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1 **MEETING OF SENATE**

The Senate met at 10 am. The President (Senator the Honourable Stephen Parry) took the chair, read prayers and made an acknowledgement of country.

2 **DOCUMENTS**

The following documents were tabled pursuant to standing order 61(1)(b):

*Documents presented since the last sitting of the Senate, pursuant to standing order 166, were authorised for publication on the dates indicated*

Airservices Australia—Corporate plan 2015-20. [Received 28 August 2015]


Clean Energy Finance Corporation (CEFC)—Equal employment opportunity program—Report for the period 17 April 2014 to 17 April 2015. [Received 1 September 2015]

Departmental and agency appointments and vacancies—Budget estimates—Letter of advice pursuant to the order of the Senate of 24 June 2008—Agriculture portfolio—Correction. [Received 3 September 2015]

Economics References Committee—Report—Privatisation of state and territory assets and new infrastructure—Government response, dated July 2015. [Received 1 September 2015]

Entity contracts for 2014-15—Letters of advice, pursuant to the order of the Senate of 20 June 2001, as amended—

- Agriculture portfolio. [Received 4 September 2015]
- Attorney-General’s portfolio. [Received 26 August 2015]
- Communications portfolio. [Received 28 August 2015]
- Defence portfolio. [Received 1 September 2015]
- Department of Human Services. [Received 3 September 2015]
- Education and Training portfolio. [Received 3 September 2015]
- Environment portfolio. [Received 26 August 2015]
- Finance portfolio. [Received 1 September 2015]
- Foreign Affairs and Trade portfolio. [Received 1 September 2015]
- Immigration and Border Protection portfolio. [Received 3 September 2015]
- Industry and Science portfolio. [Received 31 August 2015]
- Infrastructure and Regional Development portfolio. [Received 21 August 2015]
- Social Services portfolio. [Received 2 September 2015]
- Treasury portfolio. [Received 31 August 2015]

Environment—Southern cassowary—Letter to the President of the Senate from the Minister for the Environment (Mr Hunt), dated 27 August 2015, responding to the resolution of the Senate of 13 August 2015.

Estimates hearings—Unanswered questions on notice—Budget estimates 2015-16—Statements pursuant to the order of the Senate of 25 June 2014—

- Agriculture portfolio. [Received 26 August 2015]
- Special Minister of State. [Received 1 September 2015]

Finance—Advance to the Finance Minister—Report on advances provided under the annual Appropriation Acts for 2014-15—Letter of advice. [Received 21 August 2015]
Indexed lists of departmental and agency files for the period 1 January to 30 June 2015—Statements of compliance pursuant to the order of the Senate of 30 May 1996, as amended—

Communications portfolio. [Received 28 August 2015]
Defence portfolio. [Received 4 September 2015]
Department of Employment. [Received 21 August 2015]
Department of Social Services. [Received 21 August 2015]
Fair Work Ombudsman. [Received 28 August 2015]
Industry and Science portfolio. [Received 26 August 2015]
Safe Work Australia. [Received 21 August 2015]

Indigenous Business Australia (IBA)—Corporate plan 2015-16. [Received 28 August 2015]

National Environment Protection Council (NEPC)—Report for 2013-14. [Received 1 September 2015]

National Health and Medical Research Council (NHMRC)—Corporate plan 2015-16. [Received 28 August 2015]

NBN Co Limited—Report for 2014-15. [Received 24 August 2015]

Superannuation (Government Co-contribution for Low Income Earners) Act 2003—

Quarterly reports on the operation of the Government co-contribution scheme—

Subsection 12G(1)—
1 April to 30 June 2014.
1 July to 30 September 2014.
1 October to 31 December 2014.
1 January to 31 March 2015.

Subsection 54(1)—
1 July to 30 September 2014.
1 October to 31 December 2014.
1 January to 31 March 2015.


The following documents were tabled by the Clerk pursuant to statute:

[Legislative instruments are identified by a Federal Register of Legislative Instruments (FRLI) number. An explanatory statement is tabled with an instrument unless otherwise indicated by an asterisk.]


Australian Education (Consequential and Transitional Provisions) Act 2013—


Australian Prudential Regulation Authority Act 1998—Australian Prudential Regulation Authority (confidentiality) determination—No. 16 of 2015 [F2015L01325].


Charter of the United Nations Act 1945—
Charter of the United Nations (Dealing with Assets) Amendment (South Sudan) Regulation 2015—Select Legislative Instrument 2015 No. 142 [F2015L01300].


