

## THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

**JOURNALS OF THE SENATE**

No. 66

WEDNESDAY, 10 NOVEMBER 1976

1 MEETING OF SENATE: The Senate met at fifteen minutes past two p.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 262 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.

Senators Davidson, Georges and Sibraa presented petitions from 159, 282 and 58 citizens of Australia, respectively, similar in wording to the petition presented by Senator Keffe relating to amendments to the Aboriginal Land Rights (Northern Territory) Bill 1976.

Petitions received.

Senator McLaren, on behalf of Senator Robertson, presented a petition from 5118 citizens of Australia praying that construction of the Dripstone High School commence this financial year.

Petition received and read.

Senator Baume presented a petition from 122 citizens of Australia praying that the Government use its power to protect the natural environment of Fraser Island for the long-term benefit of the people of Australia.

Petition received and read.

Senator Georges presented a petition from 36 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 Knight presented a petition from 22 citizens of Australia praying that the Senate take steps at diplomatic level with the Government of the U.S.S.R. to allow freedom of religion in that country.

Petition received and read.

Senator Sibraa presented a petition from 72 citizens of Australia praying that the Government abolish the means test on all aged pensions.

Petition received and read.

Senator Sheil presented a petition from 39 citizens of Australia praying that the Senate declare the year 1977 as International Captive Nations Year.

Petition received.

Senator Ryan presented a petition from 91 citizens of Australia praying that the Minister for the Capital Territory review the Government's policy on rent increases in the A.C.T. and rescind rises commencing on 28 October 1976.

Petition received and read.

Senator Keffe presented a petition from 15 citizens of Australia praying that the Government cease mining and prohibit export of uranium until safe methods of disposal of radioactive wastes are guaranteed, and take certain action in relation to other energy resources.

Petition received and read.

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

Senators Thomas, Mulvihill and Walsh, similar in wording, from 79, 72 and 72 citizens of Australia, respectively, praying that the Government abolish the means test on all aged pensions.

Senators Georges (two), Young and Jessop, similar in wording, from 72, 93, 68 and 36 citizens of Australia, respectively, praying that the Senate make certain amendments to the Aboriginal Land Rights (Northern Territory) Bill 1976.

Senator Sheil (two), from 20 and 44 citizens of Australia praying that the Government restore the Petrol Price Equalisation Scheme.

Senator James McClelland, from 10 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.

Senator McAuliffe, from 12 citizens of Australia praying that the Government cease mining and prohibit export of uranium until safe methods of disposal of radioactive wastes are guaranteed, and take certain action in relation to other energy resources.

Senator Ryan, from 85 citizens of Australia praying that the Government substantially increase and index grants under the Tertiary Education Assistance Scheme and not introduce fees for students.

Petitions received.

#### 4 QUESTIONS.

#### 5 PAPERS: The following Papers were presented, pursuant to Statute:

Commonwealth Banks Act—Appointment—W. L. Matson.

Norfolk Island Act—Ordinances 1976—No. 10—Probate and Administration.

Telecommunications Act—Annual Report of the Australian Telecommunications Commission, together with financial statements and the Auditor-General's Report thereon, for year 1975-76.

#### 6 AUSTRALIAN CAPITAL TERRITORY—JOINT COMMITTEE—REPORT ON 62ND SERIES OF VARIATIONS: The Chairman of the Joint Committee on the Australian Capital Territory (Senator Knight) brought up the Report of the Committee on Proposals for Variations of the Plan of Lay-out of the City of Canberra and its Environs (Sixty-second Series).

Ordered to be printed.

Senator Knight, by leave, made a statement relating to the Report.

#### 7 FOREIGN AFFAIRS AND DEFENCE—JOINT COMMITTEE—STATEMENT BY CHAIRMAN: The Chairman of the Joint Committee on Foreign Affairs and Defence (Senator Sir Magnus Cormack), by leave, made a statement informing the Senate that the Committee had agreed to undertake an inquiry based on a petition to the House of Representatives concerning the alleged harassment of Jews in the U.S.S.R. He said the Committee anticipated beginning its inquiry early next year.

