

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 36

THURSDAY, 3 JUNE 1976

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

2 PRAYERS.

- 3 PETITIONS: The Leader of the Opposition in the Senate (Senator Wriedt) presented a petition from 1014 citizens of Australia praying that the Government empower the Health Insurance Commission to offer all forms of hospital insurance cover.

Petition received.

Senators Melzer and Coleman (two) presented petitions, similar in wording, from 204, 206 and 1036 citizens of Australia, respectively, praying that the Senate give urgent consideration to the continuation of federal finance for family planning and similar organisations.

Petitions received and one petition read.

Senator Knight presented a petition from 62 residents of the Australian Capital Territory praying that the Senate note their objections to the proposed development of medium density housing between Owen Flats, Northbourne Avenue, and the Barton Highway.

Petition received and read.

The Clerk announced that the following Senators had lodged petitions for presentation, viz.:

Senator Guilfoyle, from 20 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.

Senator Colston, from 16 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.

Senator Missen, from 30 citizens of Australia praying that the Government act to improve certain social security benefits for pensioners.

Petitions received.

- 4 NOTICE OF MOTION: The Minister for Social Security (Senator Guilfoyle) gave a Notice of Motion as follows—That, on the next day of sitting, she would move—That leave be given to introduce a Bill for an Act to repeal the *Social Welfare Commission Act 1973*, and for related purposes.

5 QUESTIONS.

- 6 GOVERNOR-GENERAL'S MESSAGES—ASSENT TO BILLS: The following Messages from His Excellency the Governor-General were presented by the President:

JOHN R. KERR,

Governor-General

Message No. 21

Proposed law intituled:—

Commonwealth Grants Commission 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, 2 June 1976

JOHN R. KERR,
Governor-General

Message No. 22

Proposed laws intituled:—

Customs Tariff Amendment Act 1976

Customs Amendment Act 1976

Live-stock Slaughter Levy Amendment Act 1976

Live-stock Slaughter Levy Collection Amendment Act 1976

Apple and Pear Stabilization Amendment Act 1976

Apple and Pear Stabilization Export Duty Amendment Act 1976

Apple and Pear Stabilization Export Duty Collection Amendment 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 laws.

Government House,
Canberra, 2 June 1976

- 7 ABORIGINAL SECONDARY GRANTS SCHEME—ACCESS TO EDUCATION—PAPER—MINISTERIAL STATEMENT: The Minister for Education (Senator Carrick), by Command of His Excellency the Governor-General, laid upon the Table the following Paper:

Aboriginal Secondary Grants Scheme—Report for the Commonwealth Department of Education by B. H. Watts, entitled “Access to Education—An Evaluation of the Aboriginal Secondary Grants Scheme”, dated 7 November 1975.

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

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

- 8 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—Third Main Report (2 vols) of the Commission of Inquiry into Poverty, entitled “Social/Medical Aspects of Poverty in Australia”, dated March 1976.

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

Debate ensued.

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

Department of Foreign Affairs—Annual Report, for year 1975.

National Committee on Social Science Teaching—Report on the Committee’s Research and Development Grants for years 1973–74 and 1974–75, dated December 1975.

Norfolk Island Territory—Annual Report, for year 1974–75.

The following Papers were presented, pursuant to Statute:

Education Research Act—Australian Advisory Committee on Research and Development in Education—Fourth and Fifth Annual Reports, for years 1973–74 and 1974–75.

Lands Acquisition Act—Statement by the Minister describing land acquired by agreement under sub-section 7 (1) of the Act, for specified public purposes.

States Grants (Technical and Further Education) Act—Statement by the Minister relating to financial assistance granted to the States in 1974–75.

