

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 76

TUESDAY, 7 DECEMBER 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, made a statement informing the Senate that His Excellency the Governor-General had this day appointed the Hon. Phillip Lynch as Treasurer to administer the new Departments of the Treasury and Finance, following the abolition of the former Department of the Treasury.

4 PETITIONS: Senator Mulvihill presented a petition from 704 citizens of Australia praying that postal facilities be restored in the Russell Lea area, Sydney.

Petition received and read.

Senator McIntosh presented a petition from 3710 citizens of Australia praying that the independence of the Australian Broadcasting Commission be preserved.

Petition received.

Senator Ryan presented a petition from 6 citizens of Australia praying that Aborigines and Torres Strait Islanders be granted land rights and be freed from all discriminatory laws.

Petition received.

Senator Keeffe 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 Keeffe, the petition, exceeding 250 words, was read.

Senator Ryan presented a petition from 9 citizens of Australia praying that the Government call on the South African Government to eliminate apartheid and withdraw from South Africa the Australian Trade Commissioners.

Petition received and read.

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

Senator Cotton, from 17 citizens of Australia praying that the Government make child care funds available for long day care centres.

Senators Sibraa and Jessop, similar in wording, from 55 and 35 citizens of Australia, respectively, praying that the independence of the Australian Broadcasting Commission be preserved.

Senator Sheil, from 82 citizens of Australia praying that the Senate declare the year 1977 as International Captive Nations Year.

Senator Townley, from 22 citizens of Australia praying that the Government restore the Imperial system of measurement.

Senators Bonner and Knight, similar in wording, from 7 and 6 citizens of Australia, respectively, praying that Aborigines and Torres Strait Islanders be granted land rights and be freed from all discriminatory laws.

Senator Sheil, from 19 citizens of Australia praying that the Government restore the Petrol Price Equalisation Scheme.

Senator Knight, from 10 citizens of Australia praying that the Government call on the South African Government to eliminate apartheid and withdraw from South Africa the Australian Trade Commissioners.

Senator Jessop, from 6 citizens of Australia praying that the Government ensure continuity of programmes and allow effective forward planning in its child care policy.

Petitions received.

- 5 NOTICE OF MOTION: Senator Thomas gave a Notice of Motion as follows—That, on the next day of sitting, he would move—That the following matter be referred to the Standing Committee on National Resources for inquiry and report: The Commonwealth's role in the assessment, planning, development and management of Australia's water resources, having particular regard to:

- (a) the diverse responsibilities of the Commonwealth and the States, and
- (b) the National Water Policy Statement recently endorsed by the Australian Water Resources Council.

6 QUESTIONS.

- 7 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. 54

Proposed law intituled:—

Acts Interpretation 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, 6 December 1976

JOHN R. KERR,

Governor-General

Message No. 55

Proposed laws intituled:—

States Grants (Housing Assistance) Act (No. 2) 1976

Appropriation (Urban Public Transport) Act 1976

Income Tax Laws Amendment (Royalties) 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, 6 December 1976

- 8 PAPERS: The President laid upon the Table the following Paper:

Australian Constitutional Convention—Resolutions adopted at the Australian Constitutional Convention, Wrest Point, Hobart, 27–29 October 1976.

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

Priorities Review Staff—Report on the Borrie Report (First Report of the National Population Inquiry), dated August 1976.

Unemployment Benefit—University Students on Vacation—Legal Opinion (undated) by Sir Garfield Barwick addressed to the Hon. H. S. Robertson, M.P., Minister for Social Services, on the eligibility of university and other tertiary students to receive unemployment benefit under section 107 of the Social Services Act during the summer vacation.

The following Papers were presented, pursuant to Statute:

Air Force Act—Regulation—Statutory Rules 1976 No. 257.

Commonwealth Banks Act—Appointments—R. I. Campbell, M. F. Tory.

Commonwealth Employees' Furlough Act—Regulations—Statutory Rules 1976 No. 259.

Defence Act—Report on the Royal Military College of Australia, for period 1 February 1975 to 31 January 1976.

