.

- 15 REPATRIATION ACTS AMENDMENT BILL 1976: Order of the Day read for the adjourned debate on the Question—That this Bill be now read a second time.

Senator Grimes moved an amendment, viz.: At end of motion, add "but the Senate deplores the failure of the Government to index dependants allowances to meet increases in the cost of living".

Question—That the words proposed to be added be added—put.

The Senate divided—

AYES, 22		NOES, 31	
Senator—	Senator—	Senator—	Senator—
Bishop	McClelland,	Archer	Maunsell
Brown	James	Baume	Messner
Button	Melzer	Bonner	Missen
Cameron	Mulvihill	Carrick	Rae
Cavanagh	O'Byrne	Collard	Scott
Colston	Primmer	Cormack,	Sheil
Devitt	Robertson	Sir Magnus	Sim
Gietzelt	Ryan	Cotton	Tehan
Grimes	Sibraa	Drake-Brockman	Thomas
Keeffe	Walsh	Greenwood	Townley
McAuliffe		Guilfoyle	Walters
McClelland,	<i>Teller:</i>	Jessop	Webster
Douglas	Georges	Kilgariff	Wood
		Knight	Wright
		Lajovic	
		Laucke	<i>Teller:</i>
		Martin	Chaney

Amendment negatived accordingly.

Question—That this Bill be now read a second time—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 Social Security (Senator Guilfoyle) the Report from the Committee was adopted, and the Bill read a third time.

- 16 POSTPONEMENT: The Minister for Industry and Commerce (Senator Cotton) moved—That intervening business be postponed till after the consideration of Government Business, Orders of the Day No. 3 (Wheat Export Charge Amendment Bill 1976) and No. 4 (Wheat Products Export Adjustment Amendment Bill 1976).

Question—put and passed.

- 17 WHEAT EXPORT CHARGE AMENDMENT BILL 1976: Order of the Day read for the adjourned debate on the Question—That this Bill be now read a first time.

Debate resumed.

Leave to incorporate matter in Hansard not granted: Senator Townley asked leave to incorporate a document in *Hansard*.

Objection being raised, leave not granted.

Leave to table document not granted: Senator Townley asked leave to table a document from which he had quoted.

Objection being raised, leave not granted.

Document tabled: The Minister for Industry and Commerce (Senator Cotton) moved—That, pursuant to Standing Order 364, the document quoted from by Senator Townley be laid upon the Table.

Debate ensued.

Closure: Senator Chaney moved—That the Question be now put.

Question—That the Question be now put—put.

The Senate divided—

AYES, 30	
Senator—	Senator—
Archer	Messner
Baume	Missen
Bonner	Rae
Carrick	Scott
Collard	Sheil
Cotton	Sim
Drake-Brockman	Tehan
Greenwood	Thomas
Guilfoyle	Townley
Jessop	Walters
Kilgariff	Webster
Knight	Wood
Lajovic	Wright
Laucke	
Martin	<i>Teller:</i>
Maunsell	Chaney

NOES, 22	
Senator—	Senator—
Bishop	McClelland,
Brown	James
Button	McLaren
Cameron	Melzer
Cavanagh	Mulvihill
Colston	Primmer
Devitt	Robertson
Gietzelt	Ryan
Grimes	Sibraa
Keeffe	Walsh
McAuliffe	
McClelland,	<i>Teller:</i>
Douglas	Georges

And so it was resolved in the affirmative.

Question—(Senator Cotton's motion)—put.

The Senate divided—

AYES, 30	
Senator—	Senator—
Archer	Messner
Baume	Missen
Bonner	Rae
Carrick	Scott
Collard	Sheil
Cotton	Sim
Drake-Brockman	Tehan
Greenwood	Thomas
Guilfoyle	Townley
Jessop	Walters
Kilgariff	Webster
Knight	Wood
Lajovic	Wright
Laucke	
Martin	<i>Teller:</i>
Maunsell	Chaney

NOES, 23	
Senator—	Senator—
Bishop	McClelland,
Brown	James
Button	McLaren
Cameron	Melzer
Cavanagh	Mulvihill
Colston	Primmer
Devitt	Robertson
Gietzelt	Ryan
Grimes	Sibraa
Harradine	Walsh
Keeffe	
McAuliffe	<i>Teller:</i>
McClelland,	Georges
Douglas	

And so it was resolved in the affirmative.

Senator Townley thereupon laid upon the Table the following document:

Iraqi Funds—Copy of statement attributed to Henry John Fischer, of Sydney (pages 1–35, 38–42).

Debate continued.

Leave refused: Senator Baume asked leave to incorporate a document in *Hansard*.

Objection being raised, leave not granted.

Debate continued.

And it being eleven p.m.—

- 18 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 fifteen minutes to twelve o'clock midnight till to-morrow at eleven a.m.
- 19 ATTENDANCE: Present, all Senators except Senators Coleman, Davidson, Durack and Young.

J. R. ODGERS,
Clerk of the Senate