- 10 CONSTITUTIONAL AND LEGAL AFFAIRS—STANDING COMMITTEE—REPORT ON ORDINARY ANNUAL SERVICES OF THE GOVERNMENT: The Chairman of the Standing Committee on Constitutional and Legal Affairs (Senator Missen) brought up the Report of the Committee on the Ordinary Annual Services of the Government.
Ordered to be printed.
Senator Missen, by leave, moved—That the Senate take note of the Report.
Ordered—That the debate be adjourned till the next day of sitting, and that Senator Missen have leave to continue his speech on the resumption of the debate.
- 11 SCIENCE AND THE ENVIRONMENT—STANDING COMMITTEE—REVIEW OF SELECT COMMITTEE REPORT ON AIR POLLUTION: The Chairman of the Standing Committee on Science and the Environment (Senator Jessop) brought up the Report of the Committee entitled "Review of the Report of the Senate Select Committee on Air Pollution".
Ordered to be printed.
Senator Jessop, by leave, moved—That the Senate take note of the Report.
Ordered—That the debate be adjourned till the next day of sitting, and that Senator Jessop have leave to continue his speech on the resumption of the debate.
- 12 PERSONAL EXPLANATION: Senator McLaren, by leave, made a personal explanation relating to a report appearing in *The Australian* newspaper on 2 June 1976.
- 13 THE ARTS—MINISTERIAL STATEMENT: The Minister for Administrative Services (Senator Withers), by leave, made a statement relating to Government measures in relation to the Arts 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 the Minister for Industry and Commerce (Senator Cotton) have leave to continue his speech on the resumption of the debate.
- 14 AUSTRALIAN RESEARCH GRANTS SCHEME—MINISTERIAL STATEMENT: The Minister for Science (Senator Webster), by leave, made a statement relating to funds for high quality research 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 O'Byrne have leave to continue his speech on the resumption of the debate.
Paper: Senator Webster, by leave, made a further statement and, by Command of His Excellency the Governor-General, laid upon the Table the following Paper:
Australian Research Grants Scheme—Statement by Minister for Science—Media Release, dated 3 June 1976.
- 15 TRADE AND COMMERCE—STANDING COMMITTEE—REFERENCE OF MATTER: Senator Sheil, pursuant to Notice of Motion not objected to as a Formal Motion, moved—That the following matter be referred to the Standing Committee on Trade and Commerce for inquiry and report: The effect on the wine making and grape growing industries of variations in the tax structure.
Question—put and passed.
- 16 POSTPONEMENT: Senator Douglas McClelland moved—That Business of the Senate, Notice of Motion No. 1, relating to the disallowance of the Cocos (Keeling) Islands *Lands Acquisition (Repeal) Ordinance* 1976, be postponed till four sitting days after today.
Question—put and passed.
- 17 CONSTITUTIONAL CONVENTION—MEMBERSHIP OF DELEGATION: The Deputy-President (Senator Drake-Brockman) informed the Senate that, pursuant to the Resolution of the Senate of 1 June 1976, the President had received letters from the Leader of the Government in the Senate and the Leader of the Opposition in the Senate nominating Senators Brown, Button, Cavanagh, Greenwood, Webster and Withers to be members of the Commonwealth Parliament Delegation to attend the Constitutional Convention established to review the Commonwealth of Australia Constitution.

The Minister for Industry and Commerce (Senator Cotton), by leave, moved—That the Senators nominated be appointed members of the Delegation.

Question—put and passed.

- 18 MARITIME COLLEGE BILL 1976—*Message from the House of Representatives*: The following Message from the House of Representatives was received and read:

MR PRESIDENT,

Message No. 93

The House of Representatives returns to the Senate the Bill intituled "*A Bill for an Act to make provision for the Establishment of an Australian Maritime College*", and acquaints the Senate that the House of Representatives has agreed to the Bill without amendment.

House of Representatives,
Canberra, 2 June 1976

B. M. SNEDDEN,
Speaker

- 19 DAIRY ADJUSTMENT 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. 90

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to amend the 'Dairy Adjustment Act 1974'*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 2 June 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 Gietzelt the debate was adjourned.

