

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 41

TUESDAY, 24 AUGUST 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 Melzer presented two petitions, similar in wording, from 47 and 69 citizens of Australia praying that the Government act to improve certain social security benefits for pensioners.

Petitions received and one petition read.

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

Senator Primmer, from 231 citizens of Australia praying that the Government observe the promise in the Prime Minister's election speech to maintain Medibank and standards of health care.

Senator Coleman (two), from 35 and 59 citizens of Australia praying that the Senate give urgent consideration to the continuation of federal finance for family planning and similar organisations.

Senator Tehan, from 82 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, and that protection from imports of powdered goats' milk be given to the goats' milk production industry.

Senator Chaney, from 99 citizens of Australia praying that the Government abolish the means test on all aged pensions.

Senator Tehan, from 220 citizens of Australia praying that the Senate take steps to continue the Australian Assistance Plan.

Senator Durack, from 32 citizens of Australia praying that the Government retain at least the original Medibank scheme.

Senator Cavanagh, from 13 citizens of Australia praying that the Senate insist that the Budget provide for specific measures to lift building activity.

Petitions received.

4 QUESTIONS.

- 5 TRANSPORT (PLANNING AND RESEARCH) ACT—PROGRESS REPORT—PAPER: The Minister for Education (Senator Carrick), by Command of His Excellency the Governor-General, laid upon the Table the following Paper:

Transport (Planning and Research) Act—Report by the Department of Transport of progress on projects under the Act, for period to 31 December 1975, dated June 1976 (3 Volumes).

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

- 6 NUCLEAR TESTS—FALLOUT OVER AUSTRALIA—PAPER: The Minister for Education (Senator Carrick), by Command of His Excellency the Governor-General, laid upon the Table the following Paper:

Nuclear Tests—Fallout over Australia—Reports by the Australian Ionising Radiation Advisory Council, Australian Radiation Laboratory and Bureau of Meteorology, entitled “Fallout over Australia from nuclear tests”, dated October 1975.

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

- 7 RURAL HEALTH IN AUSTRALIA—HOSPITALS AND HEALTH SERVICES COMMISSION—PAPER: The Minister for Social Security (Senator Guilfoyle), by Command of His Excellency the Governor-General, laid upon the Table the following Paper:

Rural Health in Australia—Hospitals and Health Services Commission—Report, entitled “Rural Health in Australia”, dated May 1976.

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

- 8 INDUSTRIES ASSISTANCE COMMISSION—PETROLEUM AND MINING INDUSTRIES—PAPER: The Minister for Repatriation (Senator Durack), by Command of His Excellency the Governor-General, laid upon the Table the following Paper:

Industries Assistance Commission—Report—Petroleum and Mining Industries, dated 28 May 1976.

The Leader of the Opposition in the Senate (Senator Wriedt), 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 Wriedt have leave to continue his speech on the resumption of the debate.

- 9 PAPERS: The President presented the following Paper, pursuant to Statute:

Reserve Bank Act—Annual Report of the Board of the Reserve Bank of Australia, together with financial statements and the Auditor-General's Report thereon, for year 1975–76.

The following Paper was presented, by Command of His Excellency the Governor-General:

Industries Assistance Commission—Temporary Assistance Authority—Report—Thick Plywood (Exceeding 5.5 mm in thickness), dated 28 July 1976.

The following Papers were presented, pursuant to Statute:

Customs Tariff—Orders 1976—Developing Country—Nos 1, 2, 3, 4.

Public Service Act—Regulations—Statutory Rules 1976 No. 167.

States Grants (Nature Conservation) Act—Agreements in relation to the provision of financial assistance for year 1975–76—

New South Wales—

Land acquisition for conservation purposes (Limeburners Creek), dated 16 June 1976.

Land acquisition for nature conservation purposes (Violet Hill), dated 16 June 1976.

Queensland—Land acquisition for nature conservation purposes (Eubenangee Swamp), dated 2 June 1976.

South Australia—Land acquisition for nature conservation purposes (Pike River Gurra-Gurra Area and Deep Creek Area), dated 1 June 1976.

Victoria—Land acquisition for nature conservation purposes (Mallacoota Inlet and Mount Richmond), dated 27 May 1976.

Western Australia—Land acquisition for nature conservation purposes (Wellington), dated 25 May 1976.

Urban and Regional Development (Financial Assistance) Act—Supplementary Agreement between the Commonwealth and South Australian Governments in relation to the provision of financial assistance for urban and regional development, dated 14 June 1976.

- 10 POSTPONEMENT: The Leader of the Government in the Senate (Senator Withers) moved—That Government Business, Order of the Day No. 2 (Aged Persons Hostels Amendment Bill 1976), be postponed till after the consideration of Government Business, Order of the Day No. 3 (Social Welfare Commission (Repeal) Bill 1976).

