THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 126

MONDAY, 12 NOVEMBER 2018

Contents

1 Meeting of Senate ................................................................. 4021
2 Documents............................................................................. 4021
3 Committee—Leave to meet during sittings................................. 4035
4 Private senators’ bills—Consideration ..................................... 4036
5 Productivity Commission Amendment (Addressing Inequality) Bill 2017 ..... 4036
6 A Fair Go for Australians in Trade Bill 2018 [No. 2]........................ 4037
7 National Apology to Victims and Survivors of Institutional Child Sexual Abuse................................................................. 4038
8 Questions .................................................................................. 4038
9 Motions to take note of answers ................................................ 4038
10 Death of former member Edward Carrington (Ted) Mack .................. 4039
11 Notices .................................................................................... 4039
12 Leave of absence ..................................................................... 4048
13 Postponement .......................................................................... 4049
14 Committee—Extension of time to report .................................... 4049
15 Social Security (Administration) Act—Instruments—Disallowance motions—Consideration .................................................. 4049
16 Political donations .................................................................... 4050
17 My Health Record—Opt-out period .............................................. 4051
18 Day of the Unborn Child and religious freedom ......................... 4052
19 Queensland—Abortion law reform .............................................. 4053
20 Superannuation Guarantee—Carers .............................................. 4053
21 Kiribati—Former President ....................................................... 4054
22 Environment and Communications References Committee—Proposed reference .................................................................... 4055
23 Horse racing industry ................................................................ 4056
24 Liquid nicotine—Legalisation ...................................................... 4057
25 Immigration policy .................................................................... 4058
26 Australian flag ........................................................................... 4058
27 Anti-Poverty Week .................................................................... 4058
28 Discussion of matter of public importance—Hospitals .................. 4060
29 Documents—Consideration ...................................................... 4060
30 Social Security (Administration) Act—Instruments—Proposed disallowance . 4060
31 Notice .................................................................................................................................... 4061
32 Documents—Consideration .................................................................................................. 4061
33 Veterans and their families—Ministerial statement—Document ........................................... 4062
34 Committee membership ....................................................................................................... 4062
35 Treasury Laws Amendment (Making Sure Every State and Territory Gets Their Fair Share of GST) Bill 2018 ........................................................................................................ 4062
36 Defence Amendment (Call Out of the Australian Defence Force) Bill 2018 ................. 4062
37 Aboriginal and Torres Strait Islander Land and Sea Future Fund Bill 2018
   Aboriginal and Torres Strait Islander Land and Sea Future Fund
   (Consequential Amendments) Bill 2018 .............................................................................. 4063
38 Aboriginal and Torres Strait Islander Amendment (Indigenous Land Corporation) Bill 2018
   Aviation Transport Security Amendment Bill 2018
   Copyright Amendment (Online Infringement) Bill 2018
   Corporations Amendment (Strengthening Protections for Employee Entitlements) Bill 2018
   National Housing Finance and Investment Corporation Amendment Bill 2018
   Shipping Registration Amendment Bill 2018 .................................................................... 4063
39 Royal Commission into Institutional Responses to Child Sexual Abuse—
   Joint Select Committee—Extension of time to report .................................................. 4064
40 Governor-General’s messages—Assent to laws ................................................................ 4064
41 Finance and Public Administration Legislation Committee—Report—
   Intelligence Services Amendment (Enhanced Parliamentary Oversight of Intelligence Agencies) Bill 2018 ................................................................. 4065
42 National Apology to Victims and Survivors of Institutional Child Sexual Abuse ......... 4065
43 Treasury Laws Amendment (Making Sure Every State and Territory Gets Their Fair Share of GST) Bill 2018 .......................................................... 4065
44 Adjournment .................................................................................................................... 4065
45 Attendance ......................................................................................................................... 4065
Meeting of Senate

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

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]

Documents presented by the President

Department of the Senate—

1. Inter-Parliamentary Union—Travel expenditure, 1 July 2017 to 30 June 2018, dated October 2018.
2. Travel expenditure, 1 July 2017 to 30 June 2018, dated October 2018.
3. Letter to the President of the Senate from the Chief Justice of Australia (Honourable Susan Kiefel, AC), dated 10 October 2018, and attachment as follows—
   Guidelines for Communications and Relationships between the Judicial Branch of Government and the Legislative and Executive Branches. [Certified 24 October 2018]

Documents in response to orders for the production of documents

4. Future Submarine project—Order of 22 March 2017—Letter to the President of the Senate from the Minister for Defence (Mr Pyne), dated 25 October 2018, responding to the order, and attachment. [Received 26 October 2018]
5. Murray-Darling Basin Plan—
   Order of 15 August 2018—Letter to the President of the Senate from the Minister for Resources and Northern Australia (Senator Canavan), dated 25 October 2018, responding to the order, and attachments. [Received 26 October 2018]
6. Water purchases—Order of 16 November 2017—Letter to the President of the Senate from the Minister for Resources and Northern Australia (Senator Canavan) responding to the order, and attachments. [Received 26 October 2018]
7. Royal Commission into Aboriginal Deaths in Custody—Implementation of recommendations—Review—Order of 15 October 2018—Letter to the President of the Senate from the Minister for Indigenous Affairs (Senator Scullion), dated 23 October 2018, responding to the order, and attachment. [Received 24 October 2018]

Auditor-General’s reports for 2018-19

8. No. 10—Performance audit—Design and implementation of the Quality Framework: Department of Human Services. [Received 5 November 2018]
9. No. 11—Performance audit—Design and implementation of the VET Student Loans program: Department of Education and Training.

Government documents

10. AAF Company—Report for 2017-18. [Received 26 October 2018]
12. Administrative Appeals Tribunal—Report for 2017-18, including report of the Immigration Assessment Authority. [Received 19 October 2018]
13. Army and Air Force Canteen Service (AAFCANS)—Report for 2017-18. [Received 26 October 2018]
16. Attorney-General’s Department—Report for 2017-18. [Received 19 October 2018]
17. Australia Business Arts Foundation Limited (Creative Partnerships Australia)—Report for 2017-18. [Received 31 October 2018]
18. Australia Council for the Arts—Report for 2017-18. [Received 31 October 2018]
21. Australian Broadcasting Corporation (ABC)—Report for 2017-18 (2 volumes). [Received 31 October 2018]
23. Australian Charities and Not-for-profits Commission (ACNC)—Report for 2017-18. [Received 26 October 2018]
24. Australian Commission for Law Enforcement Integrity—Report for 2017-18. [Received 19 October 2018]
25. Australian Communications and Media Authority (ACMA) and the Office of the eSafety Commissioner—Report for 2017-18.
30. Australian Federal Police (AFP)—Report for 2017-18, including reports on delayed notification search warrants, National Witness Protection Program and unexplained wealth investigations and proceedings. [Received 19 October 2018]
33. Australian Human Rights Commission—Report for 2017-18. [Received 19 October 2018]
34. Australian Information Commissioner—Report for 2017-18. [Received 19 October 2018]
35. Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS)—Report for 2017-18. [Received 1 November 2018]
38. Australian Law Reform Commission (ALRC)—Report for 2017-18. [Received 19 October 2018]
40. Australian National Maritime Museum—Report for 2017-18. [Received 31 October 2018]
41. Australian Naval Infrastructure Pty Ltd—Report for 2017-18. [Received 19 October 2018]
44. Australian Pesticides and Veterinary Medicines Authority (APVMA)—Report for 2017-18.
47. Australian Public Service Commissioner—Report of the Australian Public Service Commissioner for 2017-18, including report of the Merit Protection Commissioner.
49. Australian Renewable Energy Agency (ARENA)—Report for 2017-18. [Received 30 October 2018]
50. Australian Research Council (ARC)—Report for 2017-18.
51. Australian Safeguards and Non-Proliferation Office (ASNO)—Report for 2017-18. [Received 1 November 2018]
52. Australian Securities and Investments Commission (ASIC)—Report for 2017-18. [Received 31 October 2018]
54. Australian Sports Anti-Doping Authority—Report for 2017-18. [Received 31 October 2017]
56. Australian Sports Foundation Limited—Report for 2017-18. [Received 31 October 2018]
59. Australian Taxation Office (ATO)—Report of the Commissioner of Taxation for 2017-18. [Received 26 October 2018]
63. Cancer Australia—Report for 2017-18. [Received 19 October 2018]
64. Central Land Council—Report for 2017-18. [Received 1 November 2018]
65. Civil Aviation Safety Authority (CASA)—Report for 2017-18. [Received 19 October 2018]


67. Clean Energy Finance Corporation (CEFC)—Report for 2017-18. [Received 31 October 2018]


72. Commonwealth Director of Public Prosecutions (CDPP)—Report for 2017-18. [Received 19 October 2018]

73. Commonwealth Grants Commission—Report for 2017-18. [Received 31 October 2018]

74. Commonwealth Ombudsman—Report for 2017-18. [Received 19 October 2018]


76. Companies Auditors Disciplinary Board (CADB)—Report for 2017-18. [Received 19 October 2018]

77. Crimes Act 1914—Authorisations for the acquisition and use of assumed identities—Australian Federal Police—Report for 2017-18. [Received 19 October 2018]

78. Controlled operations—Report for 2017-18. [Received 19 October 2018]

79. Defence Housing Australia—Report for 2017-18. [Received 19 October 2018]

80. Department of Communications and the Arts—Report for 2017-18. [Received 31 October 2018]


82. Department of Education and Training—Report for 2017-18, including reports of the Student Identifiers Registrar, Trade Support Loans Program and Tuition Protection Service.