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

- 20 DAIRYING INDUSTRY RESEARCH AND PROMOTION LEVY BILL 1976—*Message from the House of Representatives*: The following Message from the House of Representatives was received and read:

MR PRESIDENT,

Message No. 91

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act relating to a Levy on Whole Milk and Butter Fat*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 2 June 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 Gietzelt the debate was adjourned.

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

- 21 DAIRYING INDUSTRY RESEARCH AND PROMOTION (MISCELLANEOUS AMENDMENTS) BILL 1976—*Message from the House of Representatives*: The following Message from the House of Representatives was received and read:

MR PRESIDENT,

Message No. 92

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to repeal the 'Butter Fat Levy Act 1965-1972', and to amend certain other Acts*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 2 June 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 Gietzelt the debate was adjourned.

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

- 22 STATES GRANTS (HOSPITAL OPERATING COSTS) BILL 1976—*Message from the House of Representatives*: The following Message from the House of Representatives was received and read:

MR PRESIDENT,

Message No. 89

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to grant Financial Assistance to the States in relation to the Costs of Operating Hospitals*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 2 June 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 Grimes the debate was adjourned.

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

- 23 ROAD SAFETY AND STANDARDS AUTHORITY (REPEAL) BILL 1976—*Message from the House of Representatives*: The following Message from the House of Representatives was received and read:

MR PRESIDENT,

Message No. 88

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to repeal the 'Road Safety and Standards Authority Act 1975', and for related purposes*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 2 June 1976

B. M. SNEDDEN,
Speaker

The Minister for Education (Senator Carrick) moved—That the Bill may be taken through all its stages without delay.

Question—put and passed.

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

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

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.

- 24 CIVIL AVIATION (CARRIERS' LIABILITY) 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. 94

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to amend the 'Civil Aviation (Carriers' Liability) Act 1959-1973'*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 2 June 1976

B. M. SNEDDEN,
Speaker

The Minister for Education (Senator Carrick) moved—That the Bill may be taken through all its stages without delay.

Question—put and passed.

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

Senator Carrick 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.

- 25 AIR ACCIDENTS (COMMONWEALTH GOVERNMENT LIABILITY) 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. 95

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to amend the 'Air Accidents (Australian Government Liability) Act 1963-1973'*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 2 June 1976

B. M. SNEDDEN,
Speaker

The Minister for Education (Senator Carrick) moved—That the Bill may be taken through all its stages without delay.

Question—put and passed.

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

Senator Carrick 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.

- 26 CONSTITUTIONAL AND LEGAL AFFAIRS—STANDING COMMITTEE—REFERENCE OF MATTER: Senator Missen, pursuant to notice, moved—That—

(1) The following matter be referred to the Standing Committee on Constitutional and Legal Affairs for inquiry and report: Whether the Constitution should be amended to provide that judges of Commonwealth Courts should be required to vacate their office upon the attainment of a fixed age.

(2) The Committee report to the Senate as soon as possible but not later than the first sitting day in November 1976.

Question—put and passed.

- 27 EDUCATION AND THE ARTS—STANDING COMMITTEE—REFERENCE OF MATTER: Senator Harradine, pursuant to notice, moved—That the following matter be referred to the Standing Committee on Education and the Arts for inquiry and report: The maintenance of levels of employment for musicians by the Australian Broadcasting Commission, with particular reference to:

(a) the continuance and growth of symphony and other orchestras;

(b) the extension of training facilities for musicians; and

(c) the need for the creation of employment opportunities for music graduates of Conservatoria and Colleges of Advanced Education.

Debate ensued.

Question—put and passed.

- 28 SOCIAL SERVICES AMENDMENT BILL (No. 2) 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 Deputy-President (Senator Drake-Brockman) resumed the Chair; and the Temporary Chairman of Committees (Senator Maunsell) 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.

- 29 SUPPLY BILL (No. 1) 1976–77: Order of the Day read for the adjourned debate on the Question—That this Bill be now read a second time.

Debate resumed.

