

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

# JOURNALS OF THE SENATE

No. 38

TUESDAY, 17 AUGUST 1976

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1 MEETING OF SENATE: The Senate met at half-past two p.m., in accordance with the terms of the Resolution of the Senate of 4 June 1976. The President (Senator the Honourable Condor L. Laucke) took the Chair.

2 PRAYERS.

3 CHANGES IN MINISTRY AND MINISTERIAL ARRANGEMENTS: The Leader of the Government in the Senate (Senator Withers), by leave, informed the Senate that on 8 July 1976 His Excellency the Governor-General determined the appointment of Senator the Hon. Ivor J. Greenwood, Q.C., as Minister for Environment, Housing and Community Development, accepted the resignation of the Hon. Kevin Newman as Minister for Repatriation and, on the same day, appointed the Hon. Kevin Newman as Minister for Environment, Housing and Community Development and Senator the Hon. Peter Durack as Minister for Repatriation.

Senator Withers stated that the following ministerial representation arrangements would apply in the Senate:

Senator Carrick to represent the Minister for Environment, Housing and Community Development; and

Senator Durack to represent the Minister for Employment and Industrial Relations, the Attorney-General and the Minister for Business and Consumer Affairs.

He further stated that, during the absence overseas of Mr Anthony, Senator Cotton would act as Minister for Overseas Trade and Mr Nixon as Minister for National Resources.

4 DEATH OF THE RIGHT HONOURABLE LORD CASEY: The Leader of the Government in the Senate (Senator Withers) referred to the death on 17 June 1976 of the Right Honourable Lord Casey and, by leave, moved—That the Senate expresses its deep regret at the death of the Right Honourable Lord Casey, Baron of Berwick, Victoria, and of the City of Westminster, England, K.G., P.C., G.C.M.G., C.H., D.S.O., M.C., K.St.J., Governor-General of the Commonwealth of Australia from 1965 to 1969, a Member of the House of Representatives from 1931 to 1940 and from 1949 to 1960, and a Minister of the Crown from 1935 to 1940 and from 1949 to 1960, places on record its appreciation of his long and meritorious public service and tenders its profound sympathy to his widow and family in their bereavement.

And the motion having been seconded by the Leader of the Opposition in the Senate (Senator Wriedt), and supported by the Leader of the National Country Party of Australia in the Senate (Senator Webster) and Senators Sir Magnus Cormack and Wright—

And all Senators present having risen, in silence—

Question—passed.

5 DEATHS OF FORMER SENATORS BULL, AYLETT AND WHITESIDE, AND MR L. J. FAILES: The Leader of the Government in the Senate (Senator Withers) referred to the deaths of former Senators T. L. Bull, W. E. Aylett, G. I. Whiteside, and a former Member of

the House of Representatives, Mr L. J. Failes, and, by leave, moved—That the Senate expresses its deep regret at the deaths of Thomas Louis Bull, O.B.E., a former Senator for the State of New South Wales, William Edward Aylett, a former Senator for the State of Tasmania, George Irvine Whiteside, a former Senator for the State of Queensland, and Laurence John Failes, a former Member of the House of Representatives for the Division of Lawson, New South Wales, places on record its appreciation of their long and meritorious public service and tenders its profound sympathy to their families in their bereavement.

And the motion having been seconded by the Leader of the Opposition in the Senate (Senator Wriedt), and supported by the Leader of the National Country Party of Australia in the Senate (Senator Webster) and Senators Mulvihill, Scott, Georges, Young and McAuliffe—

And all Senators present having risen, in silence—

Question—passed.

- 6 **SUSPENSION OF SITTING AS MARK OF RESPECT:** As a mark of respect to the memory of the late Lord Casey, former Senators Bull, Aylett and Whiteside, and Mr Failes, the sitting of the Senate was suspended at twenty-eight minutes past three p.m. till eight o'clock p.m.

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*The Senate having resumed—*

- 7 **BUDGET PAPERS—*Suspension of Standing Orders:*** The Leader of the Government in the Senate (Senator Withers), by leave, moved—That so much of the Standing Orders be suspended as would prevent the Minister for Industry and Commerce (Senator Cotton) speaking without limitation of time when moving that the Senate take note of the Budget Papers 1976–77.

Question—put and passed.

*Papers:* The Minister for Industry and Commerce (Senator Cotton), by Command of His Excellency the Governor-General, laid upon the Table the following Papers:

Australia's Official Development Assistance to Developing Countries 1976–77.