#### 8 PAPUA NEW GUINEA-AUSTRALIA TRADE AND COMMERCIAL RELATIONS AGREEMENT—MINISTERIAL STATEMENT: The Minister for Industry and Commerce (Senator Cotton), by leave, made a statement relating to the Papua New Guinea-Australia Trade and Commercial Relations Agreement and moved—That the Senate take note of the Statement.

Ordered—That the debate be adjourned till the next day of sitting, and that Senator Cotton have leave to continue his speech on the resumption of the debate.

#### 9 MT LYELL MINING OPERATIONS—SELECT COMMITTEE—APPOINTMENT: Senator Rae, by leave, amended General Business, Notice of Motion No. 3, standing in his name, and, pursuant to Notice of Motion not objected to as a Formal Motion, moved—

(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 the Committee consist of six Senators, three to be nominated by the Leader of the Government in the Senate, two 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.
- (3) That the Committee may proceed to the despatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy.
- (4) That the quorum of the Committee be three.
- (5) That the Committee elect as Chairman one of the Senators nominated by the Leader of the Government in the Senate.
- (6) 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.
- (7) That, in the event of an equality of voting, the Chairman, or the Deputy-Chairman when acting as Chairman, have a casting vote.
- (8) 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.
- (9) 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.
- (10) That, unless otherwise ordered, the Committee report to the Senate on or before 9 December 1976.
- (11) 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.
- (12) 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.

Question—put and passed.

Senator Rae, the Leader of the Opposition in the Senate (Senator Wriedt), and Senators Devitt and Harradine, by leave, made statements relating to the Resolution.

- 10 NEXT MEETING OF SENATE: The Leader of the Government in the Senate (Senator Withers) moved—That, unless otherwise ordered, the Senate, at its rising, adjourn till tomorrow at fifteen minutes to twelve o'clock midday.

Question—put and passed.

- 11 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 E—

The following Votes were passed:

Divisions—

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|---------|--|
| 540–554 | Science, \$167,694,000 (after further debate);                                   |
| 455–460 | Northern Territory, \$59,599,000 (after debate);                                 |
| 255     | Darwin Reconstruction Commission ( <i>Defence</i> ), \$3,470,000 (after debate); |

- 220–224 Construction, \$188,273,000 (after debate);  
 245 Buildings, Works, Furniture and Fittings (*Defence*), \$74,800,000; and  
 246 Repairs and Maintenance (*Defence*), \$49,500,000.  
 Divisions 210–214, Capital Territory, \$64,304,000, debated—  
 Ordered—That the Chairman of Committees (Senator Drake-Brockman) report progress and ask leave to sit again.

The President resumed the Chair; and Senator Drake-Brockman reported that the Committee had considered the Bill and had made progress, and asked leave to sit again.

Ordered—That the Committee have leave to sit again at a later hour of the day.

- 12 EDUCATION ADMINISTRATION IN THE AUSTRALIAN CAPITAL TERRITORY—MINISTERIAL STATEMENT: The Minister for Education (Senator Carrick), by leave, made a statement relating to changes to education administration in the Australian Capital Territory and moved—That the Senate take note of the Statement.

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.

- 13 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 E—

The following Vote was passed, after further debate:

Divisions 210–214, Capital Territory, \$64,304,000.

Group F—

Senator Rae, by leave, moved—That, after considering the Report of Estimates Committee F, the Committee is of the opinion—

- (1) That the effectiveness and scrutiny function of Estimates Committees could be enhanced by:

- (a) providing Estimates Committees with both a full-time function and some full-time staff;
- (b) empowering Estimates Committees, in addition to their examination of the annual Appropriation Bills, to engage in a total and continuing examination of Special Appropriations referred to them by the Senate; and
- (c) empowering Estimates Committees to maintain a total and continuing examination of Government-funded authorities which are not Departments of State.

