

## THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

## JOURNALS OF THE SENATE

No. 61

THURSDAY, 21 OCTOBER 1976

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

2 PRAYERS.

3 PETITIONS: Senator Keffe presented a petition from 34 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.

The Clerk announced that Senator Rae had lodged a petition for presentation, viz.:

From 23 citizens of Australia praying that the Government restore the Imperial system of measurement.

Petition received.

4 QUESTIONS.

5 HANSARD—INCORPORATION OF MATTER—*Statement by Senator*: Senator Keffe, by leave, made a statement relating to incorporation in *Hansard* of documents to which he referred during debate on the urgency motion on 20 October 1976.

A selection of the documents was, by leave, incorporated in *Hansard*.

*Documents tabled*: Senator Keffe, by leave, laid upon the Table the following documents:

Civil liberties—

Document concerning incidents at Cedar Bay, Queensland.

Documents (31) relating to proposed limestone mining in the Mount Larcom district, Queensland.

6 TOBACCO INDUSTRY TRUST ACCOUNT—ANNUAL REPORT 1975–76—PAPER: The Minister for Administrative Services (Senator Withers), pursuant to Statute, laid upon the Table the following Paper:

Tobacco Industry Act—Twenty-first Annual Report of the Tobacco Industry Trust Account, together with financial statement, for year 1975–76.

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

7 RIVER MURRAY WORKING PARTY—PAPERS: The Minister for Administrative Services (Senator Withers), by Command of His Excellency the Governor-General, laid upon the Table the following Papers:

Murray River Working Party—

Report to Steering Committee of Ministers, dated October 1975.

Statement by the Acting Minister for National Resources, the Hon. P. J. Nixon, on the Report.

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

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

Australian Research Grants Committee—Report for triennium 1973–75, dated September 1976.

Australian Water Resources Council—Minutes of special eighteenth meeting, held at Canberra, 24 June 1976.

The following Papers were presented, pursuant to Statute:

Judiciary Act—Rule of the High Court of Australia, dated 20 September 1976 (*in substitution for Rule of same date, tabled on 5 October 1976*).

National Capital Development Commission Act—Nineteenth Annual Report of the National Capital Development Commission, together with financial statements and the Auditor-General's Report thereon, for year 1975–76.

Public Service Act—Appointment—Department of Social Security—D. J. Boorer. Superannuation Amendment Act—Fifty-fourth Annual Report of the Superannuation Board, for year 1975–76.

- 9 ESTIMATES COMMITTEES A, C, D AND E—REPORTS: Pursuant to Order, Senators Sim, Martin, Baume and Wright brought up the Reports from Estimates Committees A, C, D, and E, respectively, on the Particulars of Proposed Expenditure for the year 1976–77, together with the respective *Hansard* records of the Committees' proceedings.

Ordered—That the Reports be printed.

Senator Martin, by leave, made a statement relating to the Report from Estimates Committee C and laid upon the Table the following Papers:

Estimates Committee C—Additional information—

Department of Education

Department of Environment, Housing and Community Development

Postal and Telecommunications Department.

- 10 CONSTITUTIONAL AND LEGAL AFFAIRS—STANDING COMMITTEE—REPORT ON RETIRING AGE FOR COMMONWEALTH JUDGES: The Chairman of the Standing Committee on Constitutional and Legal Affairs (Senator Missen) brought up the Report of the Committee on a Retiring Age for Commonwealth Judges, dated October 1976.

Ordered to be printed.

Senator Missen, by leave, moved—That the Senate take note of the Report.

On the motion of Senator Devitt the debate was adjourned.

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

- 11 ORDER OF BUSINESS—*Postponement*: The Leader of the Government in the Senate (Senator Withers) moved—That Government Business, Notice of Motion No. 1, relating to the days and times of meeting of the Senate and precedence to Government Business, be postponed till the next day of sitting.

Question—put and passed.

*Precedence to Government Business*: Senator Withers moved—That, unless otherwise ordered, Government Business take precedence of General Business after three p.m. this day.

Question—put and passed.

- 12 NEXT MEETING OF SENATE: The Leader of the Government in the Senate (Senator Withers) moved—That the Senate, at its rising, adjourn till Tuesday, 2 November 1976, at half-past two p.m., unless sooner called together by the President, or, in the event of the President being unavailable owing to illness or other cause, by the Chairman of Committees.

Question—put and passed.

- 13 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. 40

Proposed law intituled:—

*States Grants (Capital Assistance) 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 law.

Government House,

Canberra, 19 October 1976

JOHN R. KERR,

Governor-General

Message No. 41

Proposed law intituled:—

*Handicapped Persons Assistance 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, 21 October 1976

- 14 APPROPRIATION BILL (NO. 1) 1976-77—*Message from the House of Representatives:*

The following Message from the House of Representatives was received and read:

MR PRESIDENT,

Message No. 137

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to appropriate certain sums out of the Consolidated Revenue Fund for the service of the year ending on 30 June 1977*", in which it desires the concurrence of the Senate.

House of Representatives,

Canberra, 20 October 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.

Senator Withers moved—That this Bill be now read a first 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.

- 15 APPROPRIATION BILL (NO. 2) 1976-77—*Message from the House of Representatives:*

The following Message from the House of Representatives was received and read:

MR PRESIDENT,

Message No. 138

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to appropriate a sum out of the Consolidated Revenue Fund for certain expenditure in respect of the year ending on 30 June 1977*", in which it desires the concurrence of the Senate.

House of Representatives,

Canberra, 20 October 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.

