

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 60

WEDNESDAY, 20 OCTOBER 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 MINISTERIAL ARRANGEMENTS: The Leader of the Government in the Senate (Senator Withers), by leave, informed the Senate that, during the absence of Mr Anthony due to ill-health, Mr Nixon would act as Minister for National Resources and Mr Howard would act as Minister for Overseas Trade.

He further stated that, during the absence overseas of Mr Lynch, Mr Robinson would act as Treasurer, and during the absence overseas of Senator Cotton, Mr Howard would act as Minister for Industry and Commerce.

4 PETITIONS: Senator Keffe presented a petition from 10 citizens of Australia praying that the Senate make certain amendments to the Aboriginal Land Rights (Northern Territory) Bill 1976.

Petition received.

On the motion of Senator Keffe, the petition, exceeding 250 words, was read.

Senator Mulvihill presented a petition from 15 citizens of Australia praying that the Government increase funds for child-care services throughout Australia, and ensure the wider utilisation of Government buildings for child-care facilities.

Petition received and read.

Senator Melzer presented two petitions, similar in wording, from 15 and 38 citizens of Australia praying that the independence of the Australian Broadcasting Commission be preserved.

Petitions received and one petition read.

Senator Walsh presented a petition from 36 citizens of Australia praying that the Senate protect all media information sources from political control.

Petition received and read.

Senator Melzer presented a petition from 24 citizens of Australia praying that the Government abolish the means test on all aged pensions.

Petition received and read.

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

Senator Martin, from 19 citizens of Australia praying that there be no sex discrimination in Family Law and that the rights of the child be paramount.

Senator Ryan (two), from 16 and 25 citizens of Australia praying that the Government substantially increase and index grants under the Tertiary Education Assistance Scheme and not introduce fees for students.

Senator Sheil, from 23 citizens of Australia praying that the Government restore the Petrol Price Equalisation Scheme.

Petitions received.

5 NOTICE OF MOTION: The Leader of the Government in the Senate (Senator Withers) gave a Notice of Motion as follows:—That, on the next day of sitting, he would move—

(1) That, unless otherwise ordered, the times of the meeting of the Senate for the remainder of this period of sittings be as follows:

Tuesday	2.30 p.m. to 6.00 p.m.
			8.00 p.m. to 10.30 p.m.
Wednesday	2.15 p.m. to 6.00 p.m.
			8.00 p.m. to 11.00 p.m.
Thursday	10.30 a.m. to 1.00 p.m.
			2.15 p.m. to 6.00 p.m.
			8.00 p.m. to 11.00 p.m.

(2) That the Sessional Order relating to the adjournment of the Senate have effect at the terminating time each day.

(3) That, unless otherwise ordered, Government Business take precedence of General Business after three p.m. on Thursdays.

6 QUESTIONS.

7 PERSONAL EXPLANATIONS: Senator Walsh, by leave, made a personal explanation relating to a matter raised during Question Time this day.

Senator Colston, by leave, made a personal explanation relating to advertisements appearing in the Queensland edition of *The Australian* newspaper on 7 October 1976 and in *The Courier-Mail* newspaper on 8 October 1976.

8 URGENCY MOTION: The President informed the Senate that he had received a letter from Senator Keffe advising that this day he intended to move—"That in the opinion of the Senate the following is a matter of urgency: The erosion of civil liberties in Australia with particular reference to recent events in Queensland."

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

Senator Keffe thereupon moved the motion.

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		NOES, 21	
Senator—	Senator—	Senator—	Senator—
Archer	Maunsell	Bishop	McIntosh
Baume	Messner	Brown	McLaren
Bonner	Missen	Button	Melzer
Carrick	Rae	Cameron	Mulvihill
Collard	Scott	Cavanagh	Ryan
Davidson	Sheil	Coleman	Sibraa
Drake-Brockman	Sim	Colston	Walsh
Durack	Tehan	Devitt	Wheeldon
Guilfoyle	Thomas	Grimes	Wriedt
Hall	Townley	Keffe	
Jessop	Webster	McClelland,	<i>Teller:</i>
Kilgariff	Withers	Douglas	Georges
Knight	Wright		
Lajovic			
Laucke	<i>Teller:</i>		
Martin	Chaney		

And so it was resolved in the affirmative.