Distinguished Visitors: The President drew attention to the presence in the gallery of a delegation from the Indian Parliament, led by the Minister for Home Affairs, Personnel and Parliamentary Affairs, the Hon. Om Mehta, and, on behalf of honourable Senators, extended to members of the delegation a warm welcome.

Debate continued.

Ordered—That the debate be adjourned till a later hour of the day, and that the Minister for Industry and Commerce (Senator Cotton) have leave to continue his speech on the resumption of the debate.

- 30 POSTPONEMENT: The Minister for Industry and Commerce (Senator Cotton) moved—That intervening business be postponed till after the consideration of Government Business, Order of the Day No. 4 (Conciliation and Arbitration Amendment Bill 1976).

Question—put and passed.

- 31 CONCILIATION AND ARBITRATION AMENDMENT 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.

The Senate divided—

AYES, 32	
Senator—	Senator—
Archer	Maunsell
Baume	Messner
Bonner	Missen
Carrick	Scott
Collard	Sheil
Cotton	Sim
Davidson	Tehan
Drake-Brockman	Thomas
Durack	Walters
Guilfoyle	Webster
Hall	Withers
Jessop	Wood
Kilgariff	Wright
Knight	Young
Lajovic	
Laucke	<i>Teller:</i>
Martin	Chaney

NOES, 24	
Senator—	Senator—
Bishop	McClelland
Button	James
Cameron	McIntosh
Cavanagh	McLaren
Coleman	Melzer
Colston	Mulvihill
Devitt	Robertson
Gietzelt	Ryan
Grimes	Sibraa
Harradine	Wheeldon
Keeffe	Wriedt
McAuliffe	
McClelland,	<i>Teller:</i>
Douglas	Georges

And so it was resolved in the affirmative.

Bill read a second time.

The Senate, according to Order, resolved itself into Committee for the consideration of the Bill.

In the Committee

Clauses 1 to 3, by leave, taken together, debated and agreed to.

Clauses 4 and 5, by leave, taken together and debated.

Question—That the clauses stand as printed—put.

The Committee divided—

AYES, 32		NOES, 24	
Senator—	Senator—	Senator—	Senator—
Archer	Maunsell	Bishop	McClelland,
Baume	Messner	Button	James
Bonner	Missen	Cameron	McIntosh
Carrick	Scott	Cavanagh	McLaren
Collard	Sheil	Coleman	Melzer
Cotton	Sim	Colston	Mulvihill
Davidson	Tehan	Devitt	Robertson
Drake-Brockman	Thomas	Gietzelt	Ryan
Durack	Walters	Grimes	Sibraa
Guilfoyle	Webster	Harradine	Wheeldon
Hall	Withers	Keeffe	Wriedt
Jessop	Wood	McAuliffe	
Kilgariff	Wright	McClelland,	<i>Teller:</i>
Knight	Young	Douglas	Georges
Lajovic			
Laucke	<i>Teller:</i>		
Martin	Chaney		

Clauses 4 and 5 agreed to accordingly.

Clause 6 agreed to.

Clause 7 debated and agreed to.

Clauses 8 to 11, by leave, taken together, debated and agreed to.

Clauses 12 and 13, by leave, taken together, debated and agreed to.

Remainder of Bill, by leave, taken as a whole and agreed to.

Bill to be reported without amendment.

The President resumed the Chair; and the Temporary Chairman of Committees (Senator Mulvihill) reported accordingly.

On the motion of the Minister for Education (Senator Carrick) the Report from the Committee was adopted, and the Bill read a third time.

32 SUPPLY BILL (No. 1) 1976-77: Order of the Day read for the adjourned debate on the Question—That this Bill be now read a second time.

Debate resumed.

The Minister for Industry and Commerce (Senator Cotton) addressing the Chair—

And it being eleven p.m.—

33 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 twenty-five minutes past eleven p.m. till to-morrow at ten a.m.

34 ATTENDANCE: Present, all Senators except Senators Brown, Greenwood, Rae and Townley.

J. R. ODGERS,
Clerk of the Senate