

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 65

TUESDAY, 9 NOVEMBER 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 CHANGE IN MINISTRY: The Leader of the Government in the Senate (Senator Withers), by leave, informed the Senate that His Excellency the Governor-General had appointed the Hon. Ian Macphree as Minister for Productivity on 8 November 1976. He further informed the Senate that Senator Durack would represent the Minister for Productivity in the Senate.

- 4 PETITIONS: Senator Keeffe presented a petition from 258 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 Keeffe, the petition, exceeding 250 words, was read.

Senator Ryan presented a petition from 12 citizens of Australia praying that the Government pass the States Grants (Schools) legislation for the year 1977 and take certain other action in relation to the Australian Schools Commission.

Petition received and read.

Senators Robertson, Ryan and Cavanagh (two) presented petitions from 180, 171, 213 and 234 citizens of Australia, respectively, similar in wording to the petition presented by Senator Keeffe.

Petitions received.

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

Senators Guilfoyle, Primmer, Drake-Brockman and Colston, similar in wording, from 74, 26, 152 and 23 citizens of Australia, respectively, praying that the Government abolish the means test on all aged pensions.

Senators Jessop (four), Missen and Davidson, similar in wording, from 8, 14, 24, 31, 12 and 76 citizens of Australia, respectively, praying that the Senate make certain amendments to the Aboriginal Lands Rights (Northern Territory) Bill 1976.

Senator Wood, from 23 citizens of Australia praying that the Government restore the Imperial system of measurement.

Senator Colston, from 8 citizens of Australia praying that there be no sex discrimination in Family Law and that the rights of the child be paramount.

Petitions received.

- 5 NOTICE OF MOTION: Senator Rae gave a Notice of Motion as follows—That, on the next day of sitting, he would move—

- (1) That a Select Committee be appointed to inquire into and report upon the circumstances surrounding the operations of the Mt Lyell Mining and Railway Co. Ltd and its associated companies and, in particular, the nature of any assistance from the Commonwealth Government which is both practical and warranted and which will alleviate the social and economic dislocation of the Queenstown area of Tasmania.

- (2) That provisions relating to membership, powers and proceedings of the Committee be contained in a subsequent Resolution.

6 QUESTIONS.

- 7 PERSONAL EXPLANATIONS: Senators Douglas McClelland and Georges, by leave, made personal explanations relating to comments by Major-General Alan Stretton, and to television, radio and newspaper reports relating thereto.

- 8 URGENCY MOTION: The President informed the Senate that he had received a letter from Senator Harradine advising that this day he intended to move—"That in the opinion of the Senate the following is a matter of urgency: The urgent and immediate need for Governments to act to preserve the human and economic investment—built up over generations—in Queenstown and adjacent areas of Tasmania's West Coast, all of which is now threatened by the severe curtailment of the Mount Lyell copper mine operations, the retrenchment of over 400 workers and the consequent dislocation of their families."

And at least four Senators having risen in support of the motion—
Senator Harradine thereupon moved the motion.

Debate ensued.

Closure: Senator Wright moved—That the Question be now put.

Question—That the Question be now put—put.

The Senate divided—

AYES, 33		NOES, 25	
Senator—	Senator—	Senator—	Senator—
Archer	Messner	Bishop	McClelland,
Baume	Missen	Brown	James
Bonner	Rae	Button	McLaren
Collard	Scott	Cameron	Mulvihill
Cormack,	Sheil	Cavanagh	O'Byrne
Sir Magnus	Sim	Colston	Primmer
Cotton	Tehan	Devitt	Robertson
Davidson	Thomas	Gietzelt	Ryan
Drake-Brockman	Townley	Grimes	Sibraa
Durack	Walters	Harradine	Walsh
Guilfoyle	Webster	Keefe	Wheelodon
Hall	Withers	McAuliffe	Wriedt
Jessop	Wood	McClelland,	<i>Teller:</i>
Kilgariff	Wright	Douglas	Georges
Knight	Young		
Lajovic			
Laucke	<i>Teller:</i>		
Maunsell	Chaney		

And so it was resolved in the affirmative.