Question—That the motion be agreed to—put accordingly.
The Senate divided—

AYES, 21

Senator—	Senator—
Bishop	McIntosh
Brown	McLaren
Button	Melzer
Cameron	Mulvihill
Cavanagh	Ryan
Coleman	Sibraa
Colston	Walsh
Devitt	Wheeldon
Grimes	Wriedt
Keeffe	
McClelland,	<i>Teller:</i>
Douglas	Georges

NOES, 30

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

And so it was negatived.

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

Elections 1975—Statistical Returns showing the voting within each Subdivision in relation to the Senate Election 1975 and the General Election for the House of Representatives 1975, in each of the six States, the Australian Capital Territory and the Northern Territory.

Overseas Trade—Annual Report of the Department of Overseas Trade, for year 1975–76.

Superannuation Act 1976—Report by the Committee of 5, entitled “Superannuation Act 1976—Transfer of Contributors and Pensioners”, dated October 1976.

10 DEFENCE FORCE ACADEMY—MINISTERIAL STATEMENT: The Minister for Administrative Services (Senator Withers), by leave, made a statement relating to the Government’s decision to establish a Defence Force Academy.

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

11 SOLAR ECLIPSE—MINISTERIAL STATEMENT: The Minister for Science (Senator Webster), by leave, made a statement relating to the solar eclipse on 23 October 1976.

Senators Grimes, Wright and Georges, by leave, made statements relating thereto.

12 HISTORIC SHIPWRECKS BILL 1976: The Minister for Administrative Services (Senator Withers), pursuant to Notice of Motion not objected to as a Formal Motion, moved—That leave be given to introduce a Bill for an Act relating to the Protection of Certain Shipwrecks and Relics of Historic Significance.

Question—put and passed.

Bill presented, and on the motion of Senator Withers read a first time.

Suspension of Standing Orders: Senator Withers, pursuant to contingent notice, moved—

That so much of the Standing Orders be suspended as would prevent the Bill being passed through its remaining stages without delay.

Question—put and passed.

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.

13 ADVISORY COUNCIL FOR INTER-GOVERNMENT RELATIONS BILL 1976: Order of the Day read for the adjourned debate on the Question—That this Bill be now read a second time.

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

Clauses 1 to 4, by leave, taken together and agreed to.

Clause 5 read—

Senator Douglas McClelland moved an amendment, viz.: Page 3, at end of clause, add the following new sub-clause:

“(3) The members of the Council appointed on the nomination of the Council of Local Government Associations, or a majority of those members, may request the Council to inquire into, and report on, a matter relating to inter-government co-operation specified in the request and, where such a request is made, the Council shall, subject to any directions referred to in sub-section 4 (1), inquire into the matter and furnish a report with respect to the inquiry to the Prime Minister, to the Premier of each of the participating States and to the Council of Local Government Associations.”.

Debate ensued.

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

Amendment negatived accordingly.

Clause 5 agreed to.

Clauses 6 and 7, by leave, taken together and agreed to.

Clause 8 read—

Senator Douglas McClelland moved an amendment, viz.: Page 4, sub-clause (3), lines 8 to 11, leave out the sub-clause, insert the following sub-clause:

“(3) In nominating persons to be the members referred to in paragraph (2) (j), the Council of Local Government Associations shall ensure that the local governing bodies in each State are represented by one of those persons, being a person elected for that purpose, in accordance with a method determined by the Council of Local Government Associations, by the members of the local government councils in the State.”.

Debate ensued.

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

Amendment negatived accordingly.

Clause 8 agreed to.

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

Bill to be reported without amendment.

The President resumed the Chair; and the Temporary Chairman of Committees (Senator Davidson) 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.

- 14 AUSTRALIA COUNCIL 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 Davidson addressing the Chair—

And it being eleven p.m.—

- 15 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 seventeen minutes to twelve o'clock midnight till to-morrow at eleven a.m.

- 16 ATTENDANCE: Present, all Senators except Senators Cotton, McAuliffe, James McClelland (on leave), O'Byrne, Primmer, Robertson, and Young (on leave).

J. R. ODGERS,
Clerk of the Senate