National Health Act—Regulations—Statutory Rules 1976 No. 255.

Removal of Prisoners (Territories) Act—Regulation—Statutory Rules 1976 No. 256.

Superannuation Act—Regulations—Statutory Rules 1976 No. 258.

- 9 MIGRANT EDUCATION PROGRAM—ANNUAL REPORT 1975–76—PAPER: The Minister for Education (Senator Carrick), pursuant to Statute, laid upon the Table the following Paper:

Immigration (Education) Act—Migrant Education Program—Annual Report on the operation of the Act, for year 1975–76.

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

- 10 AIR ACCIDENT INVESTIGATION—DEPARTMENT OF TRANSPORT REPORT 76/1—PAPER: The Minister for Education (Senator Carrick), by Command of His Excellency the Governor-General, laid upon the Table the following Paper:

Air Accident Investigation—Report 76/1 by the Air Safety Investigation Branch of the Department of Transport on the accident involving the Connair Pty Ltd Heron DH114 2E/A1 Aircraft VH-CLS, near Cairns Airport, Queensland, on 23 October 1975, dated August 1976.

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

- 11 COUNCIL FOR ABORIGINAL AFFAIRS—DISBANDMENT—PAPER: The Minister for Social Security (Senator Guilfoyle), by Command of His Excellency the Governor-General, laid upon the Table the following Paper:

Council for Aboriginal Affairs—Statement by the Minister for Aboriginal Affairs, the Hon. Ian Viner, on the disbandment of the Council, dated 6 December 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.

- 12 COMMONWEALTH PARLIAMENTARY ASSOCIATION—TWENTY-SECOND CONFERENCE 1976—PAPER: Senator Scott, by leave, laid upon the Table the following Paper:

Commonwealth Parliamentary Association—Report of the Australian Delegation to the Twenty-second Commonwealth Parliamentary Conference, held at Mauritius, September 1976.

Senator Scott, by leave, made a statement relating to the Paper.

- 13 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 ten a.m.

Question—put and passed.

- 14 SUSPENSION OF STANDING ORDERS TO DEAL WITH BILLS TOGETHER: The Leader of the Government in the Senate (Senator Withers), 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 Aboriginal Land Rights (Northern Territory) Bill 1976, the Aboriginal Councils and Associations Bill 1976 (No. 2) and the States Grants (Aboriginal Assistance) 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.

- 15 OMBUDSMAN BILL 1976—*Message from the House of Representatives*: The following Message from the House of Representatives was received and read:

MR PRESIDENT,

Message No. 214

The House of Representatives acquaints the Senate that it has agreed to the amendment made by the Senate in the Bill intituled "*A Bill for an Act to Provide for the Appointment of a Commonwealth Ombudsman, and to Define his Functions and Powers*".

House of Representatives,
Canberra, 6 December 1976

PHILIP E. LUCOCK,
Deputy Speaker

- 16 SEAMEN'S COMPENSATION 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. 219

The House of Representatives returns to the Senate the Bill intituled "*A Bill for an Act to increase certain Amounts of Compensation payable to and in respect of Seamen, and for other purposes*", and acquaints the Senate that the House of Representatives has agreed to the Bill without amendment.

House of Representatives,
Canberra, 6 December 1976

PHILIP E. LUCOCK,
Deputy Speaker

- 17 COMPENSATION (COMMONWEALTH GOVERNMENT EMPLOYEES) 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. 220

The House of Representatives returns to the Senate the Bill intituled "*A Bill for an Act to increase certain Amounts of Compensation payable to and in respect of Commonwealth Government Employees and certain other Persons, and for other purposes*", and acquaints the Senate that the House of Representatives has agreed to the Bill without amendment.

House of Representatives,
Canberra, 6 December 1976

PHILIP E. LUCOCK,
Deputy Speaker

- 18 UNITED STATES NAVAL COMMUNICATION STATION (CIVILIAN EMPLOYEES) 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. 221

The House of Representatives returns to the Senate the Bill intituled "*A Bill for an Act to amend the 'United States Naval Communication Station (Civilian Employees) Act 1971'*", and acquaints the Senate that the House of Representatives has agreed to the Bill without amendment.