Question—That the motion be agreed to—put accordingly and passed.

- 9 GOVERNOR-GENERAL'S MESSAGE—ASSENT TO BILL: The following Message from His Excellency the Governor-General was presented by the President:

JOHN R. KERR,

Governor-General

Message No. 45

Proposed law intituled:—

Homes Savings Grant 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 November 1976

10 NOTICE OF MOTION: Senator Rae, by leave, gave a Notice of Motion as follows—That, on the next day of sitting, he would move—

- (1) That the Committee appointed to consider the operations of the Mt Lyell Mining and Railway Co. Ltd consist of four Senators, two to be nominated by the Leader of the Government in the Senate, one to be nominated by the Leader of the Opposition in the Senate, and one Independent; if no Independent nominates, the position to be filled by a Senator to be nominated by the Leader of the Opposition in the Senate.
- (2) That the Committee may proceed to the despatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy.
- (3) That a quorum of the Committee be two.
- (4) That the Committee elect as Chairman one of the Senators nominated by the Leader of the Government in the Senate.
- (5) That the Chairman of the Committee may, from time to time, appoint another member of the Committee to be the Deputy-Chairman, and that the member so appointed act as Chairman of the Committee at any time when there is no Chairman or the Chairman is not present at a meeting of the Committee.
- (6) That, in the event of an equality of voting, the Chairman, or the Deputy-Chairman when acting as Chairman, have a casting vote.
- (7) That the Committee have power to send for and examine persons, papers and records, to move from place to place, to meet and transact business in public or private session, and to meet during the sittings of the Senate.
- (8) That the Committee be empowered to print from day to day such papers and evidence as may be ordered by it. A daily *Hansard* shall be published of such proceedings of the Committee as take place in public.
- (9) That, unless otherwise ordered, the Committee report to the Senate on or before 9 December 1976.
- (10) That, if the Senate be not sitting when the Committee has completed its report, the Committee may send its report to the President of the Senate or, if the President is not available, to the Deputy-President, who is authorised to give directions for its printing and circulation and, in such event, the President or Deputy-President shall lay the report upon the Table at the next sitting of the Senate.
- (11) That the foregoing provisions of this Resolution, so far as they are inconsistent with the Standing Orders, have effect notwithstanding anything contained in the Standing Orders.

11 COCOS (KEELING) ISLANDS—REPORT 1975—PAPER: The Minister for Administrative Services (Senator Withers), by Command of His Excellency the Governor-General, laid upon the Table the following Paper:

Cocos (Keeling) Islands—Report to the United Nations on the Cocos (Keeling) Islands, for year 1975.

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

12 AUSTRALIAN BROADCASTING—PAPERS: The Minister for Education (Senator Carrick), by Command of His Excellency the Governor-General, laid upon the Table the following Papers:

Australian Broadcasting—Report on the structure of the Australian broadcasting system and associated matters, by F. J. Green, Secretary, Postal and Telecommunications Department, dated September 1976.

Statement by the Minister for Post and Telecommunications, the Hon. Eric L. Robinson, dated 4 November 1976.

The Leader of the Opposition in the Senate (Senator Wriedt), by leave, moved—That the Senate take note of the Papers.

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.

- 13 TASMANIAN STATE GRANTS COMMISSION—FIRST REPORT (1976–77)—PAPER: The Minister for Education (Senator Carrick), by Command of His Excellency the Governor-General, laid upon the Table the following Paper:

Tasmanian State Grants Commission—First Report (1976–77), dated 26 October 1976.

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

- 14 NATIONAL ABORIGINAL CONSULTATIVE COMMITTEE—COMMITTEE OF INQUIRY—PAPERS: The Minister for Social Security (Senator Guilfoyle), by Command of His Excellency the Governor-General, laid upon the Table the following Papers:

National Aboriginal Consultative Committee—Report of the Committee of Inquiry into the Role of the National Aboriginal Consultative Committee, together with Appendices, dated 4 November 1976.