Civil Works Program 1976–77.

Estimates of Receipts and Summary of Estimated Expenditure for the year ending 30 June 1977.

Expenditure—

Particulars of Proposed Expenditure for the Service of the year ending on 30 June 1977.

Particulars of Certain Proposed Expenditure in respect of the year ending on 30 June 1977.

Government Securities on issue at 30 June 1976.

Income Tax Statistics.

National Accounting Estimates of Receipts and Outlays of Commonwealth Government Authorities.

National Income and Expenditure 1975–76.

Payments to or for the States and Local Government Authorities 1976–77.

*Motion to take note:* Senator Cotton, by leave, moved—That the Senate take note of the Papers.

On the motion of the Leader of the Opposition in the Senate (Senator Wriedt) the debate was adjourned.

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

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

JOHN R. KERR,

Governor-General

Message No. 23

Proposed laws intituled:—

*Income Tax Assessment Amendment Act 1976*

*Superannuation Amendment Act (No. 2) 1976*

*Income Tax (International Agreements) Amendment Act 1976*

*Health Insurance Levy Assessment Act 1976*

*Health Insurance Levy Act 1976*

*Income Tax (International Agreements) Amendment Act (No. 2) 1976*

*Income Tax Assessment Amendment Act (No. 2) 1976*

*Income Tax (Rates) Act 1976*

*Income Tax (Individuals) 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, 4 June 1976

JOHN R. KERR,

Governor-General

Message No. 24

Proposed laws intituled:—

*Health Insurance Amendment Act 1976*

*National Health Amendment Act 1976*

*Health Insurance Commission Amendment Act 1976*

*Social Services Amendment Act (No. 2) 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, 5 June 1976

A. R. CUTLER,

Deputy of the Governor-General

Message No. 25

Proposed law intituled:—

*Family Law 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 law.

Government House,

Canberra, 8 June 1976

JOHN R. KERR,

Governor-General

Message No. 26

Proposed laws intituled:—

*Conciliation and Arbitration Amendment Act 1976*

*Customs Tariff Validation Act 1976*

*Northern Territory (Administration) Amendment Act 1976*

*Supply Act (No. 1) 1976–77*

*Supply Act (No. 2) 1976–77*

*Papua New Guinea (Staffing Assistance) Termination 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, 9 June 1976

JOHN R. KERR,

Governor-General

Message No. 27

Proposed law intituled:—

*Public Accounts Committee 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 law.

Government House,  
Canberra, 9 June 1976

JOHN R. KERR,

Governor-General

Message No. 28

Proposed laws intituled:—

*Wool Industry Amendment Act 1976**Wool Tax Amendment Act (No. 1) 1976**Wool Tax Amendment Act (No. 2) 1976**Wool Tax Amendment Act (No. 3) 1976**Wool Tax Amendment Act (No. 4) 1976**Wool Tax Amendment Act (No. 5) 1976**Dairy Adjustment Amendment Act 1976**Dairying Industry Research and Promotion Levy Act 1976**Dairying Industry Research and Promotion (Miscellaneous Amendments) Act 1976**States Grants (Hospital Operating Costs) Act 1976**Road Safety and Standards Authority (Repeal) Act 1976**States Grants (Air Quality Monitoring) Act 1976**Remuneration and Allowances 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, 10 June 1976

JOHN R. KERR,

Governor-General

Message No. 29

Proposed law intituled:—

*Maritime College 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, 11 June 1976

JOHN R. KERR,

Governor-General

Message No. 30

Proposed law intituled:—

*Industrial Research and Development Incentives 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, 15 June 1976

**9 EDUCATION AND THE ARTS—STANDING COMMITTEE—REPORT ON EDUCATION OF ISOLATED SCHOOL CHILDREN:** The President laid upon the Table the following Report sent to him pursuant to the Resolution of the Senate of 2 June 1976:

Education and the Arts Standing Committee—Report on Education of Isolated School Children, dated July 1976.

In accordance with the terms of the Resolution the President had ordered the printing and circulation of the Report.

*Notice of Motion:* Senator Davidson, by leave, gave a Notice of Motion as follows—That, on the next day of sitting, he would move—That the Senate take note of the Report of the Standing Committee on Education and the Arts on the Education of Isolated School Children.

10 PAPERS: The President laid upon the Table the following Paper:

Court of Disputed Returns—Reasons for Judgment on Petition by Bruce Noel Hill in the matter of the Senate election held in Tasmania on 13 December 1975 and in the matter of the Commonwealth Electoral Act.