86. Department of the Environment and Energy, including reports on the operation of Acts administered by the department, and financial statements for the National Heritage Trust of Australia—Report for 2017-18. [Received 31 October 2018]

87. Director of National Parks—Report for 2017-18. [Received 31 October 2018]


89. Family Court of Australia—Report for 2017-18. [Received 19 October 2018]

90. Federal Circuit Court of Australia—Report for 2017-18. [Received 19 October 2018]
91. Federal Court of Australia—Report for 2017-18, including report of the National Native Title Tribunal. [Received 19 October 2018]
92. Financial Adviser Standards and Ethics Authority Limited—Report for 2017-18. [Received 31 October 2018]
94. Future Fund Board of Guardians and Future Fund Management Agency (Future Fund)—Report for 2017-18. [Received 19 October 2018]
95. Gene Technology Regulator—Report for 2017-18. [Received 31 October 2018]
98. Independent Parliamentary Expenses Authority (IPEA)—Report for 2017-18. [Received 30 October 2018]
100. Indigenous Land Corporation—Report for 2017-18. [Received 19 October 2018]
103. Inspector-General of Intelligence and Security (IGIS)—Report for 2017-18. [Received 19 October 2018]
104. Inspector-General of Taxation (IGT)—Report for 2017-18. [Received 19 October 2018]
105. Moorebank Intermodal Company Limited—Report for 2017-18. [Received 31 October 2018]
106. National Archives of Australia and National Archives of Australia Advisory Council—Report for 2017-18. [Received 19 October 2018]
108. National Capital Authority—Report for 2017-18. [Received 26 October 2018]
113. National Health and Medical Research Council (NHMRC)—Report for 2017-18.
115. National Heavy Vehicle Regulator (NHVR)—Report for 2017-18. [Received 31 October 2018]
<table>
<thead>
<tr>
<th>No.</th>
<th>Report Title</th>
<th>Date Received</th>
</tr>
</thead>
<tbody>
<tr>
<td>121.</td>
<td>NBN Co Limited—Report for 2017-18. [Received 31 October 2018]</td>
<td></td>
</tr>
<tr>
<td>122.</td>
<td>Northern Australia Infrastructure Facility (NAIF)—Report for 2017-18. [Received 26 October 2018]</td>
<td></td>
</tr>
<tr>
<td>123.</td>
<td>Office of Parliamentary Counsel—Report for 2017-18. [Received 19 October 2018]</td>
<td></td>
</tr>
<tr>
<td>124.</td>
<td>Office of the Official Secretary to the Governor-General—Report for 2017-18. [Received 30 October 2018]</td>
<td></td>
</tr>
<tr>
<td>126.</td>
<td>Outback Stores Pty Ltd—Report for 2017-18. [Received 1 November 2018]</td>
<td></td>
</tr>
<tr>
<td>129.</td>
<td>Regional Investment Corporation—Report for the period 8 March to 30 June 2018.</td>
<td></td>
</tr>
<tr>
<td>130.</td>
<td>Repatriation Commission, Military Rehabilitation and Compensation Commission and Department of Veterans’ Affairs—Report for 2017-18. [Received 19 October 2018]</td>
<td></td>
</tr>
<tr>
<td>132.</td>
<td>Royal Australian Air Force (RAAF) Welfare Recreational Company, including financial statements for the RAAF Central Welfare Trust Fund—Report for 2017-18. [Received 1 November 2018]</td>
<td></td>
</tr>
<tr>
<td>136.</td>
<td>Screen Australia—Report for 2017-18. [Received 29 October 2018]</td>
<td></td>
</tr>
<tr>
<td>137.</td>
<td>Services Trust Funds—Royal Australian Navy Relief Trust Fund, Australian Military Forces Relief Trust Fund and Royal Australian Air Force Welfare Trust Fund—Reports for 2017-18. [Received 26 October 2018]</td>
<td></td>
</tr>
<tr>
<td>138.</td>
<td>Special Broadcasting Service Corporation (SBS)—Report for 2017-18. [Received 29 October 2018]</td>
<td></td>
</tr>
<tr>
<td>139.</td>
<td>Status of government responses in the Senate to parliamentary committee reports as at 30 September 2018.</td>
<td></td>
</tr>
<tr>
<td>141.</td>
<td>Sydney Airport Demand Management Act 1997—Quarterly report on the maximum movement limit for Sydney Airport for the period 1 July to 30 September 2018.</td>
<td></td>
</tr>
<tr>
<td>144.</td>
<td>Tax Practitioners Board—Report for 2017-18. [Received 26 October 2018]</td>
<td></td>
</tr>
<tr>
<td>145.</td>
<td>Tourism Australia—Report for 2017-18. [Received 31 October 2018]</td>
<td></td>
</tr>
<tr>
<td>146.</td>
<td>Veterans’ Review Board—Report for 2017-18. [Received 31 October 2018]</td>
<td></td>
</tr>
</tbody>
</table>
Responses to Senate resolutions
149. Gene technology—SDN-1 altered organisms—Resolution of 15 October 2018—Letter to the President of the Senate from the Victorian Minister for Health (Ms Hennessy), dated 29 October 2018.

Documents pursuant to continuing orders
150. Departmental and agency appointments and vacancies—Budget estimates 2018-19 (Supplementary)—Letters of advice pursuant to the order of the Senate of 24 June 2008—
   Department of Veterans’ Affairs. [Received 22 October 2018]
   Treasury portfolio. [Received 22 October 2018]
151. Departmental and agency grants—Letters of advice pursuant to the order of the Senate of 24 June 2008—
   Budget estimates 2018-19—Department of Agriculture and Water Resources. [Received 24 October 2018]
   Budget estimates 2018-19 (Supplementary)—
   Department of Agriculture and Water Resources. [Received 24 October 2018]
   Department of Veterans’ Affairs. [Received 22 October 2018]
   Treasury portfolio. [Received 22 October 2018]
152. Entity contracts for 2017-18—Letter of advice pursuant to the order of the Senate of 20 June 2001, as amended—Department of Veterans’ Affairs. [Received 8 November 2018]
153. Estimates hearings—Unanswered questions on notice—Budget estimates 2018-19—Statements pursuant to the order of the Senate of 25 June 2014—
   Department of Defence. [Received 22 October 2018]
   Treasury portfolio. [Received 24 October 2018]

Government response to committee report
154. Finance and Public Administration References Committee—Report—Appropriateness and effectiveness of the objectives, design, implementation and evaluation of the Community Development Program (CDP)—Government response, dated November 2018. [Received 8 November 2018]

Committee reports presented out of sitting
The following reports and documents were presented and authorised for publication on the dates indicated pursuant to standing order 38(7)(a):

References initiated by the Selection of Bills Committee
Economics Legislation Committee—Reports, dated November 2018—

156.  Treasury Laws Amendment (Design and Distribution Obligations and Product Intervention Powers) Bill 2018 [Provisions], Hansard record of proceedings, document presented to the committee, additional information and submissions. [Received 9 November 2018]

157.  Treasury Laws Amendment (Making Sure Every State and Territory Gets Their Fair Share of GST) Bill 2018 [Provisions], Hansard record of proceedings, additional information and submissions. [Received 8 November 2018]

158.  Treasury Laws Amendment (Making Sure Foreign Investors Pay Their Fair Share of Tax in Australia and Other Measures) Bill 2018 [Provisions] and related bills, Hansard record of proceedings, additional information and submissions. [Received 9 November 2018]

The Clerk tabled the following documents pursuant to statute:

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

Acts Interpretation Act 1901—

Subsection 34C(6)—Statement relating to extension of time for presentation of a periodic report—Torres Strait Protected Zone Joint Authority—Report for 2017-18.


Airports Act 1996—Airports Amendment (Sydney West Airport Site Measures No. 2) Regulations 2018 [F2018L01525].


Australian Prudential Regulation Authority Act 1998—Australian Prudential Regulation Authority (confidentiality) determination No. 2 of 2018 [F2018L01528].


Australian Research Council Act 2001
   Grant Guidelines for the Discovery Program (2018) [F2018L01531].
   Grant Guidelines for the Linkage Program (2018) [F2018L01532].
Banking Act 1959—Banking (restricted word or expression) consent No. 1 of 2018 – Building Societies, Credit Unions and Trustees of Superannuation Entities [F2018L01477].
Broadcasting Services Act 1992—
   Variation to Licence Area Plan – Burnie Radio – December 2001 – 2018 (No. 1) [F2018L01455].
   Variation to Licence Area Plan – Coffs Harbour Radio – 2018 (No. 1) [F2018L01458].
   Variation to Licence Area Plan – Devonport Radio – December 2001 – 2018 (No. 1) [F2018L01457].
   Variation to Licence Area Plan – Launceston Radio – December 2001 – 2018 (No. 1) [F2018L01462].
   Variation to Licence Area Plan – Queenstown Radio – December 2001 – 2018 (No. 1) [F2018L01459].
Civil Aviation Act 1988—
   Civil Aviation Regulations 1988
     CASA 490/05 Amendment Instrument 2018 (No. 1)—CASA 72/18 [F2018L01483].
     Civil Aviation Order 100.5 Amendment Instrument (No. 1) 2018 [F2018L01436].
     Repeal of CASA 443/05 Instrument 2018—CASA 70/18 [F2018L01461].
     Repeal of CASA 629/08 Instrument 2018—CASA 74/18 [F2018L01551].
   Civil Aviation Regulations 1988 and Civil Aviation Safety Regulations 1998—
     Carriage of Children with a Serious Medical Condition (Virgin Australia Airlines) Instrument 2018—CASA EX127/18 [F2018L01469].
     Civil Aviation Order 20.91 Amendment Instrument 2018 (No. 1) [F2018L01527].
   Civil Aviation Safety Regulations 1998—
     Helipod R44 Five Place Seating Kit – Removal from Service—AD/R44/26 [F2018L01533].
     Powered Weight-Shift-Controlled Aeroplanes and Other Powered Aircraft (Certain Aerial Work Operations) Exemption 2018—CASA EX152/18 [F2018L01535].
     Repeal of Airworthiness Directive AD/A320/204 Amdt 1—CASA ADCX 014/18 [F2018L01437].
     Repeal of Airworthiness Directives AD/AMD 20/1 to AD/AMD 20/30—CASA ADCX 015/18 [F2018L01444].
Coastal Trading (Revitalising Australian Shipping) Act 2012—Section 11 exemption for cruise vessels 2019 [F2018L01523].
Commissioner of Taxation—Public Rulings—
  Class Rulings—
  Law Companion Rulings—
    Addendum—LCR 2017/1.
  Taxation Determinations—
    Notices of Withdrawals—TD 93/79, TD 93/81, TD 93/235, TD 93/236,
    TD 96/35 and TD 2008/20.
    TD 2018/15.
  Taxation Rulings—
    Addendum—TR 2016/3.
    TR 2018/7.

Corporations Act 2001, National Consumer Credit Protection Act 2009 and
National Consumer Credit Protection (Transitional and Consequential Provisions)
Act 2009—ASIC Corporations and Credit (Amendment) Instrument 2018/937
[F2018L01466].

Regulations 2018 [F2018L01082]—Replacement explanatory statement.