Civil Aviation Act 1988—
Civil Aviation Regulations 1988 and Civil Aviation Safety Regulations 1998—Exemption, permission, direction and authorisation — helicopter search and rescue operations and training for such operations (CHC Helicopters)—CASA EX153/15 [F2015L01365].

Civil Aviation Safety Regulations 1998—
Exemption — aerial application rating and firefighting endorsement—CASA EX148/15 [F2015L01354].
Exemption — flight in class D airspace within 16 kilometres of an aerodrome—CASA EX150/15 [F2015L01357].
Exemption — from demonstrating competence using GLS approach in B737NG aircraft (Virgin Australia)—CASA EX142/15 [F2015L01289].
Exemption — from requirement to hold a low-level rating (Cobham Aviation Services)—CASA EX144/15 [F2015L01359].

Maintenance of Cockpit Voice Recording Systems—AD/REC/1 Amdt 2 [F2015L01288].

Cocos (Keeling) Islands Act 1955—List of Acts of the Western Australian Parliament for the period 22 February to 21 August 2015.

Commissioner of Taxation—Public Rulings—

Taxation Rulings—
Addenda—TR 1999/1 and TR 2013/3.
Notice of Withdrawal—TR 2000/11.

Corporations Act 2001—
ASIC Corporations (Amendment and Repeal) Instrument 2015/542 [F2015L01309].
ASIC Corporations (Compromises or Arrangements) Instrument 2015/358 [F2015L01379].
ASIC Corporations (Financial Services Guides) Instrument 2015/541 [F2015L01308].
ASIC Corporations (Foreign Scrip Bids) Instrument 2015/357 [F2015L01378].
ASIC Corporations (Foreign Small-Scale Offers) Instrument 2015/362 [F2015L01382].
ASIC Corporations (General Advice Warning) Instrument 2015/540 [F2015L01307].
ASIC Corporations (Repeal) Instrument 2015/363 [F2015L01384].
Corporations (Derivatives) Amendment Determination 2015 (No. 1) [F2015L01382].
Environment Protection and Biodiversity Conservation Act 1999—
Amendment of List of Exempt Native Specimens – Western Australian Bech-de-mer Fishery (20 August 2015)—EPBC303DC/SFS/2015/24 [F2015L01323].
Amendment of List of Exempt Native Specimens – Western Australian Department of Fisheries (12 August 2015)—EPBC303DC/SFS/2015/20 [F2015L01287].
Amendments to the list of threatened ecological communities under section 181 (EC62) (24 August 2015) [F2015L01338].
Section 269A – Instrument Adopting and Revoking Recovery Plans (WA) (21 August 2015) [F2015L01394].
Financial Sector (Collection of Data) Act 2001—
Food Standards Australia New Zealand Act 1991—
Australia New Zealand Food Standards Code – Standard 1.2.12 – Transitional standard for dietary fibre nutrition content claims [F2015L01390].
Australia New Zealand Food Standards Code – Transitional Variation 2015 (Application A1103 – Citric & Lactic Acids as Food Additives in Beer & related Products) [F2015L01385].
Food Standards (Application A1101 – Commencement of Dietary Fibre Claim Provisions – Consequential) Variation [F2015L01371].
Food Standards (Application A1103 – Citric & Lactic Acids as Food Additives in Beer & related Products) Variation [F2015L01386].
Food Standards (Proposal P1035 – Gluten Claims about Foods containing Alcohol) Variation [F2015L01383].
Food Standards (Proposal P1036 – Code Revision – Consequentials & Corrective Amendments) Variation [F2015L01374].

Health Insurance Act 1973—
Health Insurance (Pharmacogenetic Testing – RAS (KRAS and NRAS)) Revocation Determination 2015 [F2015L01353].


Migration Act 1958—
Migration Amendment (Visa Labels) Regulation 2015—Select Legislative Instrument 2015 No. 144 [F2015L01304].
Notice under section 501C—28 August 2015.
Statements under section 46A—1 January to 30 June 2015 [40].
Statements under section 48B—1 January to 30 June 2015 [2].
Statements under section 91L—1 January to 30 June 2015 [6].
Statements under section 91Q—1 January to 30 June 2015 [10].
Statements under section 195A—1 January to 30 June 2015 [90].
Statements under section 197AB—1 January to 30 June 2015 [48].
Statements under section 198AE—1 January to 30 June 2015 [1].
Statements under section 351—1 January to 30 June 2015 [99].
Statements under section 417—1 January to 30 June 2015 [21].