House of Representatives,
Canberra, 6 December 1976

PHILIP E. LUCOCK,
Deputy Speaker

- 19 INCOME TAX ASSESSMENT AMENDMENT BILL (No. 3) 1976

LOAN (INCOME EQUALIZATION DEPOSITS) BILL 1976

LOAN (DROUGHT BONDS) 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. 215

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to amend the Law relating to Income Tax*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 6 December 1976

PHILIP E. LUCOCK,
Deputy Speaker

MR PRESIDENT,

Message No. 216

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to make provision for and in relation to the making of Income Equalization Deposits*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 6 December 1976

PHILIP E. LUCOCK,
Deputy Speaker

MR PRESIDENT,

Message No. 217

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to amend the 'Loan (Drought Bonds) Act 1969'*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 6 December 1976

PHILIP E. LUCOCK,
Deputy 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 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.

- 20 INCOME TAX (COMPANIES AND SUPERANNUATION FUNDS) BILL 1976—*Message from the House of Representatives:* The following Message from the House of Representatives was received and read:

MR PRESIDENT,

Message No. 218

The House of Representatives transmits to the Senate a Bill intituled "*A Bill for an Act to impose a Tax upon Incomes of Companies and Superannuation Funds*", in which it desires the concurrence of the Senate.

House of Representatives,
Canberra, 6 December 1976

PHILIP E. LUCOCK,
Deputy Speaker

The Minister for Industry and Commerce (Senator Cotton) moved—That the Bill may be taken through all its stages without delay.

Question—put and passed.

Senator Cotton 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.

- 21 HOMES SAVINGS GRANT BILL 1976: Order of the Day read for the adjourned debate on the Question—That this Bill be now read a second time—*And on the amendment moved thereto by the Leader of the Opposition in the Senate (Senator Wriedt), viz.:* At end of motion, add "but the Senate is of the opinion that this scheme does not recognise that each household in Australia is entitled to adequate and conveniently located accommodation at a price which does not impose too great a strain on household resources; rather, it perpetuates existing inequalities".

Debate resumed.

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

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, debated and agreed to.
 Bill to be reported without amendment.

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

22 ABORIGINAL LAND RIGHTS (NORTHERN TERRITORY) BILL 1976

ABORIGINAL COUNCILS AND ASSOCIATIONS BILL 1976 (No. 2)

STATES GRANTS (ABORIGINAL ASSISTANCE) BILL 1976:

Order of the Day read for the adjourned debate on the Question—That these Bills be now read a second time.

Debate resumed.

Ordered—That the debate be adjourned till a later hour of the day, and that Senator Ryan have leave to continue her speech on the resumption of the debate.

23 TARIFF STRUCTURE REVIEW—MINISTERIAL STATEMENT: The Minister for Industry and Commerce (Senator Cotton), by leave, made a statement relating to a review of the tariff structure consequent upon the devaluation of the Australian dollar and moved—That the Senate take note of the Statement.

Debate ensued.

Ordered—That the debate be adjourned till the next day of sitting, and that the Leader of the Opposition in the Senate (Senator Wriedt) have leave to continue his speech on the resumption of the debate.

24 ABORIGINAL LAND RIGHTS (NORTHERN TERRITORY) BILL 1976

ABORIGINAL COUNCILS AND ASSOCIATIONS BILL 1976 (No. 2)

STATES GRANTS (ABORIGINAL ASSISTANCE) BILL 1976:

Order of the Day read for the adjourned debate on the Question—That these Bills be now read a second time.

Debate resumed.

Senator Bonner addressing the Chair—

And it being eleven p.m.—

25 ADJOURNMENT: The President, under Sessional Order, put the Question—That the Senate do now adjourn.

Question—resolved in the affirmative.

The Senate adjourned at eleven p.m. till to-morrow at ten a.m.

26 ATTENDANCE: Present, all Senators except Senators Brown and Rae.

J. R. ODGERS,
 Clerk of the Senate