The following Papers were presented, pursuant to Statute:

Administrative Appeals Tribunal Act—Regulations—Statutory Rules 1976, No. 141.

Air Force Act—Regulations—Statutory Rules 1976, No. 128.

Air Navigation Act—Regulations—Statutory Rules 1976, Nos 111, 124.

Audit Act—Regulations—Statutory Rules 1976, No. 157.

Australian Industry Development Corporation Act—Regulations—Statutory Rules 1976, No. 156.

Bankruptcy Act—Rules—Statutory Rules 1976, Nos 105, 143.

Christmas Island Act—Ordinances 1976—

No. 1—Industrial Relations.

No. 2—Supreme Court.

Cocos (Keeling) Islands Act—Ordinances 1976—No. 2—Supreme Court.

Commonwealth Banks Act—Appointment—K. E. Neate.

Commonwealth Inscribed Stock Act—Regulation—Statutory Rules 1976, No. 144.

Customs Act—Regulations—Statutory Rules 1976, Nos 145, 159.

Customs Act and Commerce (Trade Descriptions) Act—Regulations—Statutory Rules 1976, Nos 122, 151, 163.

Dairying Industry Research and Promotion Levy Collection Act—Regulations—Statutory Rules 1976, Nos 147, 148.

Defence Act—Regulations—Statutory Rules 1976—Nos 102, 106, 107, 108, 135.

Defence Act, Naval Defence Act, Air Force Act—Regulations—Statutory Rules 1976, Nos 120, 127, 130, 136, 137, 161.

Defence Force Retirement and Death Benefits Act—Regulations—Statutory Rules 1976, No. 160.

Export Market Development Grants Act—Regulations—Statutory Rules 1976, No. 131.

Film and Television School Acts—Regulations—Statutory Rules 1976, No. 112.

Health Insurance Commission Act—Regulations—Statutory Rules 1976, No. 146.

Income Tax Assessment Act—Regulations—Statutory Rules 1976, No. 115.

Insurance Acts—Regulations—Statutory Rules 1976, Nos 126, 139.

Insurance (Deposits) Act—Regulation—Statutory Rules 1976, No. 149.

Lands Acquisition Act—

Land, etc., acquired for—

Defence—

Canungra, Queensland.

Many Peaks Range, Townsville, Queensland.

Nowra, New South Wales.

Development of Canberra and its environs, Tharwa, Australian Capital Territory.

Pipeline Authority—

Kippilaw, New South Wales.

North Cobar, New South Wales.

Storage and supply of water for the A.C.T., Googong, New South Wales.

## Telecommunication services—

Creswick, Victoria.

Morisset, New South Wales.

Raglan, Victoria.

Sawtell, New South Wales.

## Telephone services—

New Town, Tasmania.

Wilkatana, South Australia.

Television translator, Wongan Hills, Western Australia.

Statements (9) by the Minister describing land acquired by agreement and sub-section 7 (1) of the Act, for specified public purposes.

National Health Act—Regulations—Statutory Rules 1976, Nos 113, 150.

Naval Defence Act—Regulations—Statutory Rules 1976, No. 162.

Navigation Act—Regulations—Statutory Rules 1976, Nos 117, 118, 119, 123.

Norfolk Island Act—Ordinances 1976—

No. 2—Absentee Landowners Levy.

No. 3—Fees.

No. 4—Public Works Levy.

No. 5—Visiting Fee.

No. 6—Norfolk Island Council.

No. 7—Administration.

No. 8—Public Service.

Northern Territory (Administration) Act—

Criminal Injuries (Compensation) Ordinance 1973, together with statement of reasons by the Minister for withholding assent to the Ordinance.

Crown Lands Ordinance—Statements by Minister of reasons for revocation and re-reservation of parts of land reserved for—

Flora and fauna purposes, Cobourg Peninsula, Northern Territory.

Public recreation or amusement, Tennant Creek, Northern Territory.

Local Government (Extension of Terms of Office) Ordinance 1975, together with statement of reasons by the Minister for withholding assent to the Ordinance.

Ordinances 1976—

No. 20—Justices 1975.

No. 21—Police and Police Offences (Appointments Validation).

No. 22—Companies.

No. 23—Salvation Army (Northern Territory) Property Trust.

No. 24—Traffic.

No. 25—Venereal Diseases.

No. 26—Church of England in Australia Constitution 1975.

No. 27—Ordinances Revision.

No. 28—Trespassers (Temporary Provision).