National Health Act 1953—
National Health (Botulinum Toxin Program) Special Arrangement 2015—PB 87 of 2015 [F2015L01367].
National Health Determination under paragraph 98C(1)(b) Amendment 2015 (No. 8)—PB 80 of 2015 [F2015L01350].
National Health (Efficient Funding of Chemotherapy) Special Arrangement Amendment Instrument 2015 (No. 8)—PB 84 of 2015 [F2015L01361].
National Health (Growth Hormone Program) Special Arrangement 2015—PB 85 of 2015 [F2015L01368].
National Health (Highly specialised drugs program) Special Arrangement Amendment Instrument 2015 (No. 9)—PB 83 of 2015 [F2015L01370].
National Health (IVF Program) Special Arrangement Amendment Instrument 2015 (No. 1)—PB 86 of 2015 [F2015L01362].
National Health (Listed drugs on F1 or F2) Amendment Determination 2015 (No. 7)—PB 82 of 2015 [F2015L01360].
National Health (Listing of Pharmaceutical Benefits) Amendment Instrument 2015 (No. 8)—PB 78 of 2015 [F2015L01351].
National Health (Price and Special Patient Contribution) Amendment Determination 2015 (No. 6)—PB 79 of 2015 [F2015L01352].


Private Health Insurance Act 2007—
Private Health Insurance (Benefit Requirements) Amendment Rules 2015 (No. 3) [F2015L01356].
Private Health Insurance (Prostheses) Rules 2015 (No. 2) [F2015L01310].

Public Governance, Performance and Accountability Act 2013—
Commonwealth has acquired shares in Moorebank Intermodal Company Limited—20 August 2015.
PGPA Act (Recovery of Compensation for Health Care and Other Services Special Account 2015—Establishment) Determination 2015/06 [F2015L01321].
Radiocommunications Act 1992—
Radiocommunications Spectrum Marketing Plan (1800 MHz Band) 2015 [F2015L01372].


Remuneration Tribunal Act 1973—
Official Travel by Office Holders—Remuneration Tribunal Determination 2015/11 [F2015L01293].


Telecommunications Act 1997—
Carrier Licence Conditions (Telstra Corporation Limited) Declaration 1997 (Amendment No. 1 of 2015) [F2015L01298].
Telecommunications Amendment (Designated Overhead Lines) Regulation 2015—Select Legislative Instrument 2015 No. 139 [F2015L01296].
Telecommunications (Low-impact Facilities) Determination 1997 (Amendment No. 3 of 2015) [F2015L01312].

Veterans’ Entitlements Act 1986—
Amendment Statement of Principles concerning lipoma (Balance of Probabilities)—No. 115 of 2015 [F2015L01388].
Amendment Statement of Principles concerning lipoma (Reasonable Hypothesis)—No. 114 of 2015 [F2015L01387].
Statement of Principles concerning Achilles tendinopathy and bursitis (Balance of Probabilities)—No. 97 of 2015 [F2015L01337].
Statement of Principles concerning Achilles tendinopathy and bursitis (Reasonable Hypothesis)—No. 96 of 2015 [F2015L01336].
Statement of Principles concerning external burn (Balance of Probabilities)—No. 111 of 2015 [F2015L01331].
Statement of Principles concerning external burn (Reasonable Hypothesis)—No. 110 of 2015 [F2015L01330].
Statement of Principles concerning fracture (Balance of Probabilities)—No. 95 of 2015 [F2015L01343].
Statement of Principles concerning fracture (Reasonable Hypothesis)—No. 94 of 2015 [F2015L01340].
Statement of Principles concerning hallux valgus (Balance of Probabilities)—No. 99 of 2015 [F2015L01355].
Statement of Principles concerning hallux valgus (Reasonable Hypothesis)—No. 98 of 2015 [F2015L01334].
Statement of Principles concerning hepatitis E (Balance of Probabilities)—No. 113 of 2015 [F2015L01333].
Statement of Principles concerning hepatitis E (Reasonable Hypothesis)—No. 112 of 2015 [F2015L01332].
Statement of Principles concerning ingrowing nail (Balance of Probabilities)—No. 107 of 2015 [F2015L01327].
Statement of Principles concerning ingrowing nail (Reasonable Hypothesis)—No. 106 of 2015 [F2015L01326].
Statement of Principles concerning lipoma (Balance of Probabilities)—No. 101 of 2015 [F2015L01316].
Statement of Principles concerning lipoma (Reasonable Hypothesis)—No. 100 of 2015 [F2015L01315].
Statement of Principles concerning malignant melanoma of the skin (Balance of Probabilities)—No. 103 of 2015 [F2015L01318].
Statement of Principles concerning malignant melanoma of the skin (Reasonable Hypothesis)—No. 102 of 2015 [F2015L01317].
Statement of Principles concerning Meniere’s disease (Balance of Probabilities)—No. 109 of 2015 [F2015L01329].
Statement of Principles concerning Meniere’s disease (Reasonable Hypothesis)—No. 108 of 2015 [F2015L01328].
Statement of Principles concerning mesothelioma (Balance of Probabilities)—No. 105 of 2015 [F2015L01320].
Statement of Principles concerning mesothelioma (Reasonable Hypothesis)—No. 104 of 2015 [F2015L01319].