Currency Act 1965—
  Currency (Perth Mint) Amendment Determination (No. 4) 2018
  [F2018L01439].
  Currency (Perth Mint) Determination (No. 5) 2018 [F2018L01448].
  Currency (Royal Australian Mint) Determination (No. 7) 2018 [F2018L01506].

Customs Act 1901—
  Customs (International Obligations) Amendment (Comprehensive and
  Progressive Agreement for Trans-Pacific Partnership Implementation)
  Regulations 2018 [F2018L01470].
  Customs Legislation Amendment (Prohibited Substances) Regulations 2018
  [F2018L01467].
  Customs (Trans-Pacific Partnership Rules of Origin) Regulations 2018
  [F2018L01468].

Customs Tariff Act 1995—Customs Tariff Amendment (Comprehensive and
Progressive Agreement for Trans-Pacific Partnership Implementation) Regulations
2018 [F2018L01471].

Defence Act 1903—
  Defence Determination, Conditions of Service Amendment (Additional risk
  insurance and Deployment allowance) Determination 2018 (No. 38)
  [F2018L01453].
  Defence Determination, Conditions of Service Amendment (Flexible Service
  Determination) Determination 2018 (No. 40) [F2018L01553].
  Defence Determination, Conditions of Service Amendment (Household help
  and snow clearing) Determination 2018 (No. 39) [F2018L01526].

Environment Protection and Biodiversity Conservation Act 1999—
  Amendment of List of Exempt Native Specimens – New South Wales Sea
  Urchin and Turban Shell Restricted Fishery and Commonwealth Small Pelagic
  Fishery, October 2018—EPBC303DC/SFS/2018/13 [F2018L01460].
Amendment to the list of threatened species, threatened ecological communities and key threatening processes under sections 178, 181 and 183 (EC132) [F2018L01463].

**Federal Financial Relations Act 2009—**

Federal Financial Relations (General Purpose Financial Assistance) Determination No. 115 (September 2018) [F2018L01440].


Federal Financial Relations (National Partnership Payments) Determination No. 139 (October 2018) [F2018L01442].


**Financial Framework (Supplementary Powers) Act 1997—**

Financial Framework (Supplementary Powers) Amendment (Agriculture and Water Resources Measures No. 2) Regulations 2018 [F2018L01541].

**Financial Sector (Collection of Data) Act 2001—** Financial Sector (Collection of Data) (reporting standard) determination No. 42 of 2018 – LRS 750.0 Claims and Disputes [F2018L01496].

**Fisheries Levy Act 1984—**

Fisheries Levy (Torres Strait Prawn Fishery) Amendment (Levy Amount) Regulations 2018 [F2018L01475].

**Fisheries Management Act 1991—**

Eastern Tuna and Billfish Fishery Management Plan 2010—Eastern Tuna and Billfish Fishery (Total Allowable Commercial Catch) (Undercatch and Overcatch) Determination 2018 [F2018L01554].

Fisheries Management (Fishing Levy Collection) Regulations 2018 [F2018L01536].

Northern Prawn Fishery Amendment (Early Closure) Direction 2018 [F2018L01557].

Southern and Eastern Scalefish and Shark Fishery (Closures) Direction No. 1 2018 [F2018L01544].

Southern Bluefin Tuna Fishery Management Plan 1995—

Southern Bluefin Tuna Fishery (Actual Live Weight Value of a Statutory Fishing Right) Determination 2018 [F2018L01560].

Southern Bluefin Tuna Fishery (Australia’s National Catch Allocation) Determination 2018 [F2018L01555].

Southern Bluefin Tuna Fishery (Fishing Season) Determination 2018 [F2018L01548].

Southern Bluefin Tuna Fishery (Transfer Weighing) Determination 2018 [F2018L01556].

Southern Bluefin Tuna Fishery (Undercatch and Overcatch) Determination 2018 [F2018L01552].

Southern Squid Jig Fishery Management Plan 2005—Southern Squid Jig Fishery (Total Allowable Effort) Determination 2018 [F2018L01558].

**Fishing Levy Act 1991—**

Fishing Levy Regulations 2018 [F2018L01542].

**Food Standards Australia New Zealand Act 1991—**

Australia New Zealand Food Standards Code — Schedule 20 — Maximum residue limits Variation Instrument No. APVMA 8, 2018 [F2018L01446].
Food Standards (Application A1146 – Thermolysin (Protease) as a Processing Aid (Enzyme)) Variation [F2018L01445].

**Health Insurance Act 1973—**
- Health Insurance (Extended Medicare Safety Net) Amendment Determination 2019 [F2018L01502].
- Health Insurance Legislation Amendment (2018 Measures No. 4) Regulations 2018 [F2018L01534].
- Health Insurance (Section 3C Co-Dependent Pathology Services) Amendment Determination 2018 [F2018L01473].
- Health Insurance (Section 3C Co-Dependent Pathology Services) Amendment Determination (No. 2) 2018 [F2018L01505].
- Health Insurance (Section 3C General Medical Services – General Practice Telehealth Services) Amendment Determination 2018 [F2018L01498].
- Health Insurance (Section 3C General Medical Services – Vigilance Testing) Determination 2018 [F2018L01465].


**Jervis Bay Territory Acceptance Act 1915—** Administration Ordinance 1990—Electricity Supply Fees Determination 2019 (Jervis Bay Territory) [F2018L01452].


**Judiciary Act 1903—** High Court of Australia (Fees) Amendment Regulations 2018 [F2018L01494].

**Judiciary Act 1903, Commonwealth Electoral Act 1918, Nauru (High Court Appeals) Act 1976 and High Court of Australia Act 1979—** High Court Amendment (Constitutional Writs and Other Matters) Rules 2018 [F2018L01443].

**Legislation Act 2003—**


Migration Act 1958—
Migration Amendment (Pathway to Permanent Residence for Retirees) Regulations 2018 [F2018L01472].
Migration Amendment (Seamless Traveller) Regulations 2018 [F2018L01538].
Migration Regulations 1994—

Military Rehabilitation and Compensation Act 2004—
Military Rehabilitation and Compensation (Full-time Study) Instrument 2018—2018 No. MRCC 77 [F2018L01449].

Motor Vehicle Standards Act 1989—
Vehicle Standard (Australian Design Rule 90/00 – Steering System) 2018 [F2018L01515].
Vehicle Standard (Australian Design Rule 93/00 – Forward Field of View) 2018 [F2018L01521].
Vehicle Standard (Australian Design Rule 94/00 – Audible Warning) 2018 [F2018L01513].
Vehicle Standard (Australian Design Rule 95/00 – Installation of Tyres) 2018 [F2018L01516].
Vehicle Standard (Australian Design Rule 96/00 – Commercial Vehicle Tyres) 2018 [F2018L01517].

National Health Act 1953—
National Health Determination under paragraph 98C(1)(b) Amendment 2018 (No. 7)—PB 92 of 2018 [F2018L01485].
National Health (Efficient Funding of Chemotherapy) Special Arrangement Amendment Instrument 2018 (No. 10)—PB 95 of 2018 [F2018L01500].
National Health (Highly specialised drugs program) Special Arrangement Amendment Instrument 2018 (No. 9)—PB 94 of 2018 [F2018L01508].
National Health (Immunisation Program – Designated Vaccines) Variation Determination (No. 4) 2018 [F2018L01530].
National Health (Pharmaceutical Benefits Scheme – Exempt items – Section 84H) Amendment Determination 2018 (No. 4)—PB 97 of 2018 [F2018L01484].
National Health (Price and Special Patient Contribution) Amendment Determination 2018 (No. 8)—PB 98 of 2018 [F2018L01495].
Private Health Insurance Act 2007—
  Private Health Insurance (Benefit Requirements) Amendment Rules 2018 (No. 5) [F2018L01474].
  Private Health Insurance (Reforms) Amendment Rules (No. 2) 2018 [F2018L01504].
Public Governance, Performance and Accountability Act 2013—
  Commonwealth Procurement Rules – 1 January 2019 [F2018L01522].
  Public Governance, Performance and Accountability (Section 75 Transfers) Amendment Determination 2016-2017 (No. 9) [F2018L01545].
  Public Governance, Performance and Accountability (Section 75 Transfers) Amendment Determination 2017-2018 (No. 2) [F2018L01540].
Radiocommunications Act 1992—
  Radiocommunications (Use by Corrective Services NSW of PMTS Jamming Devices at Lithgow Correctional Centre) Exemption Determination 2018 [F2018L01185]—Supplementary explanatory statement.


Therapeutic Goods Act 1989—
Medical Device Standards Order (Endotoxin Requirements for Medical Devices) 2018 [F2018L01280]—Replacement explanatory statement.
Therapeutic Goods Advertising Code (No. 2) 2018 [F2018L01524].
Therapeutic Goods (Standard for Menstrual Cups) Order 2018 [F2018L01546].

VET Student Loans Act 2016—VET Student Loans (Courses and Loan Caps) Amendment Determination (No. 3) 2018 [F2018L01549].

Veterans’ Entitlements Act 1986—
Amendment Statement of Principles concerning migraine (Reasonable Hypothesis)—No. 98 of 2018 [F2018L01499].
Statement of Principles concerning concussion (Balance of Probabilities)—No. 93 of 2018 [F2018L01493].
Statement of Principles concerning concussion (Reasonable Hypothesis)—No. 92 of 2018 [F2018L01492].
Statement of Principles concerning human T-cell lymphotropic virus type-1 infection (Balance of Probabilities)—No. 97 of 2018 [F2018L01480].
Statement of Principles concerning human T-cell lymphotropic virus type-1 infection (Reasonable Hypothesis)—No. 96 of 2018 [F2018L01478].
Statement of Principles concerning moderate to severe traumatic brain injury (Balance of Probabilities)—No. 95 of 2018 [F2018L01488].
Statement of Principles concerning moderate to severe traumatic brain injury (Reasonable Hypothesis)—No. 94 of 2018 [F2018L01487].
Statement of Principles concerning non-Hodgkin lymphoma (Balance of Probabilities)—No. 91 of 2018 [F2018L01490].
Statement of Principles concerning non-Hodgkin lymphoma (Reasonable Hypothesis)—No. 90 of 2018 [F2018L01489].