- 16 NEW SOUTH WALES GRANT (NAMOI RIVER WEIRS) BILL 1976—*Message from the House of Representatives*: The following Message from the House of Representatives was received and read:

MR PRESIDENT,

Message No. 139

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to grant Financial Assistance to New South Wales in connexion with the Construction of Weirs and certain Associated Works on the Namoi River near Wee Waa in that State*", in which it desires the concurrence of the Senate.

House of Representatives,

B. M. SNEDDEN,

Canberra, 20 October 1976

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 Mulvihill the debate was adjourned.

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

- 17 SOCIAL SERVICES AMENDMENT BILL (No. 3) 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 inequities which arise from:

- (a) the Government's failure to carry out its election promise to legislate for immediate and automatic increases in pensions and benefits in line with the Consumer Price Index;
- (b) the Government's failure to index dependants' allowances to meet increases in the cost of living;
- (c) the Government's failure to increase the supplementary benefit;
- (d) the Government's failure to provide for the automatic adjustment of unemployment and sickness benefits for those under 18 years of age; and
- (e) the Government's failure to protect the incomes of those pensioners adversely affected by provisions in this legislation”.

Debate continued.

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

The Senate divided—

AYES, 18		NOES, 28	
Senator—	Senator—	Senator—	Senator—
Cameron	McIntosh	Archer	Lajovic
Cavanagh	McLaren	Baume	Laucke
Coleman	Melzer	Bonner	Maunsell
Colston	Mulvihill	Carrick	Messner
Devitt	Ryan	Collard	Missen
Gietzelt	Sibraa	Cormack,	Scott
Grimes	Wheeldon	Sir Magnus	Sheil
Harradine		Davidson	Sim
Keeffe		Drake-Brockman	Tehan
McClelland,		Durack	Thomas
Douglas	Teller:	Guilfoyle	Walters
	Georges	Hall	Webster
		Jessop	Wright
		Kilgariff	Teller:
		Knight	Chaney

Amendment negated 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.

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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.

- 18 SUSPENSION OF STANDING ORDERS TO DEAL WITH BILLS TOGETHER: The Minister for Social Security (Senator Guilfoyle), by leave, moved—That so much of the Standing Orders be suspended as would prevent the Questions with regard to the remaining stages for the passage through the Senate of the National Health Amendment Bill (No. 3) 1976 and the Health Insurance Amendment Bill (No. 3) 1976 being put in one motion at each stage, and the consideration of such Bills together in Committee of the Whole.

Question—put and passed.

- 19 NATIONAL HEALTH AMENDMENT BILL (No. 3) 1976 AND HEALTH INSURANCE AMENDMENT BILL (No. 3) 1976: Order of the Day read for the adjourned debate on the Question—That these Bills be now read a second time.

Question—put and passed.

Bills read a second time.

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

*In the Committee*

Bills, by leave, taken as a whole and agreed to.

Bills to be reported without amendment.

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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 Bills read a third time.

- 20 REPATRIATION ACTS 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.

Senator Grimes moved an amendment, viz.: At end of motion, add “, but the Senate deploras the inequities which arise from:

- (a) the Government's failure to carry out its election promise to legislate for immediate and automatic increases in pensions and benefits in line with the Consumer Price Index;
- (b) the Government's failure to index dependants' allowances to meet increases in the cost of living; and
- (c) the Government's failure to protect the incomes of those pensioners adversely affected by provisions in this legislation”.

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

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 Veterans' Affairs (Senator Durack) the Report from the Committee was adopted, and the Bill read a third time.

- 21 AUSTRALIA COUNCIL AMENDMENT BILL 1976, AUSTRALIAN FILM COMMISSION AMENDMENT BILL 1976 AND AUSTRALIAN FILM AND TELEVISION SCHOOL AMENDMENT BILL 1976: Order of the Day read for the adjourned debate on the Question—That the Australia Council Amendment Bill 1976 be now read a second time.

Leave granted for the three Bills—Australia Council Amendment Bill 1976, Australian Film Commission Amendment Bill 1976 and Australian Film and Television School Amendment Bill 1976—to be debated concurrently.

Debate resumed.

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*And it being five p.m.—*

*Adjournment Negatived:* The President, under Sessional Order, put the Question—That the Senate do now adjourn—Which Question was negatived.

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Debate continued.

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*Suspension of Standing Orders to deal with Bills together:* The Minister for Science (Senator Webster), by leave, moved—That so much of the Standing Orders be suspended as would prevent the Questions with regard to the remaining stages for the passage through the Senate of the Australia Council Amendment Bill 1976, Australian Film Commission Amendment Bill 1976 and the Australian Film and Television School Amendment Bill 1976 being put in one motion at each stage, and the consideration of such Bills together in Committee of the Whole.

Question—put and passed.

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Question—That these Bills be now read a second time—put and passed.

Bills read a second time.

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

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*In the Committee*

Bills, by leave, taken as a whole and agreed to.

Bills to be reported without amendment.

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The President resumed the Chair; and the Chairman of Committees (Senator Drake-Brockman) reported accordingly.

On the motion of Senator Webster the Report from the Committee was adopted, and the Bills read a third time.

- 22 ADJOURNMENT: The Minister for Science (Senator Webster) moved—That the Senate do now adjourn.

Question—put and passed.

The Senate adjourned at fourteen minutes past five p.m. till Tuesday, 2 November 1976, at half-past two p.m., unless sooner called together in accordance with the Resolution agreed to this day.

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

J. R. ODGERS,  
Clerk of the Senate