Statement by the Minister for Aboriginal Affairs, the Hon. R. I. Viner, relating to the Report.

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

- 15 PAPERS: The following Papers were presented, pursuant to statute:

Lands Acquisition Act—

Land, etc., acquired for television translator services, Young, New South Wales (*Corrigenda to Paper tabled on 2 November 1976*).

Statement by the Minister describing land acquired by agreement under subsection 7 (1) of the Act, for specified public purposes.

Public Service Act—Appointment—Australian Film Commission—J. A. MacIntosh.

Seat of Government (Administration) Act—

Ordinances 1976—

No. 50—Companies (Amendment) (No. 2).

No. 51—Business Names (Amendment).

No. 52—Motor Traffic (No. 5).

No. 53—Administration and Probate (Amendment).

No. 54—Motor Traffic (Amendment).

Regulations 1976—

No. 19—(Business Names Ordinance).

No. 20—(Meat Ordinance).

No. 21—(Nurses Registration Ordinance).

No. 22—(Poisons and Dangerous Drugs Ordinance).

Nos 23 to 30—(Public Health Ordinance).

Taxation Acts—Taxation Statistics 1974–75 (Supplement to the Fifty-fourth Report of the Commissioner of Taxation), dated 1 October 1976.

- 16 STATES (PERSONAL INCOME TAX SHARING) BILL 1976—*Message from the House of Representatives*: The following Message from the House of Representatives was received and read:

MR PRESIDENT,

Message No. 151

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to Entitle the States to Share in the Personal Income Tax Collections of the Commonwealth*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 4 November 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.

- 17 LOCAL GOVERNMENT (PERSONAL INCOME TAX SHARING) BILL 1976—*Message from the House of Representatives*: The following Message from the House of Representatives was received and read:

MR PRESIDENT,

Message No. 154

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to Entitle Local Governing Bodies in the States to Share in the Personal Income Tax Collections of the Commonwealth*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 5 November 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.

- 18 AIR NAVIGATION (CHARGES) 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. 153

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to amend the 'Air Navigation (Charges) Act 1952'*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 4 November 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.

- 19 NITROGENOUS FERTILIZERS SUBSIDY AMENDMENT BILL (No. 2) 1976—*Message from the House of Representatives*: The following Message from the House of Representatives was received and read:

MR PRESIDENT,

Message No. 152

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to amend the 'Nitrogenous Fertilizers Subsidy Act 1966'*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 4 November 1976

B. M. SNEDDEN,
Speaker

The Minister for Veterans' Affairs (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 Keffe the debate was adjourned.

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

- 20 STATEMENT BY SENATOR: Senator Button, by leave, made a statement concerning the Papers tabled earlier this day relating to Australian broadcasting.

- 21 APPROPRIATION BILL (No. 1) 1976–77: The Senate, according to Order, resolved itself into Committee for the further consideration of the Bill.

In the Committee

Schedule 2 further considered.

Group D—

The following Votes were further debated and passed:

Divisions—

590–592 Social Security, \$215,404,000;

325–335 Health, \$1,803,485,000;

340–344 Immigration and Ethnic Affairs, \$32,975,000; and

120–125 Aboriginal Affairs, \$81,529,000.

Group E—

Divisions—

540–554 \$167,694,000, debated—

And it being half-past ten p.m.: The Chairman of Committees (Senator Drake-Brockman), under Sessional Order, put the Question—That he do leave the Chair and report to the Senate.

Question—resolved in the affirmative.

The President resumed the Chair; and Senator Drake-Brockman reported accordingly.

- 22 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 four minutes past eleven p.m. till to-morrow at fifteen minutes past two p.m.

- 23 ATTENDANCE: Present, all Senators except Senators Coleman, Martin and Melzer.

J. R. ODGERS,
Clerk of the Senate