The following document was tabled by the Clerk pursuant to the order of the Senate of 20 June 2001, as amended:

3 COMMITTEE REPORTS PRESENTED SINCE LAST SITTING OF SENATE
The following reports and documents were presented and authorised for publication on the dates indicated pursuant to standing order 38(7)(a):

Economics References Committee—
Corporate tax avoidance – Part 1: You cannot tax what you cannot see—Report—Corrigendum. [Received 21 August 2015]
Future of Australia’s naval shipbuilding industry—Interim report, dated 28 August 2015. [Received 28 August 2015]
Environment and Communications References Committee—Regulation of the fin-fish aquaculture industry in Tasmania—Report, dated August 2015, Hansard record of proceedings, documents presented to the committee, additional information and submissions. [Received 21 August 2015]

Intelligence and Security—Joint Statutory Committee—Australian Citizenship Amendment (Allegiance to Australia) Bill 2015—Advisory report, dated September 2015. [Received 4 September 2015]

Recent Allegations relating to Conditions and Circumstances at the Regional Processing Centre in Nauru—Select Committee—Taking responsibility: conditions and circumstances at Australia’s regional processing centre in Nauru—Report, dated August 2015, Hansard record of proceedings, additional information and submissions. [Received 31 August 2015]

4 COMMITTEES—LEAVE TO MEET DURING Sittings
Committees were authorised to meet during the sittings of the Senate, as follows:

Legal and Constitutional Affairs References Committee—public meeting on Thursday, 10 September 2015, from 3.45 pm, to take evidence for the committee’s inquiry into a popular vote on the matter of marriage.

Migration—Joint Standing Committee—public meetings on Wednesday, 9 September, and on Wednesday, 16 September, from 9.45 am, to take evidence for the committee’s inquiry into the Seasonal Worker Programme.

Rural and Regional Affairs and Transport Legislation Committee—
public meeting, followed by a private briefing, on Wednesday, 9 September 2015, from 5 pm, to take evidence for the committee’s inquiry into the performance of Airservices Australia.

public meetings—
today, from 4 pm, to take evidence for the committee’s inquiry into the provisions of the Shipping Legislation Amendment Bill 2015.

Monday, 14 September 2015, from 4 pm, to take evidence for the committee’s inquiry into the Voice for Animals (Independent Office of Animal Welfare) Bill 2015.

5 VETERANS’ AFFAIRS LEGISLATION AMENDMENT (2015 BUDGET MEASURES) BILL 2015

Order of the day read for the adjourned debate on the motion of the Assistant Minister for Social Services (Senator Fifield)—That this bill be now read a second time.

Debate resumed.

Reference to committee: The Minister for Veterans’ Affairs (Senator Ronaldson) moved the following amendment:

At the end of the motion, add “and that:

(a) Schedule 2 of the bill be referred to the Foreign Affairs, Defence and Trade Legislation Committee for inquiry and report by 25 September 2015; and

(b) further consideration of the bill be an order of the day for the first sitting day after the committee presents its report on Schedule 2”.

Question—That the amendment be agreed to—put and passed.

Main question, as amended, put and passed.

Bill read a second time.
Order of the day read for the adjourned debate on the motion of the Attorney-General (Senator Brandis)—That this bill be now read a second time.

Debate resumed.
Question put and passed.
Bill read a second time.

No amendments to the bill were circulated and no senator required that it be considered in committee.

On the motion of the Minister for Veterans’ Affairs (Senator Ronaldson) the bill was read a third time.

ORDER OF BUSINESS—REARRANGEMENT
The Minister for Veterans’ Affairs (Senator Ronaldson) moved—That government business order of the day no. 3 (Migration Amendment (Maintaining the Good Order of Immigration Detention Facilities) Bill 2015) be postponed till a later hour.

Question put and passed.

SOCIAL SERVICES LEGISLATION AMENDMENT (NO. 2) BILL 2015
Order of the day read for the adjourned debate on the motion of the Assistant Minister for Social Services (Senator Fifield)—That this bill be now read a second time.