3 Committee—Leave to meet during sittings

A committee was authorised to meet during the sittings of the Senate, as follows:

Education and Employment References Committee—
private meeting otherwise than in accordance with standing order 33(1) today, from 1.45 pm.
public meeting on Wednesday, 14 November 2018, from 4.30 pm, to take evidence for the committee’s inquiry into jobactive.
4 Private senators’ bills—Consideration

The Minister for Communications and the Arts (Senator Fifield) moved—that the following general business orders of the day be considered today at the time for private senators’ bills:

No. 49 Productivity Commission Amendment (Addressing Inequality) Bill 2017
No. 94 A Fair Go for Australians in Trade Bill 2018 [No. 2].

Question put and passed.

5 Productivity Commission Amendment (Addressing Inequality) Bill 2017

Order of the day read for the adjourned debate on the motion of Senator Urquhart—that this bill be now read a second time.

Debate resumed.

Question put.

The Senate divided—

<table>
<thead>
<tr>
<th>AYES, 32</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cameron</td>
</tr>
<tr>
<td>Carr</td>
</tr>
<tr>
<td>Chisholm</td>
</tr>
<tr>
<td>Collins</td>
</tr>
<tr>
<td>Di Natale</td>
</tr>
<tr>
<td>Dodson</td>
</tr>
<tr>
<td>Farrell</td>
</tr>
<tr>
<td>Faruqi</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NOES, 30</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abetz</td>
</tr>
<tr>
<td>Anning</td>
</tr>
<tr>
<td>Bernardi</td>
</tr>
<tr>
<td>Brockman</td>
</tr>
<tr>
<td>Burston</td>
</tr>
<tr>
<td>Bushby</td>
</tr>
<tr>
<td>Canavan</td>
</tr>
<tr>
<td>Cash</td>
</tr>
</tbody>
</table>

* Tellers

Question agreed to.

Bill read a second time.

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

Senator McAllister moved—that this bill be now read a third time.
No. 126—12 November 2018

The Senate divided—

AYES, 32

Senators—

Cameron  Gallacher  McAllister  Singh
Carr  Griff  McCarthy  Smith, David
Chisholm  Hanson-Young  McKim  Steele-John
Collins  Hinch  O’Neill  Sterle
Di Natale  Keneally  Patrick  Storer
Dodson  Kerrett*  Pratt  Waters
Farrell  Kitching  Rice  Watt
Faruqi  Lines  Siewert  Whish-Wilson

NOES, 30

Senators—

Abetz  Colbeck  Hume  Reynolds
Anning  Duniam  Leyonhjelm  Ruston
Bernardi  Fawcett  McGrath  Ryan
Brockman  Fieravanti-Wells  McKenzie  Seselja
Burston  Fifield  Molan  Smith, Dean*
Bushby  Georgiou  O’Sullivan  Stoker
Canavan  Gichuhi  Payne  Williams
Cash  Hanson

* Tellers

Question agreed to.

Bill read a third time.

6  A Fair Go for Australians in Trade Bill 2018 [No. 2]

Order of the day read for the adjourned debate on the motion of Senator Urquhart—That this bill be now read a second time.

Debate resumed.

Closure: Senator O’Neill moved—That the question be now put.

Question—That the question be now put—put.

The Senate divided—

AYES, 36

Senators—

Anning  Gallacher  Lines  Siewert
Burston  Georgiou  McAllister  Singh
Cameron  Griff  McCarthy  Smith, David
Carr  Hanson  McKim  Steele-John
Chisholm  Hanson-Young  O’Neill  Sterle
Di Natale  Hinch  Patrick  Storer
Dodson  Keneally  Polley  Waters
Farrell  Kerrett  Pratt  Watt*
Faruqi  Kitching  Rice  Whish-Wilson

NOES, 25

Senators—

Abetz  Fawcett  McGrath  Ruston
Brockman  Fieravanti-Wells  McKenzie  Ryan
Bushby  Fifield  Molan  Seselja
Canavan  Gichuhi  O’Sullivan  Smith, Dean
Cash  Hume  Payne  Stoker
Colbeck  Leyonhjelm  Reynolds  Williams*
Duniam

* Tellers

Question agreed to.
Main question put.
The Senate divided—

AYES, 36

Senators—

Anning
Burston
Cameron
Carr
Chisholm
Di Natale
Dodsan
Farrell
Faruqi
Gallacher
Georgiou
Griff
Hanson
Hanson-Young
Hinch
Keneally
Ketter
Kitching
Lines
McAllister
McCarthy
McKim
O’Neill
Patrick
Polley
Pratt
Rice
Siewert
Singh
Smith, David
Steele-John
Sterle
Storer
Waters
Watt*
Whish

NOES, 25

Senators—

Abetz
Brockman
Bushby
Canavan
Cash
Colbeck
Duniam
Fawcett
Fierravanti-Wells
Fifield
Gichuhi
Hume
Leyonhjelm
McGrath
McKenzie
Molan
O’Sullivan
Payne
Reynolds
Ruston
Ryan
Seselja
Smith, Dean
Stoker
Williams*

* Tellers

Question agreed to.
Bill read a second time.

At 12.20 pm—

7 National Apology to Victims and Survivors of Institutional Child Sexual Abuse

The Minister for Finance and the Public Service (Senator Cormann), pursuant to notice, moved government business notice of motion no. 1—That the Senate apologise to the victims and survivors of institutional child sexual abuse. Debate ensued.

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

8 Questions
Questions without notice were answered.

9 Motions to take note of answers

Senator McAllister moved—That the Senate take note of the answers given by the Minister for Finance and the Public Service (Senator Cormann) to questions without notice asked by the Leader of the Opposition in the Senate (Senator Wong) and Senators Collins and Farrell today relating to the Prime Minister (Mr Morrison). Debate ensued.

Question put and passed.

Senator Faruqi moved—That the Senate take note of the answer given by the Minister for Regional Services, Sport, Local Government and Decentralisation (Senator McKenzie) to a question without notice asked by Senator Faruqi today relating to the Choice and Affordability Fund for school funding. Question put and passed.
The Leader of Pauline Hanson’s One Nation (Senator Hanson) moved—That the Senate take note of the answer given by the Minister for Small and Family Business, Skills and Vocational Education (Senator Cash) to a question without notice asked by Senator Hanson today relating to immigration and national security. Question put and passed.

10 Death of former member Edward Carrington (Ted) Mack

The Deputy President (Senator Lines) informed the Senate of the death, on 6 November 2018, of Edward Carrington (Ted) Mack, a member of the House of Representatives for the division of North Sydney from 1990 to 1996.

11 Notices

Senators Waters, Farrell, Hinch, Storer and Patrick: To move on the next day of sitting—

(1) That the Senate calls on the Federal Government to establish a national anti-corruption commission.

(2) That this resolution be communicated to the House of Representatives for concurrence. (general business notice of motion no. 1170)

The Chair of the Standing Committee on Regulations and Ordinances (Senator Williams): To move 15 sitting days after today—


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

(a) notes that:

(i) this year’s Remembrance Day, 11 November 2018, marks the Centenary of the First World War Armistice, which was signed on 11 November 1918 in Compiegne, France,

(ii) during the First World War, more than 330,000 Australians served overseas, over 60,000 Australians lost their lives, and over 150,000 Australians were wounded, gassed or taken prisoner, and

(iii) the social impact on a young country, like Australia with a small population, was enormous with almost every family and community having suffered loss of some kind; and

(b) acknowledges:

(i) the significant role that Western Australia played in the First World War, with Albany the departure point for the first convoy of soldiers to leave Australia, and over 30,000 Western Australians enlisting, and

(ii) that ten Western Australians were awarded the Victoria Cross, the highest award for acts of bravery in wartime, in World War I. (general business notice of motion no. 1171)
Senator Siewert: To move on the next day of sitting—That the Senate—

(a) notes that:

(i) on 5 October 2018, the Federal Government confirmed that the evaluation of the Community Development Program (CDP) had been completed,

(ii) in response to a motion passed by the Senate for an order for the production of documents, the Government confirmed that the evaluation of the CDP was in the process of finalisation and that the Department of the Prime Minister and Cabinet was still engaging with the fieldwork component of the evaluation and would, therefore, not release the document publicly,

(iii) on 26 October 2018, the Minister for Indigenous Affairs confirmed that in August 2018 the Indigenous Evaluation Committee had received a finalised version of the report but that it had not yet been sent back to communities for consideration, and that there was no timeline in place for when the final evaluation would be released publicly, and

(iv) publicly available and independent evaluations are an important tool for assessing and making evidence-based decisions in social policy;

(b) acknowledges that the CDP is a punitive and discriminatory work for the dole regime that disproportionately impacts First Nations peoples, and resulted in millions of dollars being stripped away from people already living in poverty since it commenced in July 2015; and

(c) calls on the Federal Government to abandon the Social Security Legislation Amendment (Community Development Program) Bill 2018 as there is strong stakeholder opposition to the bill, and members of Parliament have not been given an opportunity to analyse the CDP evaluation and consult with First Nations peoples and stakeholders. *(general business notice of motion no. 1172)*

The Minister for Communications and the Arts (Senator Fifield): To move on the next day of sitting—That on Monday, 3 December 2018—

(a) the address-in-reply be presented at 10 am to His Excellency the Governor-General by the President and such senators as may desire to accompany him;

(b) the hours of meeting shall be from midday to 6.30 pm and 7.30 pm to 10.30 pm; and

(c) the routine of business till 2 pm shall be consideration of private senators’ bills under standing order 57(1)(a)(i).

