

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 74

FRIDAY, 3 DECEMBER 1976

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

2 PRAYERS.

- 3 PETITIONS: Senator Davidson presented a petition from 18 citizens of Australia praying that the Senate make certain amendments to the Aboriginal Land Rights (Northern Territory) Bill 1976.

Petition received.

Senator Knight presented a petition from 299 citizens of Australia praying that the Government act to free Marko Nazor, who is imprisoned in Yugoslavia.

Petition received and read.

Senator Knight presented a petition from 15 citizens of Australia praying that the Government instruct its representative in the United Nations to raise the subject of continuing Soviet interference in the affairs of Hungary.

Petition received and read.

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

Senator James McClelland, from 40 citizens of Australia praying that the Government make child care funds available for long day care centres.

Senator Sheil (two), from 19 and 40 citizens of Australia praying that the Government restore the Petrol Price Equalisation Scheme.

Senator Robertson, from 27 citizens of Australia praying that construction of the Dripstone High School commence this financial year.

Petitions received.

4 QUESTIONS.

5 PAPERS.

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

Tasmanian Freight Equalisation Scheme—Registration Procedures for South-bound Movements of Materials and Equipment.

The following Paper was presented, pursuant to Statute:

Postal Services Act—Ministerial Direction under the Act, dated 11 November 1976.

- 6 MOUNT LYELL MINING OPERATIONS—SELECT COMMITTEE—REPORT: Pursuant to Order, the Chairman of the Select Committee on Mount Lyell Mining Operations (Senator Wright) brought up the Report of the Committee, dated 3 December 1976.

Ordered to be printed.

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

- 7 CHILDREN'S SERVICES PROGRAM—MINISTERIAL STATEMENT: The Minister for Social Security (Senator Guilfoyle), by leave, made a statement relating to the Children's Services Program to provide care for school-age children during the Christmas school vacation.

- 8 REGULATIONS AND ORDINANCES—STANDING COMMITTEE—GENERAL REPORT 1976: The Chairman of the Standing Committee on Regulations and Ordinances (Senator Wood) brought up the following Report from the Committee:

Fifty-seventh Report—General Report 1976.

Ordered to be printed.

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

JOHN R. KERR,

Governor-General

Message No. 53

Proposed laws intituled:—

Australian Heritage Commission Amendment Act 1976

Queensland Grant (Proserpine Flood Mitigation) Act 1976

New South Wales Grant (Namoi River Weirs) Act 1976

Air Force Amendment Act 1976

Qantas Airways Limited (Loan Guarantee) Act 1976

Airline Equipment (Loan Guarantee) 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 laws.

Government House,

Canberra, 2 December 1976

- 10 ACTS INTERPRETATION 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. 198

The House of Representatives acquaints the Senate that it has agreed to the amendments made by the Senate in the Bill intituled "*A Bill for an Act to amend the 'Acts Interpretation Act 1901'*".

House of Representatives,

B. M. SNEDDEN,

Canberra, 2 December 1976

Speaker

- 11 APPLE AND PEAR LEVY BILL 1976,
APPLE AND PEAR LEVY COLLECTION BILL 1976,
APPLE AND PEAR EXPORT CHARGE BILL 1976,
APPLE AND PEAR EXPORT CHARGE COLLECTION BILL 1976,
AUSTRALIAN APPLE AND PEAR CORPORATION AMENDMENT BILL 1976—

Messages from the House of Representatives: The following Messages from the House of Representatives were received and read:

MR PRESIDENT,

Message No. 204

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to impose a Levy on the Production of certain Apples and Pears*", in which it desires the concurrence of the Senate.

House of Representatives,

B. M. SNEDDEN,

Canberra, 2 December 1976

Speaker

MR PRESIDENT,

Message No. 205

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act relating to the Collection of the Levy imposed by the 'Apple and Pear Levy Act 1976'*", in which it desires the concurrence of the Senate.

House of Representatives,

B. M. SNEDDEN,

Canberra, 2 December 1976

Speaker

MR PRESIDENT,

Message No. 206

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to impose a Charge on the Export of Apples and Pears*", in which it desires the concurrence of the Senate.