Debate resumed.

At 2 pm: Debate was interrupted while Senator Siewert was speaking.

Questions without notice were answered.

Distinguished visitors: The President welcomed the Speaker, the Honourable Elise Archer MP, and the Clerk, Mr Shane Donnelly, of the Tasmanian House of Assembly, and, with the concurrence of honourable senators, invited the Speaker to take a seat on the floor of the chamber.

Further questions without notice were answered.

MOTIONS TO TAKE NOTE OF ANSWERS
Senator Polley moved—That the Senate take note of the answer given by the Attorney-General (Senator Brandis) to a question without notice asked by the Leader of the Opposition in the Senate (Senator Wong) today relating to the economy.

Debate ensued.

Question put and passed.

Senator Waters moved—That the Senate take note of the answer given by the Assistant Minister for Education and Training (Senator Birmingham) to a question without notice asked by Senator Waters today relating to climate change policy.

Question put and passed.
11 NOTICES

Senator Williams: To move on the next day of sitting—That the Senate notes that:

(a) the 43rd Australian Test cricket captain, Mr Michael Clarke, has retired from international cricket;

(b) the position of Australian cricket captain is regarded by many Australians as second only in stature to the office of Prime Minister;

(c) Michael Clarke:

(i) captained Australia in 47 of his 115 test matches, 74 of his 245 one day internationals and 18 of his 34 T20 games,

(ii) is the 4th highest run scorer in Australian test history with 8 643 runs,

(iii) retires with a highest score of 329 not out compiled in 2012,

(iv) led Australia to a 5 nil victory over England in the 2013-14 Ashes series and captained and top-scored in Australia’s One Day World Cup victory in March 2015,

(v) amongst many awards during his career, was named as a Wisden Cricketer of the Year in 2010 and Wisden’s Leading Cricketer in the World in 2012, and

(vi) displayed outstanding leadership of Australian cricket and in leading the nation’s mourning at the tragic passing of fellow Australian player Mr Phillip Hughes in November 2014; and

(d) the Australian Government is providing over $1.4 million to Cricket Australia in 2015-16, principally to encourage increased participation, including the new Sporting Schools initiative. *(general business notice of motion no. 831)*

Senator Bilyk: To move on the next day of sitting—That the Senate—

(a) notes that:

(i) National Asthma Week was held from 1 to 7 September 2015,

(ii) the theme of National Asthma Week 2015 was ‘You Care We Care – One Asthma Community’,

(iii) asthma affects around one in four children, one in seven adolescents and one in ten adults,

(iv) 2.3 million Australians currently have asthma,

(v) asthma is the number one cause of hospital admissions amongst young children, and

(vi) while many in our community lead highly successful lives despite their asthma, asthma continues to be a significant burden for too many, including those who live below the poverty line and for Aboriginal and Torres Strait Islander people; and

(b) congratulates Asthma Australia for its work promoting National Asthma Week and raising community awareness of asthma. *(general business notice of motion no. 832)*
Senators O’Sullivan and Canavan: To move on the next day of sitting—That the Senate notes—
(a) the ambition of the Indian Prime Minister, Narendra Modi, to bring 24/7 power to some 50 million households – the poorest of the poor – still living without electricity, by 2022;
(b) that India’s Council on Energy, Environment and Water states that to manage its energy system over the next 10 to 15 years it is not a binary choice of coal or no coal, it has to be about cleaner coal combined with nuclear and hydropower;
(c) that a failure to exploit Australia’s thermal coal exports will mean a higher global use of less efficient sources of thermal coal, and consequently higher levels of global carbon emissions;
(d) that Australian thermal coal exports are of the highest quality coal found anywhere in the world, generally reporting an energy content above 5 500 Kcal/kg which compares favourably to Indonesian coal which has an estimated range of between 4 200 and 5 200; and
(e) the importance of the ongoing development of the Australian coal mining industry, particularly in the Galilee Basin which, as the Queensland Minister for State Development, Dr Anthony Lynham, noted ‘We can mine coal in Queensland, where we have the highest mine safety record in the world, we mine coal with environmental rigour, and we mine coal that’s very efficient and economic to burn’ and ‘If we don’t allow this to go ahead, coal is one of the most prolific minerals on Earth; there are many other sources of coal, but none as good as the coal we mine here’. (general business notice of motion no. 833)