Senator Patrick: To move on the next day of sitting—That the following matters be referred to the Foreign Affairs, Defence and Trade References Committee for inquiry and report by 1 April 2019:

(a) Australia’s engagement with China’s Belt and Road Initiative, including, but not limited to, the Victorian Government’s Memorandum of Understanding with China signed on 25 August 2018; and

(b) any related matters.
Senator Carr: To move on the next day of sitting—That the Senate—

(a) notes that:

(i) in evidence to the supplementary Budget estimates hearing of the Education and Employment Legislation Committee, the Chief Executive Officer of the Australian Research Council (ARC), Professor Sue Thomas, revealed that the former Minister for Education and Training, Senator Birmingham, had vetoed the funding of eleven humanities and social sciences grants,

(ii) the projects and scholars affected were not notified that their proposal had been deemed successful only to be denied funding by the former Minister; rather this intervention was deliberately and callously kept secret,

(iii) some of the scholars involved have had their careers, professional reputation and employment status materially affected by this political interference,

(iv) there has been no comprehensive and detailed public explanation of the reason for the exercise of the ministerial veto, despite this being the practice of the past Labor Government, and

(v) the number of projects in the humanities and social sciences being funded by the ARC has fallen by 35% for Discovery project grants, and 51% for Discovery Early Career Researcher Awards (DECRA) between 2016 and 2018;

(b) condemns this political interference in the normal independent, rigorous and peer review process;

(c) acknowledges the universal condemnation of the Government’s position from universities, the learned academies, the research community and ordinary Australians;

(d) urges all political parties, members and senators to commit to the Haldane principle that politicians should not make decisions on funding of individual research projects;

(e) calls on the Federal Government to provide a full and public explanation of why the then Minister for Education and Training arbitrarily rejected these eleven grants recommended by the ARC; and

(f) calls on the ARC to actively encourage the scholars whose grants were rejected to submit them again for the forthcoming grants rounds. (general business notice of motion no. 1173)

Senator Carr: To move on the next day of sitting—That there be laid on the table by the Minister representing the Minister for Education, by no later than 9.30 am on 15 November 2018, the most recent incoming ministers brief from the Australian Research Council. (general business notice of motion no. 1174)
Senator McCarthy: To move on the next day of sitting—

(1) That there be laid on the table by the Minister for Indigenous Affairs, by no later than 9.30 am on 15 November 2018:

(a) the advice provided by the Department of the Prime Minister and Cabinet to the Minister regarding the grants to the Northern Territory Cattlemen’s Association (NTCA), the Amateur Fishermen’s Association of the Northern Territory (AFANT) and the Northern Territory Seafood Council (NTSC) that were referred to during the 2018-19 supplementary Budget estimates cross-portfolio hearings of the Finance and Public Administration Legislation Committee on 26 October 2018;

(b) copies of the grant applications by the NTCA, AFANT and NTSC for funding from the Indigenous Advancement Strategy; and

(c) any correspondence, or any other information including briefs, meeting and file notes from or to the Minister for Indigenous Affairs about these grants.

(2) At the conclusion of question time on 15 November 2018, and any day after that period, a senator may ask the relevant minister for an explanation of the response to the order contained in paragraph (1) or for an explanation of the failure to respond, and:

(a) the senator may, at the conclusion of the explanation, move without notice—That the Senate take note of the explanation; or

(b) in the event that the minister does not provide an explanation, the senator may, without notice, move a motion in relation to the minister’s failure to provide either a response or an explanation. (general business notice of motion no. 1175)

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

(a) notes that:

(i) Perinatal Depression & Anxiety Awareness (PANDA) Week, acknowledging perinatal anxiety and depression awareness, is from 11 to 17 November 2018 and aims to increase the community’s understanding of perinatal anxiety and depression and reduce stigma,

(ii) perinatal anxiety or depression affects up to one in five expecting or new mums and one in ten dads – around 100,000 families across Australia,

(iii) since this week was established by PANDA in 2005, the organisation has led the sector in utilising the week to encourage conversations within communities right across the country, including health professionals, about perinatal mental health,

(iv) the theme of PANDA Week for 2018 is ‘I wish I knew’, because we know many expecting and new mums and dads are surprised and shocked by how challenging becoming a parent can be, and

(v) PANDA will be sharing real ‘I wish I knew’ stories and other information to show perinatal anxiety and depression is serious and complex but it is also temporary and treatable; and

(b) calls on senators to support PANDA Week and show that perinatal anxiety and depression is serious and complex but temporary and treatable. (general business notice of motion no. 1176)
Senator Whish-Wilson: To move on the next day of sitting—That the Senate—
(a) notes the passing of Mr Ian Kiernan, AO on 16 October 2018;
(b) further notes that Mr Kiernan:
   (i) competed in an around-the-world yacht race in 1986-87,
   (ii) was galvanised into action by the amount of rubbish he saw during that race,
   (iii) held the first ‘Clean Up Day’ in Sydney in 1989,
   (iv) went on to establish Clean Up Australia Day in which millions of Australian have participated, and
   (v) was made Australian of the Year in 1994;
(c) notes that Mr Kiernan was a strong advocate for individuals, corporations and government to all play their part in helping rid the world’s oceans of rubbish; and
(d) calls on local, state and federal governments to honour Mr Kiernan’s legacy by committing to, and taking strong action to help, clean up Australia. (general business notice of motion no. 1177)

The Leader of Derryn Hinch’s Justice Party (Senator Hinch): To move on the next day of sitting—That the Senate—
(a) notes that:
   (i) the National Redress Scheme, which was established in response to the Royal Commission into Institutional Responses to Child Sexual Abuse, has been operating since July 2018,
   (ii) 58.6% of survivors who engaged with the Royal Commission reported sexual abuse in religious institutions,
   (iii) 62% of those survivors reported sexual abuse in Catholic institutions,
   (iv) 14.7% of those survivors reported sexual abuse in Anglican institutions,
   (v) despite reports earlier this year that the Catholic, Uniting and Anglican Churches would participate in the scheme, they have yet to formally opt in to the scheme,
   (vi) this has had the effect of putting the applications of survivors who were abused within Catholic, Uniting Church and Anglican institutions – many of whom are extremely vulnerable, ill or elderly – on hold with the Department of Social Services, and
   (vii) of the almost 1900 applications which have been made to the National Redress Scheme since July, fewer than 10 have been processed; and
(b) calls on the Federal Government to:
   (i) encourage all religious institutions within states and territories which are currently signed on to the National Redress Scheme, to opt in, and
   (ii) withhold any government funding and deny charity tax concessions to religious institutions within those states and territories that fail to opt in by 31 December 2018. (general business notice of motion no. 1178)

The Chair of the Select Committee into the obesity epidemic in Australia (Senator Di Natale): To move on the next day of sitting—That the time for the presentation of the report of the Select Committee into the obesity epidemic in Australia be extended to 28 November 2018. (general business notice of motion no. 1179)
Senator Hanson-Young: To move on the next day of sitting—That the Senate—

(a) notes that:

(i) the *Australian Broadcasting Corporation Act 1983* states that the ‘corporation or prescribed companies [are] to be the only providers of Commonwealth-funded international broadcasting services’,

(ii) the Abbott Government stripped funding for the *Australia Network* from the Australian Broadcasting Corporation (ABC), and

(iii) the Morrison Government has indicated that it plans to work ‘with our commercial media operators to ensure the Pacific can connect to quality Australian media content’; and

(b) calls on the Federal Government to award the public funding for the *Australia Network* to the ABC. (*general business notice of motion no. 1180*)

Senator Steele-John: To move on the next day of sitting—That the Senate—

(a) notes that:

(i) on 26 October 2018, Prime Minister Scott Morrison announced a $5 billion *Drought Future Fund* to assist struggling farmers, which will be funded, in part, by $3.9 billion from the *Building Australia Fund* that the Government had previously set aside for the National Disability Insurance Scheme (NDIS),

(ii) the NDIS has the potential to transform the lives of disabled people, their families, and carers, but it is still in the process of being rolled out and has a long way to go to meet the needs of disabled Australians,

(iii) the entire state of New South Wales has been declared to be in drought, as well as parts of Queensland, South Australia and Victoria, and it is a matter of national importance that we assist farming families in these regions, to help them through this tough time, and

(iv) drought relief should not come at the expense of realising the rights of disabled Australians to fully participate in all aspects of our society; and

(b) calls on the Federal Government to ensure that no previously earmarked NDIS funding is repurposed until the scheme has been fully realised. (*general business notice of motion no. 1181*)

Senator Urquhart: To move on the next day of sitting—

(1) That the Senate notes that:

(a) the Government announced the *Australian and Children’s Screen Content Review* (the Review) 18 months ago, in May 2017;

(b) public consultation for the Review concluded over a year ago, in September 2017;

(c) the report of the Review was delivered to the Minister for Communications and the Arts almost a year ago, in December 2017;

(d) the Government has not tabled a response to the report of the *House of Representatives* Standing Committee on Communications and the Arts inquiry into factors contributing to the growth and sustainability of the Australian film and television industry, tabled in December 2017; and

(e) the delay in the release of the report of the Review is hampering public debate on policy options and causing uncertainty for the screen production and interactive games sector in Australia.
(2) That there be laid on the table by the Minister for Communications and the Arts, by no later than 9.30 am on 15 November 2018, the report of the Australian and Children’s Screen Content Review. (general business notice of motion no. 1182)

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

(a) notes with concern that:

(i) three official reviews have found consistent cruelty and failure to meet required standards in the cruel and inhumane live sheep export trade,

(ii) the Moss Review into the regulation of live animal exports found that:

(A) the Department of Agriculture and Water Resources (the Department) ‘lacked the skills’ to protect live animals shipped overseas, and

(B) the Department’s ‘focus on trade facilitation and industry regulation appears to have had a negative impact [on] the department’s culture as a regulator’, and

(iii) two years ago, the Productivity Commission recommended the establishment of a stand-alone statutory organisation – the Australian Commission for Animal Welfare – to regulate the ‘efficiency and effectiveness of the livestock export regulatory system’ and that it undertake ‘regular reviews of the livestock export regulatory system’; and

(b) calls on the Federal Government to establish an Australian Commission for Animal Welfare, as recommended by, and in the terms proposed by, the Productivity Commission. (general business notice of motion no. 1183)

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

(a) notes that:

(i) since the last Senate sitting period, there have been 5 women killed by violence in Australia, bringing the total of women killed by violence to 60 in 2018, as reported by Counting Dead Women Australia from Destroy The Joint,

(ii) on average, one woman a week is murdered by her current or former partner,

(iii) 1 in 3 Australian women have experienced physical violence since the age of 15,

(iv) 1 in 5 Australian women has experienced sexual violence,

(v) 1 in 6 Australian women has experienced physical or sexual violence by a current or former partner,

(vi) 1 in 4 Australian women has experienced emotional abuse by a current or former partner,

(vii) Australian women are nearly three times more likely than men to experience violence from an intimate partner,

(viii) there is growing evidence that women with disabilities are more likely to experience violence,

(ix) Aboriginal and Torres Strait Islander women report experiencing violence in the previous 12 months at 3.1 times the rate of non-Indigenous women, and

(x) in 2014-15, Indigenous women were 32 times as likely to be hospitalised due to family violence as non-Indigenous women; and
(b) calls on the Federal Government to:
   (i) recognise domestic violence against women as a national security crisis,
   (ii) adequately fund frontline domestic violence and crisis housing services to ensure that all women seeking safety can access these services when and where they need them,
   (iii) legislate for 10 days paid domestic violence leave so that women do not have to choose between paying the bills and seeking safety, and
   (iv) implement all 25 recommendations of the report of the Finance and Public Administration References Committee on domestic violence in Australia. (general business notice of motion no. 1184)