- (2) That the foregoing opinion be referred to the Standing Orders Committee for consideration.

Debate ensued.

Question—put and passed.

The following Votes were, by leave, taken together, debated and passed:

Divisions—

- 525–527 Repatriation, \$249,437,000;
- 290–294 Employment and Industrial Relations, \$144,832,000;
- 165–190 Attorney-General's, \$54,617,000; and
- 191–202 Business and Consumer Affairs, \$94,519,000.

Schedule 2 passed.

Postponed clauses 1 to 9, by leave, taken together and passed.

Postponed Schedule 1 passed.

Title passed.

Bill to be reported without requests, but with a Resolution expressing certain opinions.

The President resumed the Chair; and the Temporary Chairman of Committees (Senator Young) reported that the Committee had considered the Bill and had agreed to the following—

- (1) That the Bill be reported without requests;
- (2) That, after considering the Report of Estimates Committee F, the Committee is of the opinion—
  - (a) That the effectiveness and scrutiny function of Estimates Committees could be enhanced by:
    - (i) providing Estimates Committees with both a full-time function and some full-time staff;
    - (ii) empowering Estimates Committees, in addition to their examination of the annual Appropriation Bills, to engage in a total and continuing examination of Special Appropriations referred to them by the Senate; and
    - (iii) empowering Estimates Committees to maintain a total and continuing examination of Government-funded authorities which are not Departments of State.
  - (b) That the foregoing opinion be referred to the Standing Orders Committee for consideration.

On the motion of the Minister for Industry and Commerce (Senator Cotton) the Report from the Committee was adopted, and the Bill read a third time.

14 APPROPRIATION BILL (NO. 2) 1976-77: 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.

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*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 Temporary Chairman of Committees (Senator Young) reported accordingly.

On the motion of the Minister for Industry and Commerce (Senator Cotton) the Report from the Committee was adopted, and the Bill read a third time.

15 CONCILIATION AND ARBITRATION 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.

Debate resumed.

Senator Scott addressing the Chair—

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*Australian Senate Practice, Fifth Edition—Statement by President:* The President replied to Questions asked this day by Senators Cavanagh and Bishop relating to the Fifth Edition of *Australian Senate Practice* and read a statement by the Clerk of the Senate. The Leader of the Opposition in the Senate (Senator Wriedt), 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 Wriedt have leave to continue his speech on the resumption of the debate.

*Leave refused:* Senator Cavanagh asked leave to make a statement.

Objection being raised, leave not granted.

*Proposed suspension of Standing Orders:* Senator Douglas McClelland moved—That so much of the Standing Orders be suspended as would prevent Senator Cavanagh making a statement.

Question—put.

The Senate divided—

AYES, 21		NOES, 34	
Senator—	Senator—	Senator—	Senator—
Bishop	McLaren	Archer	Messner
Brown	Mulvihill	Baume	Missen
Cameron	O'Byrne	Bonner	Rae
Cavanagh	Primmer	Carrick	Scott
Colston	Ryan	Collard	Sheil
Devitt	Sibraa	Cotton	Sim
Grimes	Walsh	Davidson	Tehan
Keeffe	Wheeldon	Drake-Brockman	Thomas
McAuliffe	Wriedt	Durack	Townley
McClelland,		Guilfoyle	Walters
Douglas	<i>Teller:</i>	Hall	Webster
McIntosh	Georges	Jessop	Withers
		Kilgariff	Wood
		Knight	Wright
		Lajovic	Young
		Laucke	
		Martin	<i>Teller:</i>
		Maunsell	Chaney

And so it was negatived.

*And it being after eleven p.m.—*

16 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 eleven minutes past eleven p.m. till to-morrow at fifteen minutes to twelve o'clock midday.

17 ATTENDANCE: Present, all Senators except Senators Coleman, James McClelland, Melzer and Robertson.

J. R. ODGERS,  
Clerk of the Senate