Senator Lazarus: To move on the next day of sitting—That the Senate—
(a) notes the significant contribution of Mr Bart Cummings to the Australian racing industry;
(b) recognises Mr Cummings’ outstanding achievements, including:
   (i) becoming a Member of the Order of Australia in 1982 as recognition for his services to the racing industry,
   (ii) his induction into the Sport Australia Hall of Fame on 11 December 1991,
   (iii) being awarded a Centennial Medal and carrying the Olympic torch in 2000,
   (iv) being an inaugural inductee into the Australian Racing Hall of Fame, and
   (v) winning an extraordinary number of renowned racing events for his consistent efforts, including but not limited to:
   • 12 Melbourne Cups,
   • 32 Derbys,
   • 24 Oaks,
   • 7 Caulfield Cups,
   • 5 Cox Plates,
   • 4 Golden Slippers,
   • 5 Doncaster Handicaps,
   • 13 Australian Cups,
   • 11 Mackinnon Stakes,
   • 8 Newmarket Handicaps,
   • 5 Caulfield Guineas,
No. 111—7 September 2015

- 5 Thousand Guineas, and
- 16 Sires Produce Stakes; and

(c) acknowledges the passing of Mr Cummings and offers its sincerest condolences to his family, friends, industry colleagues and the broader racing community for the loss of such an extraordinary Australian icon. (general business notice of motion no. 834)

The Chair of the Select Committee on the Murray-Darling Basin Plan (Senator Leyonhjelm): To move on the next day of sitting—That the Select Committee on the Murray-Darling Basin Plan be authorised to hold private meetings otherwise than in accordance with standing order 33(1) during the sittings of the Senate, from 10 am, as follows:

(a) Thursday, 10 September 2015;
(b) Thursday, 17 September 2015;
(c) Thursday, 15 October 2015;
(d) Thursday, 12 November 2015;
(e) Thursday, 26 November 2015; and
(f) Thursday, 3 December 2015. (general business notice of motion no. 835)

Senator Gallagher: To move on the next day of sitting—That the Senate—

(a) notes significant support across the Australian community for a transition to an Australian republic with an Australian head of state; and

(b) acknowledges that any steps towards an Australian republic would require widespread community engagement which could include: holding a constitutional convention to discuss potential models for an Australian republic, a plebiscite to gauge support of the Australian population on a change from a constitutional monarchy to an Australian republic with an Australian head of state as well as a preferred model of appointment, and a constitutional referendum to adopt the preferred model for an Australian republic with an Australian head of state. (general business notice of motion no. 836)

The Assistant Minister for Social Services (Senator Fifield): To move on the next day of sitting—That the provisions of paragraphs (5) to (8) of standing order 111 not apply to the following bills, allowing them to be considered during this period of sittings:

Aged Care Amendment (Independent Complaints Arrangements) Bill 2015
Banking Laws Amendment (Unclaimed Money) Bill 2015
Broadcasting Legislation Amendment (Primary Television Broadcasting Service) Bill 2015.

Documents: Senator Fifield tabled the following documents:

Intention to withdraw: Senator Leyonhjelm, also on behalf of Senator Muir, pursuant to standing order 78, gave notice of their intention, at the giving of notices on the next day of sitting, to withdraw business of the Senate notice of motion no. 1 standing in their names for today for the disallowance of the Customs (Prohibited Imports) Amendment (Firearms and Firearm Magazines) Regulation 2015, as contained in Select Legislative Instrument 2015 No. 133 and made under the Customs Act 1901.

12 **PRIVATE SENATORS’ BILLS—CONSIDERATION**

The Assistant Minister for Social Services (Senator Fifield) moved—that general business order of the day no. 66 (Social Security (Administration) Amendment (Consumer Lease Exclusion) Bill 2015) be considered on Thursday, 10 September 2015 under the order relating to consideration of private senators’ bills.

Question put and passed.

13 **LEAVE OF ABSENCE**

Senator Bushby, by leave, moved—that leave of absence be granted to Senator Abetz for today, for personal reasons.

Question put and passed.

Senator Siewert, by leave, moved—that leave of absence be granted to Senator Wright from 7 to 10 September 2015, for personal reasons.

Question put and passed.

14 **POSTPONEMENT**

Business was postponed as follows:

General business notice of motion no. 816 standing in the name of the Leader of the Opposition in the Senate (Senator Wong) for today, proposing an address to the Governor-General, postponed till 8 September 2015.

15 **COMMITTEES—EXTENSIONS OF TIME TO REPORT**

The following committees were granted extensions of time to report:

Economics References Committee—

Australia’s naval ship building industry, extended to 26 February 2016.