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

(a) notes that:
   (i) the report of the Select Committee into Funding for Research into Cancers with Low Survival Rates was tabled on 28 November 2017,
   (ii) the report made 25 recommendations to improve outcomes for people diagnosed with rare and low-survival cancers, and
   (iii) on 16 October 2018, Senator Bilyk successfully moved a motion, which Senator Griff co-sponsored, asking the Government to table its overdue response to this important report – the government response has not been tabled;

(b) further notes that:
   (i) the report of the Community Affairs References Committee, Value and affordability of private health insurance and out-of-pocket medical costs, was presented on 19 December 2017,
   (ii) the report made 19 recommendations designed to ease the burden of rising medical costs on consumers, such as recommending that the Minister for Health instruct the Department of Health to publish the fees of individual medical practitioners in a searchable database, and
   (iii) the Government has yet to table a response to this report; and

(c) orders that there be laid on the table by the Minister representing the Minister for Health, by the start of business on 15 November 2018, the Government’s responses to the recommendations contained in the reports on:
   (i) value and affordability of private health insurance and out-of-pocket medical costs, and
   (ii) funding for research into cancers with low survival rates. (general business notice of motion no. 1185)

Senator Griff: To move on the next day of sitting—That the provisions of the Copyright Amendment (Online Infringement) Bill 2018 be referred to the Environment and Communications Legislation Committee for inquiry and report by 26 November 2018.
The Chair of the Legal and Constitutional Affairs References Committee (Senator Pratt): To move on the next day of sitting—

(1) That the following matter be referred to the Legal and Constitutional Affairs References Committee for inquiry and report by the second sitting day in February 2019:

Legislative exemptions that allow faith-based educational institutions to discriminate against students, teachers and staff, including on the basis of sexual orientation and gender identity and other attributes covered by the Sex Discrimination Act 1984, with particular reference to proposals for amendments to current legislation, and any related matters.

(2) That, with respect to paragraph (1), the committee present an interim report concerning discrimination against students to the Senate on 26 November 2018.

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

(a) recognises the importance of regional tourism to the Australian economy, and especially so in the state of Queensland, where last year alone there were 2.7 million visitors to Queensland spending $5.7 billion, with 43 cents in every tourism dollar spent in our regions;

(b) notes the excellent work that Outback Queensland Tourism carries out by promoting hard-working Queensland tourism and accommodation operators;

(c) commends the members of Outback Queensland Tourism that came together for the organisation’s 2018 awards in Roma on 3 November 2018;

(d) congratulates all category winners of the 2018 Outback Queensland Tourism Awards, being: Major Tourist Attraction – Qantas Museum; Tourist Attraction – Cobbold Gorge; Festivals and Events – Big Red Bash; Festivals and Events (special commendation) – Mt Isa Rodeo; Cultural Tourism – Outback Pioneers; Visitor Information and Services – Julia Creek Visitors Information Centre; Tour and Transport Operators – Outback Aussie Tours; Caravan and Holiday Parks – Adels Grove; Hosted Accommodation – Cobbold Village; Best Outback Pub – Goldfield Hotel; Contribution Volunteer/Group – Gail Wipaki; Young Achiever – Becky Kuhl; New Tourism Business – Waltzing Matilda Centre; Local Government – Quilpie Shire Council; Outback Mates Award – Greg Donovan; Vince Evert Award – Rod Low Mow; and

(e) acknowledges and commends the Liberal National Coalition Government for its Tourism 2020 plan to continue to grow the tourism sector, which has been supported by earmarking $45 million for tourism in the latest round of the Building Better Regions Fund. (general business notice of motion no. 1186)

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

(a) notes that:

(i) in the past 12 months, four million Australians have experienced food insecurity, and three quarters of these people were categorised as having very low food security,

(ii) more than one and a half million people living in remote and rural regions have experienced food insecurity in the past twelve months, and Australians in regional and remote areas are 33% more likely to experience food insecurity than those living in major and capital cities, and
(iii) people who are most likely to be food insecure are people looking for work or who are in insecure/casual employment, renters, those in remote and regional areas and single parents;

(b) recognises that our income support rates are so low, charities and the social service sector are left to provide vital community services, such as access to food; and

(c) calls on the Federal Government to assist with addressing food insecurity by committing to long-term funding of Foodbank, and, in particular, to reverse recent funding cuts to Foodbank. (general business notice of motion no. 1187)

The Leader of the Australian Greens (Senator Di Natale): To move on the next day of sitting—That the Senate—

(a) notes that investors, industry and the Parliament all acknowledge that a future carbon price, in some form, is inevitable, with companies already factoring carbon prices into their investment decisions;

(b) further notes that any decision to indemnify companies from future carbon risk would fundamentally undermine any future policy decisions of this Parliament;

(c) agrees with the comments of the Shadow Minister for Climate and Energy that ‘investors need to understand very clearly that we do not support that. That would be an extraordinary waste of taxpayers’ money’;

(d) signals to all potential contractors seeking to be indemnified from future carbon risk that those contracts will not be honoured; and

(e) acknowledges that, given this prior warning, any future rescinding of these contracts would not constitute sovereign risk. (general business notice of motion no. 1188)

Senator McKim: To move on the next day of sitting—That there be laid on the table by the Minister for Foreign Affairs, by 5 pm on 14 November 2018, all documents or correspondence between the Government of the Republic of Nauru, the Department of Foreign Affairs and Trade, the Department of Home Affairs, the Office of the Minister for Foreign Affairs, and/or the Office of the Minister for Home Affairs, which relate to Senator McKim’s application for a Nauru visa. (general business notice of motion no. 1189)

12 Leave of absence

Senator Bushby moved—That leave of absence be granted to the following senators from 12 to 15 November 2018:

(a) Senators Birmingham and Macdonald, on account of parliamentary business; and

(b) Senators Martin and Paterson, for personal reasons.

Question put and passed.

Senator Urquhart, by leave, moved—That leave of absence be granted to the following senators:

(a) Senator Bilyk for today, for personal reasons;

(b) Senator Marshall for 12 and 13 November 2018, for personal reasons; and

(c) Senator Moore from 12 to 15 November 2018, on account of parliamentary business.

Question put and passed.
13 Postponement
Business was postponed as follows:
Business of the Senate notice of motion no. 5 standing in the name of Senator Rice for today, proposing a reference to the Legal and Constitutional Affairs References Committee, postponed till 14 November 2018.

14 Committee—Extension of time to report
The following committee was granted an extension of time to report:
Legal and Constitutional Affairs References Committee—Practice of dowry and dowry abuse in Australia, extended to the second last sitting day in February 2019.

15 Social Security (Administration) Act—Instruments—Disallowance motions—Consideration
The Assistant Minister for International Development and the Pacific (Senator Ruston), at the request of the Minister for Communications and the Arts (Senator Fifield) and pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 2—That—

(a) on Monday, 12 November 2018, the business of the Senate notices of motion proposing the disallowance of the Social Security (Administration) (Reasonable Excuse – Participation Payments) Determination 2018 and the disallowance of the Social Security (Administration) (Job Search Efforts) Determination 2018, standing in the name of Senator Siewert for that day, be called on for debate together no later than 6.10 pm; and

(b) if consideration of the motions listed in paragraph (a) is not concluded at 6.25 pm, the questions on the unresolved motions shall then be put.

Senator Siewert, by leave, moved the following amendment:
Omit paragraphs (a) and (b), substitute:

(a) on Monday, 12 November 2018, the business of the Senate notices of motion standing in the name of Senator Siewert for that day proposing the disallowance of:
(i) the Social Security (Administration) (Reasonable Excuse – Participation Payments) Determination 2018,
(ii) the Social Security (Administration) (Job Search Efforts) Determination 2018, and
(iii) the Social Security (Administration) Legislation Amendment and Repeal (Reasonable Excuse – Participation Payments) Determination 2018
be called on for debate together no later than 6.10 pm; and

(b) if consideration of the motions listed in paragraph (a) is not concluded at 8 pm, the questions on the unresolved motions shall then be put separately.

Question—That the amendment be agreed to—put and passed.
Main question, as amended, put and passed.
16 Political donations

Senator Waters, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1169—That the Senate—

(a) notes that:

(i) disclosure of donations made to political parties is only made public by the Australian Electoral Commission once a year, on 1 February, for the preceding financial year,

(ii) there is up to an 18 month delay between when a donation is made and when it is publicly disclosed and, at minimum, a 7 month delay,

(iii) since 2012, the major parties have received approximately $100 million in donations from corporate entities,

(iv) the voters in the electorates of Braddon, Fremantle, Longman, Mayo and Perth will have to wait until 1 February 2020, some 18 months after the by-election date, before they know who funded those campaigns,

(v) the voters in the electorate of Wentworth will have to wait almost 16 months before they know who funded political parties’ by-election campaigns, and

(vi) under current legislation for federal elections, voters go to the ballot box without any information about how their local candidates and political parties have funded their campaigns – the identity of donors or amounts donated; and

(b) calls on the Federal Government to require all donations of $1000 and above to be disclosed in close to real-time on an easy-to-search public website, to ensure voters have access to information about who is bank-rolling political campaigns before they vote.

Statement by leave: Senator Chisholm, by leave, made a statement relating to the motion.

Question put.

The Senate divided—

AYES, 31

Senators—

Bernardi
Cameron
Carr
Chisholm
Collins
Di Natale
Dodson
Faruqi

Gallacher
Griff
Hanson-Young
Hinch
Keneally
Ketter
McAllister
McCarthy

McKim
O’Neill
Patrick
Polley
Pratt
Rice
Siewert
Singh

Steele-John
Sterle
Storer
Urquhart*
Waters
Watt
Whish-Wilson

NOES, 24

Senators—

Abetz
Anning
Bushby*
Canavan
Cash
Colbeck

Duniam
Fawcett
Ferravanti-Wells
Fifield
Gichuhi
Hume

Leyonhjelm
McGrath
McKenzie
Molan
O’Sullivan
Payne

Reynolds
Ruston
Scullion
Smith, Dean
Stoker
Williams

* Tellers

Question agreed to.
17 My Health Record—Opt-out period

Senator Di Natale, also on behalf of Senator Watt, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1167—

That the Senate—

(a) notes that:

(i) members of the community have expressed significant concerns about the inadequate privacy and security provisions currently present in the My Health Records Amendment (Strengthening Privacy) Bill 2018,

(ii) senators will not have an opportunity to debate the bill until the week beginning 12 November 2018,

(iii) the opt-out period for the My Health Record is currently scheduled to end the same week, 15 November 2018, and

(iv) the Federal Government has extended the opt-out period once before, supposedly to allow passage of the bill;

(b) expresses disappointment that the Federal Government has chosen to not follow through on their commitment to the Australian people to strengthen the legislation which governs the My Health Record, meaning that any choices that the Australian people make about opting out will not be sufficiently informed; and

(c) calls on the Federal Government to extend or suspend the opt-out period until the legislation and any amendments are passed, outstanding privacy and security concerns are addressed, and public confidence in this important reform is restored.