Question—put and passed.

- 11 QUEENSLAND GRANT (PROSERPINE FLOOD MITIGATION) BILL 1976—*Message from the House of Representatives*: The following Message from the House of Representatives was received and read:

MR PRESIDENT,

Message No. 106

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to grant Financial Assistance to Queensland for the purpose of Flood Mitigation Works in relation to the Proserpine River*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 19 August 1976

B. M. SNEDDEN,
Speaker

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

Question—put and passed.

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

Senator Withers 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.

- 12 AUSTRALIAN HERITAGE COMMISSION 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. 111

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to amend the 'Australian Heritage Commission Act 1975'*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 20 August 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 Mulvihill the debate was adjourned.

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

- 13 BROADCASTING AND TELEVISION 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. 110

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to amend the 'Broadcasting and Television Act 1942-1975' and for related purposes*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 20 August 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 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 MARRIAGE 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. 112

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to amend the 'Marriage Act 1961-1973' and for related purposes*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 23 August 1976

B. M. SNEDDEN,
Speaker

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

Question—put and passed.

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

Senator Durack 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.

- 15 CRIMES (INTERNATIONALLY PROTECTED PERSONS) BILL 1976—*Message from the House of Representatives*: The following Message from the House of Representatives was received and read:

MR PRESIDENT,

Message No. 107

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act relating to the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 20 August 1976

B. M. SNEDDEN,
Speaker

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

Question—put and passed.

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

Senator Durack 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.

- 16 EXTRADITION (COMMONWEALTH COUNTRIES) 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. 108

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to amend the 'Extradition (Commonwealth Countries) Act 1966-1973'*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 20 August 1976

B. M. SNEDDEN,
Speaker

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

Question—put and passed.

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

Senator Durack 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.

- 17 EXTRADITION (FOREIGN STATES) 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. 109

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to amend the 'Extradition (Foreign States) Act 1966-1974'*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 20 August 1976

B. M. SNEDDEN,
Speaker

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

Question—put and passed.

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

Senator Durack 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.

- 18 COCOS (KEELING) ISLANDS LANDS ACQUISITION (REPEAL) ORDINANCE 1976—MOTION FOR DISALLOWANCE: Order of the Day read for the adjourned debate on the motion by Senator Douglas McClelland—That the *Lands Acquisition (Repeal) Ordinance 1976*, as contained in Cocos (Keeling) Islands Ordinance No. 1 of 1976, and made under the *Cocos (Keeling) Islands Act 1955-1975*, be disallowed.

Debate resumed.

Question—put.

The Senate divided—

AYES, 24

Senator— Bishop Brown Button Cameron Cavanagh Coleman Colston Gietzelt Grimes Keffe McAuliffe McClelland, Douglas	Senator— McIntosh McLaren Melzer Mulvihill O'Byrne Primmer Robertson Ryan Sibraa Walsh Wheelton Teller: Georges
--	--

NOES, 32

Senator— Archer Baume Bonner Carrick Collard Cormack, Sir Magnus Cotton Davidson Drake-Brockman Durack Guilfoyle Hall Jessop Kilgariff Knight Lajovic	Senator— Laucke Martin Maunsell Missen Rae Scott Sheil Sim Tehan Thomas Townley Walters Webster Wood Young Teller: Chaney
--	--

And so it was negatived.

- 19 TRADE PRACTICES 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 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.
 Senator Button moved an amendment, viz.: Page 4, clause 15, sub-section (3) of proposed new section 163A, lines 35 to 39, leave out all words after “Court”, insert “under this section or in a proceeding instituted in any other court in which a party is seeking the making of a declaration of a kind mentioned in paragraph (1) (a) or an order of a kind mentioned in paragraph (1) (b)”.
 Debate ensued.
 Question—That the words proposed to be left out be left out—put and negatived.
 Amendment negatived accordingly.
 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 Repatriation (Senator Durack) the Report from the Committee was adopted, and the Bill read a third time.

- 20 SOCIAL WELFARE COMMISSION (REPEAL) 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 Deputy-President (Senator Drake-Brockman) resumed the Chair; and the Temporary Chairman of Committees (Senator Mulvihill) 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.

- 21 AGED PERSONS HOSTELS 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.
 Senator Keeffe addressing the Chair—

And it being half-past ten p.m.—

- 22 ADJOURNMENT: The President, under Sessional Order, put the Question—That the Senate do now adjourn.
 Question—resolved in the affirmative.
 The Senate adjourned at half-past ten p.m. till to-morrow at half-past two p.m.

23 ATTENDANCE: Present, all Senators except Senators Devitt, Greenwood (on leave) and Wright.

J. R. ODGERS,
Clerk of the Senate