No. 29—Registration of Births, Deaths and Marriages.

Nursing Homes Assistance Act—Regulations—Statutory Rules 1976, No. 114.

Overseas Telecommunications Act—Regulation—Statutory Rules 1976, No. 109.

Papua New Guinea Independence Act—Regulations—Statutory Rules 1976, No. 110.

Papua New Guinea (Staffing Assistance) Act—Regulations—Statutory Rules 1976, No. 138.

Pipeline Authority Act—Regulations—Statutory Rules 1976, No. 164.

Postal Services Act—By-laws 1976—Postal Amendments Nos 2, 3.

Public Service Act—

Appointments—Department—

Administrative Services—B. J. McDermott.

Employment and Industrial Relations—A. G. Smith.

Industry and Commerce—J. G. Bracken, J. Mellers, W. L. Prowse.

Overseas Trade—M. B. Newman, P. W. Storey.

Regulations—Statutory Rules 1976, Nos 116, 142, 152, 153, 154, 155, 165, 166.

Public Service Arbitration Act—Determinations by the Arbitrator, accompanied by statements regarding possible inconsistency with the law—1976—

No. 227—Professional Musicians Union of Australia.

No. 265—Australian Public Service Association (Fourth Division Officers).

Nos 266 and 267—Transport Workers' Union of Australia.\*

No. 268—Association of Professional Engineers, Australia.

No. 269—Federated Clerks Union of Australia.

No. 270—Federated Liquor and Allied Industries Employees Union of Australia.

No. 271—Australian Theatrical and Amusement Employees Association.

No. 272—Amalgamated Metal Workers' Union and others.

No. 278—Association of Architects, Engineers, Surveyors and Draughtsmen of Australia.

No. 279—Professional Officers' Association, Commonwealth Public Service, and another.

No. 280—Federated Miscellaneous Workers' Union of Australia.

No. 281—Australian Workers' Union.

Nos 282 and 283—Amalgamated Metal Workers' Union and others.

No. 284—Federated Miscellaneous Workers' Union of Australia.

No. 285—Australian Federated Union of Locomotive Enginenen.

Nos 287 to 289—Transport Workers' Union of Australia.\*

No. 290—Electrical Trades Union of Australia.\*

No. 291—Australian Government Lawyers Association.

No. 292—Australian Public Service Association (Fourth Division Officers).

Nos 301 and 302—Commonwealth Foremen's Association of Australia, Commonwealth Public Service.

No. 303—Professional Officers Association, Commonwealth Public Service.

No. 304—Meat Inspectors Association, Commonwealth Public Service.

(\*Not accompanied by statement)

Remuneration Tribunals Act—Regulations—Statutory Rules 1976, Nos 103, 104.

Seat of Government (Administration) Act—

Ordinances 1976—

No. 20—Water Rates (Amendment).

No. 21—Manufacturers Warranties Ordinance (Repeal).

No. 22—Misrepresentation Ordinance (Repeal).

No. 23—Motor Traffic (No. 3).

No. 24—Canberra Retail Markets.

No. 25—City Area Leases (No. 2).

No. 26—Seat of Government (Administration).

No. 27—Long Service Leave.

No. 28—Legal Practitioners (Amendment).

No. 29—Parole.

No. 30—Ordinances Citation.

No. 31—Motor Traffic (No. 4).

No. 32—Companies (Amendment).

Regulations 1976—

No. 10—(Business Names Ordinance).

No. 11—(Associations Incorporation Ordinance).

No. 12—(Companies Ordinance).

States Grants (Schools) Act—Statement by the Minister of a direction under sub-section 33 (4) of the Act.

Student Assistance Act—Regulations—Statutory Rules 1976, No. 121.

Superannuation Act—Regulations—Statutory Rules 1976, Nos 125, 133, 140, 158.

Taxation Administration Act—Regulations—Statutory Rules 1976, No. 129.

Telecommunications Act—By-laws 1976—

Telecommunications (Charging Zones and Charging Districts) Amendments Nos 2, 3.

Telecommunications (General) Amendment No. 7.

Telecommunications (Staff) Amendment No. 8.

Trade Commissioners Act—Regulations—Statutory Rules 1976, Nos 132, 134.

11 ADJOURNMENT: The Senate adjourned at thirty-five minutes past nine p.m. till to-morrow at half-past two p.m.

12 ATTENDANCE: Present, all Senators except Senators Greenwood, James McClelland, Wheeldon and Wood.

J. R. ODGERS,  
Clerk of the Senate