Statements by leave: The Assistant Minister for International Development and the Pacific (Senator Ruston) and Senators Di Natale and Watt, by leave, made statements relating to the motion.

Question put.

The Senate divided—

AYES, 35

Senators—

Anning
Bernardi
Cameron
Carr
Chisholm
Collins
Di Natale
Dodson
Faruqi

Gallacher
Georgiou
Griff
Hanson
Hanson-Young
Hinch
Keneally
Ketter
Leyonhjelm

McAllister
McCarthy
McKim
O’Neill
Patrick
Polley
Pratt
Rice
Siewert

Singh
Steele-John
Sterle
Storer
Urquhart*
Waters
Watt
Whish-Wilson

NOES, 22

Senators—

Abetz
Bushby*
Canavan
Cash
Colbeck
Duniam
Fawcett
Fierravanti-Wells
Fifield
Gichuhi
Hume
McGrath

McKenzie
Molan
O’Sullivan
Payne
Reynolds

Ruston
Scullion
Smith, Dean
Stoker
Williams

* Tellers

Question agreed to.
18 Day of the Unborn Child and religious freedom

Senator O’Sullivan, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1116—That the Senate—

(a) acknowledges:
(i) that the internationally-recognised Day of the Unborn Child is observed on 25 March as ‘a positive option in favour of life and the spread of a culture for life to guarantee respect for human dignity in every situation’,
(ii) religious observers attending Day of the Unborn Child services are continuously disrupted and harassed at annual protest rallies organised by pro-abortion groups, such as the University of Sydney Women’s Collective, the University of New South Wales Women’s Collective and Labor for Choice,
(iii) these protest rallies feature speakers who insult church goers and accuse the church of supporting violence against women, and
(iv) then Bishop of Broken Bay, Peter Comensoli, has advocated for exclusion zones around religious activities, stating that ‘if they’re (activists) determined to have a safety zone, why not a safety zone around any activities that could be personally intimidating for those involved’; and

(b) calls on all senators to:
(i) protect religious freedom in Australia,
(ii) note the hypocrisy of pro-abortion activists complaining about pro-life group activities near abortion clinics, while, at the same time, carrying out their own protest rallies against religious observances, and
(iii) support calls for pro-abortion activists to be banned from disrupting Day of the Unborn Child services across the nation.

Statements by leave: The Assistant Minister for International Development and the Pacific (Senator Ruston), Senators Waters and Collins and the Leader of Derryn Hinch’s Justice Party (Senator Hinch), by leave, made statements relating to the motion.

Question put.
The Senate divided—

AYES, 12

Senators—
Abetz Bushby Georgiou O’Sullivan
Anning Canavan Hanson Stoker
Bernardi Fierravanti-Wells McGrath Williams*

NOES, 32

Senators—
Brown Gallacher McKim Smith, David
Cameron Griff O’Neill Steele-John
Carr Hanson-Young Patrick Sterle
Chisholm Hinch Polley Storer
Collins Hume Pratt Urquhart*
Di Natale Keneally Rice Waters
Dodson Leyonhjelm Siewert Watt
Faruqi McCarthy Singh Whish-Wilson

* Tellers

Question negatived.
19 **Queensland—Abortion law reform**

Senator Waters, by leave, amended general business notice of motion no. 1159 to read as follows:

That the Senate—

(a) notes an Act to decriminalise abortion by removing it from the 1899 Criminal Code was passed by the Queensland Parliament on 17 October 2018; and

(b) congratulates and thanks all the women, activists and organisations, including Pro Choice Queensland, Children by Choice, Fair Agenda, Marie Stopes, Young Queensland for Choice, and all other grassroots campaigns, who have spent decades working tirelessly in Queensland for abortion law reform and to give women the right to make decisions about their own bodies.

*Motion determined as not formal:* Senator Waters requested that the motion be taken as formal. An objection was raised and the motion was not proceeded with as a formal motion.

*Statement by leave:* Senator Waters, by leave, made a statement relating to the motion.

*Leave refused:* Senator O’Sullivan sought leave to make a statement relating to the motion. An objection was raised and leave was not granted.

20 **Superannuation Guarantee—Carers**

Senator Griff, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1164—That the Senate—

(a) acknowledges that:

(i) 14 to 20 October 2018, was National Carers Week,

(ii) Carers Australia values the work done by unpaid carers at an estimated $60 billion a year,

(iii) women make up the majority of carers: women represent 68% of primary carers for elderly people and those with a disability, and 55.5% of all carers, according to the Australian Bureau of Statistics’ Disability, Ageing and Carers survey,

(iv) the labour force participation rate for primary carers was 56% compared to non-carers at 80%. and 73% of males who were carers were employed compared with 60.8% of females,

(v) according to Carers’ Australia’s report, *The benefit of carers to the economy*, about 4% of employees become carers each year, and the probability of a new carer leaving the workforce is 8% – about 26% of primary carers reduce their work hours after taking on a caring role,

(vi) the 2017 Household, Income and Labour Dynamics in Australia survey showed that Australian women retire with just over half the amount of superannuation as men, or an average of $230,907, and one in three women retire with no superannuation at all,

(vii) one of the reasons women retire with less superannuation is because of the extended periods of time they spend out of the workforce to care for children or elderly parents – as a result of their lower retirement savings, they are more likely to rely on the aged pension, and

(viii) in 2016, the report of the Economics References Committee on the gender retirement income gap recommended that superannuation be paid on the Commonwealth Paid Parental Leave Scheme; and
(b) calls on the Federal Government to:
   (i) model the costs and benefits of providing the superannuation guarantee to carers on the Carer Payment or other carer-related benefits, including the Commonwealth Paid Parental Leave Scheme, and
   (ii) seriously consider providing the superannuation guarantee to carers on the Carer Payment or other benefit they are paid as a result of their caring responsibilities.

Statement by leave: The Assistant Minister for International Development and the Pacific (Senator Ruston), by leave, made a statement relating to the motion.

Question put.

The Senate divided—

**AYES, 29**

<table>
<thead>
<tr>
<th>Senator</th>
<th>Senator</th>
<th>Senator</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brown</td>
<td>Hanson-Young</td>
<td>O’Neill</td>
</tr>
<tr>
<td>Chisholm</td>
<td>Hinch</td>
<td>Patrick</td>
</tr>
<tr>
<td>Collins</td>
<td>Keneally</td>
<td>Polley</td>
</tr>
<tr>
<td>Di Natale</td>
<td>Ketter</td>
<td>Pratt</td>
</tr>
<tr>
<td>Dodson</td>
<td>Kitching</td>
<td>Rice</td>
</tr>
<tr>
<td>Faruq</td>
<td>McCarthy</td>
<td>Siewert</td>
</tr>
<tr>
<td>Gallacher</td>
<td>McKim</td>
<td>Singh</td>
</tr>
<tr>
<td>Griff</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**NOES, 24**

<table>
<thead>
<tr>
<th>Senator</th>
<th>Senator</th>
<th>Senator</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abetz</td>
<td>Cash</td>
<td>Leyonhjelm</td>
</tr>
<tr>
<td>Anning</td>
<td>Colbeck</td>
<td>McGraith</td>
</tr>
<tr>
<td>Bernardi</td>
<td>Duniam</td>
<td>McKenzie</td>
</tr>
<tr>
<td>Brockman</td>
<td>Fieravanti-Wells</td>
<td>Molan</td>
</tr>
<tr>
<td>Bushby*</td>
<td>Gichuhi</td>
<td>O’Sullivan</td>
</tr>
<tr>
<td>Canavan</td>
<td>Hume</td>
<td>Payne</td>
</tr>
</tbody>
</table>

* Tellers

Question agreed to.

21 **Kiribati—Former President**

Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1165—That the Senate—

(a) notes that the Minister for the Environment, Ms Price, made offensive remarks to the former President of Kiribati, Anote Tong;

(b) further notes that former President Tong has a long history of advocating on behalf of his people, his country and the Pacific, who will be first and worst affected by climate change; and

(c) calls on the Federal Government to apologise to former President Tong, commend him for his heroic actions on behalf of his people, and take seriously the threat of climate change in the Pacific region.

Statement by leave: The Assistant Minister for International Development and the Pacific (Senator Ruston), by leave, made a statement relating to the motion.

Question put.
The Senate divided—

**AYES, 28**

<table>
<thead>
<tr>
<th>Senators</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Brown</td>
<td>Griff</td>
<td>McKim</td>
<td>Singh</td>
</tr>
<tr>
<td>Chisholm</td>
<td>Hanson-Young</td>
<td>O'Neill</td>
<td>Steele-John</td>
</tr>
<tr>
<td>Collins</td>
<td>Hinch</td>
<td>Patrick</td>
<td>Sterle</td>
</tr>
<tr>
<td>Di Natale</td>
<td>Keneally</td>
<td>Polley</td>
<td>Urquhart*</td>
</tr>
<tr>
<td>Dodson</td>
<td>Ketter</td>
<td>Pratt</td>
<td>Waters</td>
</tr>
<tr>
<td>Faruq</td>
<td>Kitching</td>
<td>Rice</td>
<td>Watt</td>
</tr>
<tr>
<td>Gallagher</td>
<td>McCarthy</td>
<td>Siewert</td>
<td>Whish-Wilson</td>
</tr>
</tbody>
</table>

**NOES, 23**

<table>
<thead>
<tr>
<th>Senators</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Abetz</td>
<td>Cash</td>
<td>Leyonhjelm</td>
<td>Ruston</td>
</tr>
<tr>
<td>Anning</td>
<td>Colbeck</td>
<td>McGrath</td>
<td>Scullion</td>
</tr>
<tr>
<td>Bernardi</td>
<td>Duniam</td>
<td>McKenzie</td>
<td>Smith, Dean</td>
</tr>
<tr>
<td>Brockman</td>
<td>Fifield</td>
<td>O’Sullivan</td>
<td>Stoker</td>
</tr>
<tr>
<td>Bushby*</td>
<td>Gichuhi</td>
<td>Payne</td>
<td>Williams</td>
</tr>
<tr>
<td>Canavan</td>
<td>Hume</td>
<td>Reynolds</td>
<td></td>
</tr>
</tbody>
</table>

* Tellers

Question agreed to.