House of Representatives,

B. M. SNEDDEN,

Canberra, 2 December 1976

Speaker

MR PRESIDENT,

Message No. 207

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act relating to the Collection of the Charge imposed by the 'Apple and Pear Export Charge Act 1976'*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 2 December 1976

B. M. SNEDDEN,
Speaker

MR PRESIDENT,

Message No. 208

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to amend the 'Australian Apple and Pear Corporation Act 1973'*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 2 December 1976

B. M. SNEDDEN,
Speaker

Suspension of Standing Orders to Deal with Bills Together: The Minister for Industry and Commerce (Senator Cotton), by leave, moved—That so much of the Standing Orders be suspended as would prevent the Questions with regard to the several stages for the passage through the Senate of the Bills being put in one motion at each stage, and the consideration of such Bills together in Committee of the Whole.

Question—put and passed.

Senator Cotton moved—That the Bills may be taken through all their stages without delay.

Question—put and passed.

On the motion of Senator Cotton the Bills were read a first time.

Senator Cotton moved—That these Bills be now read a second time.

On the motion of Senator Gietzelt the debate was adjourned.

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

- 12 STEVEDORING INDUSTRY (TEMPORARY PROVISIONS) 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. 199

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to amend the 'Stevedoring Industry (Temporary Provisions) Act 1967'*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 2 December 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 Georges the debate was adjourned.

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

- 13 STEVEDORING INDUSTRY 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. 200

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to amend the 'Stevedoring Industry Act 1956'*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 2 December 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 Georges the debate was adjourned.

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

- 14 STEVEDORING INDUSTRY CHARGE 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. 201

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to extend the operation of the 'Stevedoring Industry Charge Amendment Act 1975'*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 2 December 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.

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

On the motion of Senator Georges the debate was adjourned.

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

- 15 NITROGENOUS FERTILIZERS SUBSIDY 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.

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 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.

- 16 POSTPONEMENT: The Minister for Veterans' Affairs (Senator Durack) moved—

(1) That Government Business, Order of the Day No. 2 (States Grants (Nature Conservation) Amendment Bill 1976), be postponed till after the consideration of Government Business, Order of the Day No. 3 (Queensland Grant (Special Assistance) Bill 1976).

(2) That Government Business, Order of the Day No. 6 (Dairying Industry Research and Promotion Levy Amendment Bill 1976), be postponed till after the consideration of Government Business, Order of the Day No. 7 (States Grants (Water Resources Assessment) Bill 1976).

Question—put and passed.

- 17 QUEENSLAND GRANT (SPECIAL ASSISTANCE) 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 President resumed the Chair; and the Temporary Chairman of Committees (Senator Davidson) reported accordingly.

On the motion of the Minister for Administrative Services (Senator Withers) the Report from the Committee was adopted, and the Bill read a third time.

- 18 STATES GRANTS (NATURE CONSERVATION) 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 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 Education (Senator Carrick) the Report from the Committee was adopted, and the Bill read a third time.

- 19 SOFTWOOD FORESTRY AGREEMENTS 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 President resumed the Chair; and the Chairman of Committees (Senator Drake-Brockman) reported accordingly.

On the motion of the Minister for Administrative Services (Senator Withers) the Report from the Committee was adopted, and the Bill read a third time.

- 20 OMBUDSMAN 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.

On the motion of Senator Kilgariff the following amendment was debated and agreed to, viz.: Page 7, clause 5, sub-clause (2), after paragraph (d), insert the following new paragraph:

“(da) action that a person employed in the Public Service of the Northern Territory as a member of the staff of the Legislative Assembly for the Northern Territory takes, or purports to take, by virtue of his being a member of that staff;”.

Bill, as amended, agreed to.

Bill to be reported with an 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 PRICES JUSTIFICATION 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. 210

The House of Representatives transmits to the Senate a Bill intituled “*A Bill for an Act to amend the ‘Prices Justification Act 1973’ and for related purposes*”, in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 3 December 1976

PHILIP E. LUCOCK,
Deputy 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 Georges the debate was adjourned.

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

- 22 ADJOURNMENT: The Senate adjourned at twenty-two minutes to five p.m. till Monday next at ten a.m.
- 23 ATTENDANCE: Present, all Senators except Senators Button, Cavanagh, Collard, Jessop, McAuliffe, Douglas McClelland, Martin, Melzer and Rae.

J. R. ODGERS,
Clerk of the Senate