Cooperative, mutual and member-owned firms, extended to 26 February 2016.

Education and Employment References Committee—

Australia’s temporary work visa programs, extended to 11 February 2016.

Private vocational education and training providers, extended to 14 October 2015.


Legal and Constitutional Affairs References Committee—Commonwealth payments relating to asylum seeker boat turn backs, extended to 11 November 2015.
16 ENVIRONMENT AND COMMUNICATIONS REFERENCES COMMITTEE—REFERENCE

Senator McEwen, at the request of the Chair of the Environment and Communications References Committee (Senator Urquhart) and Senator Brown and pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 2—that the following matter be referred to the Environment and Communications References Committee for inquiry and report by 30 April 2016:

The environmental, social and economic impacts of large-capacity fishing vessels commonly known as ‘supertrawlers’ operating in Australia’s marine jurisdiction, with particular reference to:

(a) the effect of large fishing vessels on the marine ecosystem, including:
   (i) impacts on fish stocks and the marine food chain, and
   (ii) bycatch and interactions with protected marine species;
(b) current research and scientific knowledge;
(c) social and economic impacts, including effects on other commercial fishing activities and recreational fishing;
(d) the effectiveness of the current regulatory framework and compliance arrangements; and
(e) any other related matters.

Statement by leave: The Parliamentary Secretary to the Minister for Agriculture (Senator Colbeck), by leave, made a statement relating to the motion.

The Senate divided—

AYES, 35

Senators—

Brown
Bullock
Cameron
Carr
Collins
Conroy
Dastyari
Di Natale
Gallacher
Gallagher
Hanson-Young
Ketter
Lambie
Lazarus
Lines
Ludlam
Ludwig
McAllister
McEwen (Teller)
McKim
McLucas
Muir
O’Neill
Peris
Rhiannon
Rice

Senators—

Back
Bernardi
Brandis
Bushby (Teller)
Canavan
Cash
Colbeck
Colbeck
Edwards
Fawcett
Fierravanti-Wells
Fifield
Heffernan
Johnston
Leyonhjelm
Lindgren
Macdonald
McGrath
McKenzie
Nash
Payne
Reynolds
Ronaldson
Ruston
Ryan
Seselja
Sinodinos
Smith
Williams

NOES, 28

Question agreed to.
17 **Routine of Business—Variation—First Speech**

The Assistant Minister for Social Services (Senator Fifield), pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 1—That consideration of the business before the Senate on Wednesday, 9 September 2015 be interrupted at approximately 5 pm, but not so as to interrupt a senator speaking, to enable Senator McKim to make his first speech without any question before the chair.

Question put and passed.

18 **Indigenous Australians—Constitutional Recognition**

Senator Siewert, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 830—That the Senate—

(a) notes that legislation amending the Western Australian Constitution to recognise Aboriginal people as the first peoples of Western Australia recently passed in the Lower House of the Western Australian State Parliament; and

(b) calls on the Federal Government to keep up the momentum in moving towards substantive constitutional recognition for Aboriginal and Torres Strait Islander peoples in Australia’s Federal Constitution.

Question put and passed.

19 **Discussion of Matter of Public Importance—Immigration—Refugee Intake from Syria**

The Deputy President (Senator Marshall) informed the Senate that, at 8.30 am today, Senator Siewert and Senator Moore had each submitted a letter in accordance with standing order 75 proposing a matter of public importance for discussion. The question of which proposal would be submitted to the Senate was determined by lot.

As a result, the Deputy President informed the Senate that Senator Siewert had proposed that the following matter of public importance be submitted to the Senate for discussion:

The Abbott Government’s failure to commit to the intake of an additional 20,000 refugees from Syria, despite escalating conflict and all-time high levels of human displacement.

The proposal was supported by four senators and the matter was discussed.

20 **Documents—Consideration**

The following document tabled earlier today (*see entry no. 2*) was considered:

21 COMMITTEE MEMBERSHIP
The Acting Deputy President (Senator Seselja) informed the Senate that the President had received a letter requesting changes in the membership of a committee.

The Minister for Human Services (Senator Payne), by leave, moved—That senators be discharged from and appointed to the Legal and Constitutional Affairs References Committee, as follows:

Discharged—Senator Moore as a substitute member for Senator Collins for all committee inquiries

Appointed—

Substitute members:
Senator Gallagher to replace Senator Collins for the committee’s inquiry into Commonwealth payments relating to asylum seeker boat turn backs
Senator Moore to replace Senator Collins for the committee’s inquiry into a popular vote on the matter of marriage
Participating member: Senator Collins.

Question put and passed.

22 ASIAN INFRASTRUCTURE INVESTMENT BANK BILL 2015
A message from the House of Representatives was reported transmitting for the concurrence of the Senate the following bill:

Message no. 441, dated 7 September 2015—A Bill for an Act relating to the Asian Infrastructure Investment Bank, and for related purposes.

The Minister for Human Services (Senator Payne) moved—That this bill may proceed without formalities and be now read a first time.

Question put and passed.

Bill read a first time.

Senator Payne moved—That this bill be now read a second time.

Consideration of legislation: Pursuant to order, the debate was adjourned and the resumption of the debate made an order of the day for the first day in the next period of sittings, 12 October 2015.

23 GOVERNOR-GENERAL’S MESSAGE—ASSENT TO LAWS
A message from His Excellency the Governor-General was reported, informing the Senate that he had assented to the following laws:

26 August 2015—Message No. 47—
Tax Laws Amendment (Small Business Measures No. 3) Act 2015 (Act No. 114, 2015)
Migration Amendment (Strengthening Biometrics Integrity) Act 2015 (Act No. 115, 2015)

24 SOCIAL SERVICES LEGISLATION AMENDMENT (NO. 2) BILL 2015
Order of the day read for the adjourned debate on the motion of the Assistant Minister for Social Services (Senator Fifield)—That this bill be now read a second time.

Debate resumed.
Question put and passed. All Australian Greens senators, by leave, recorded their votes for the noes.

Bill read a second time.

The Senate resolved itself into committee for the consideration of the bill.

In the committee

Bill taken as a whole by leave.

Question—That the bill stand as printed—divided, at the request of Senator Moore, in respect of Schedule 1, Part 2 and item 34.

Question—That Schedule 1, Part 2 and item 34 stand as printed—put and negatived.

On the motion of Senator Moore the following amendment was agreed to:

Clause 2, page 2 (table item 2), omit “Parts 1 to 3”, substitute “Parts 1 and 3”.

On the motion of Senator Fifield the following amendments, taken together by leave, were agreed to:

Clause 2, page 2 (table items 2 to 5), omit the table items, substitute:

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<tr>
<td>2. Schedule 1, Parts 1 and 3</td>
<td>The day after this Act receives the Royal Assent.</td>
<td>1 July 2017.</td>
</tr>
<tr>
<td>3. Schedule 1, Part 4</td>
<td>1 July 2017.</td>
<td>1 July 2017</td>
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<td>4. Schedule 1, Part 5</td>
<td>The day after this Act receives the Royal Assent.</td>
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<td>5. Schedule 2</td>
<td>The day after this Act receives the Royal Assent.</td>
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Schedule 1, page 5 (after line 5), after item 9, insert:

**9A Paragraphs 123UF(1)(g) and (2)(h)**

Omit “1 January 2016”, substitute “1 July 2017”.

Schedule 1, item 32, page 11 (lines 7 to 9), omit paragraph 32(a), substitute:

(a) the person’s qualifying savings period ends on or before 28 December 2015; and

Schedule 1, item 33, page 11 (lines 16 to 18), omit paragraph 33(a), substitute:

(a) the person’s qualifying savings period ends after the day this item commences, but on or before 31 December 2015; and

Schedule 1, item 33, page 11 (lines 21 and 22), omit paragraph 33(c), substitute:

(c) the person makes a claim, in writing, for the payment on or before the later of the following days:

(i) 28 days after the day this item commences;

(ii) 31 December 2015.

Bill, as amended, agreed to.

Bill to be reported with amendments.
The Acting Deputy President (Senator Lines) resumed the chair and the Temporary Chair of Committees reported accordingly.

On the motion of Senator Fifield the report from the committee was adopted and the bill read a third time. All Australian Greens senators, by leave, recorded their votes for the noes in respect of the question for the third reading.

25 **FAIR WORK AMENDMENT BILL 2014**

Order of the day read for the adjourned debate on the motion of the Minister for Finance (Senator Cormann)—That this bill be now read a second time.

Debate resumed.

At 9.50 pm: Debate was interrupted while Senator Ludwig was speaking.

26 **ADJOURNMENT**

The Acting Deputy President (Senator Whish-Wilson) proposed the question—that the Senate do now adjourn.

Debate ensued.

The Senate adjourned at 10.19 pm till Tuesday, 8 September 2015 at 12.30 pm.

27 **ATTENDANCE**

Present, all senators except Senators Abetz* and Wright* (*on leave).

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**ROSEMARY LAING**

Clerk of the Senate