22 Environment and Communications References Committee—Proposed reference

Senator Whish-Wilson, also on behalf of Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 4—That the following matter be referred to the Environment and Communications References Committee for inquiry and report by 29 March 2019:

The impact of seismic testing on fisheries and the marine environment, with particular reference to:

(a) the regulation of seismic testing in both Commonwealth and state waters, and the responsibilities of federal and state governments;
(b) the consultation process regarding the approval of seismic testing;
(c) the extent to which potential impacts are taken into account during the consultation process;
(d) the protections provided by Australian Marine Parks against any potential impacts;
(e) the approach taken to seismic testing internationally;
(f) recent scientific findings; and
(g) any other related matters.

Statement by leave: The Assistant Minister for International Development and the Pacific (Senator Ruston), by leave, made a statement relating to the motion.

Leave refused: Senator Whish-Wilson sought leave to make a statement relating to the motion. An objection was raised and leave was not granted.

Question put.
The Senate divided—

AYES, 16

Senators—

<table>
<thead>
<tr>
<th>No.</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Di Natale</td>
</tr>
<tr>
<td>2</td>
<td>Hanson</td>
</tr>
<tr>
<td>3</td>
<td>Faruqi</td>
</tr>
<tr>
<td>4</td>
<td>Georgiou</td>
</tr>
<tr>
<td>5</td>
<td>Griff</td>
</tr>
<tr>
<td>6</td>
<td>Hanson-Young</td>
</tr>
<tr>
<td>7</td>
<td>Hinch</td>
</tr>
<tr>
<td>8</td>
<td>Siewert*</td>
</tr>
<tr>
<td>9</td>
<td>McKim</td>
</tr>
<tr>
<td>10</td>
<td>Patrick</td>
</tr>
<tr>
<td>11</td>
<td>Rice</td>
</tr>
<tr>
<td>12</td>
<td>Whish-Young</td>
</tr>
<tr>
<td>13</td>
<td>Steele-John</td>
</tr>
<tr>
<td>14</td>
<td>Storer</td>
</tr>
<tr>
<td>15</td>
<td>Storer</td>
</tr>
<tr>
<td>16</td>
<td>Waters</td>
</tr>
</tbody>
</table>

NOES, 37

Senators—

<table>
<thead>
<tr>
<th>No.</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Abetz</td>
</tr>
<tr>
<td>2</td>
<td>Anning</td>
</tr>
<tr>
<td>3</td>
<td>Bernardi</td>
</tr>
<tr>
<td>4</td>
<td>Brockman</td>
</tr>
<tr>
<td>5</td>
<td>Bushby</td>
</tr>
<tr>
<td>6</td>
<td>Canavan</td>
</tr>
<tr>
<td>7</td>
<td>Cash</td>
</tr>
<tr>
<td>8</td>
<td>Chisholm</td>
</tr>
<tr>
<td>9</td>
<td>Colbeck</td>
</tr>
<tr>
<td>10</td>
<td>Collins</td>
</tr>
<tr>
<td>11</td>
<td>Dodson</td>
</tr>
<tr>
<td>12</td>
<td>Duniam</td>
</tr>
<tr>
<td>13</td>
<td>Ferravanti-Wells</td>
</tr>
<tr>
<td>14</td>
<td>Gallacher</td>
</tr>
<tr>
<td>15</td>
<td>Gichuhi</td>
</tr>
<tr>
<td>16</td>
<td>Hume</td>
</tr>
<tr>
<td>17</td>
<td>Keneally</td>
</tr>
<tr>
<td>18</td>
<td>Ketter</td>
</tr>
<tr>
<td>19</td>
<td>Kitching</td>
</tr>
<tr>
<td>20</td>
<td>Keneally</td>
</tr>
<tr>
<td>21</td>
<td>Kettle</td>
</tr>
<tr>
<td>22</td>
<td>Kettle</td>
</tr>
<tr>
<td>23</td>
<td>Kettle</td>
</tr>
<tr>
<td>24</td>
<td>Kettle</td>
</tr>
<tr>
<td>25</td>
<td>Kettle</td>
</tr>
<tr>
<td>26</td>
<td>Kettle</td>
</tr>
<tr>
<td>27</td>
<td>Kettle</td>
</tr>
<tr>
<td>28</td>
<td>Kettle</td>
</tr>
<tr>
<td>29</td>
<td>Kettle</td>
</tr>
<tr>
<td>30</td>
<td>Kettle</td>
</tr>
<tr>
<td>31</td>
<td>Kettle</td>
</tr>
<tr>
<td>32</td>
<td>Kettle</td>
</tr>
<tr>
<td>33</td>
<td>Kettle</td>
</tr>
<tr>
<td>34</td>
<td>Kettle</td>
</tr>
<tr>
<td>35</td>
<td>Kettle</td>
</tr>
<tr>
<td>36</td>
<td>Kettle</td>
</tr>
<tr>
<td>37</td>
<td>Kettle</td>
</tr>
</tbody>
</table>

* Tellers

Question negatived.

Leave refused: Senator Whish-Wilson sought leave to make a statement relating to the motion. An objection was raised and leave was not granted.

23 Horse racing industry

Senator Faruqi, also on behalf of the Leader of Derryn Hinch’s Justice Party (Senator Hinch), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1158—That the Senate—

(a) notes that:

(i) according to Racing Australia’s latest annual report, more than 13,000 thoroughbred foals were born in 2017,

(ii) there is currently no lifetime tracking of horses once they leave the racing industry,

(iii) the community has an expectation that all animals used for racing are rehomed, but race horses are still ending up at knackeries, including being used for pet meat,

(iv) all registered Australian racehorses have a microchip inserted into their necks which would allow them to be tracked throughout their lifetime, and

(v) the RSPCA has called for a national tracking and registration system for all horses, starting with those involved in the racing industry; and

(b) calls on the Australian Government to work with the states and territories to establish a national tracking and registration system for race horses, including a requirement that all slaughterhouses and knackeries scan any horse that enters the premises and those results be sent to the Australian Government and Racing Australia to be published publically.

Statements by leave: The Assistant Minister for International Development and the Pacific (Senator Ruston) and Senators Chisholm and Faruqi, by leave, made statements relating to the motion.

Question put and negatived.
24 Liquid nicotine—Legalisation

Senator Georgiou, also on behalf of Senators Leyonhjelm, Hanson and Bernardi, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1160—That the Senate—

(a) acknowledges:

(i) that smoking is the largest preventable cause of death in Australia,
(ii) that successive Commonwealth Governments have used increased excise levels as the primary mechanism to deter smokers from maintaining their habit,
(iii) that there is growing evidence that vaping has helped many smokers to quit, and
(iv) a growing number of countries, including the United Kingdom, Canada and New Zealand have already legalised vaping;

(b) notes that:

(i) a recent Australian Institute of Health and Welfare survey found that, despite the Government’s policy to reduce smoking rates, the national smoking rate had, in fact, not declined in the period 2013-16,
(ii) last month, the CSIRO released a study confirming e-cigarettes assisted smokers in quitting,
(iii) a poll conducted by the Australian Retailers Association showed that 61% of Australians support the legalisation of vaping and e-cigarettes, and
(iv) despite the above, under current Australian law, it is illegal to purchase, possess or use liquid nicotine for vaping without a prescription from a registered Australian medical practitioner; and

(c) calls on the Federal Government to immediately introduce legislation to legalise the sale, possession and use of liquid nicotine without restriction.

Statement by leave: The Assistant Minister for International Development and the Pacific (Senator Ruston), by leave, made a statement relating to the motion.

Question put.
The Senate divided—

AYES, 8

Senators—

Anning
Bernardi

Georgiou*
Hanson
Leyonhjelm
McGrath
O’Sullivan

NOES, 38

Senators—

Bushby
Canavan
Carr
Cash
Chisholm
Colbeck
Collins
Di Natale
Dodson
Duniam

Faruqi
Fieravanti-Wells
Gallacher
Gichuhi
Griff
Hanson-Young
Keneally
Kitching
McCarthy
McKim

Molan
O’Neill
Patrick
Payne
Polley
Pratt
Reynolds
Rice
Ruston

Siewert
Singh
Smith, Dean
Steele-John
Sterle
Urquhart*
Waters
Watt
Whish-Wilson

* Tellers

Question negatived.
Leave refused: The Leader of the Australian Greens (Senator Di Natale) sought leave to make a statement relating to the motion. An objection was raised and leave was not granted.

25 **Immigration policy**

Motion determined as not formal: Senator Anning requested that general business notice of motion no. 1162 standing in his name for today, relating to immigration policy, be taken as formal. An objection was raised and the motion was not proceeded with as a formal motion.

26 **Australian flag**

Senator Anning, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1161—That the Senate—

(a) encourages the flying of the Australian flag by Australian citizens;
(b) recognises the offence caused to the community when the Australian flag is disrespected; and
(c) calls on the Federal Government to legislate to protect the Australian national flag by prohibiting the:
   (i) burning, or otherwise damaging or destroying, of an Australian flag, and
   (ii) defacing, defiling, mutilating, trampling upon, or otherwise desecrating or dishonouring, of an Australian flag.

Leave refused: Senator Chisholm sought leave to make a statement relating to the motion. An objection was raised and leave was not granted.

Statement by leave: The Assistant Minister for International Development and the Pacific (Senator Ruston), by leave, made a statement relating to the motion.

The question was divided at the request of Senator Ruston—

Question—That paragraphs (a) and (b) of the motion be agreed to—put and passed.

Question—That paragraph (c) of the motion be agreed to—put and negatived.

27 **Anti-Poverty Week**

Senator Siewert amended general business notice of motion no. 1163 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

(a) notes that:
   (i) Anti-Poverty Week was from 14 to 20 October 2018,
   (ii) in Australia, which is ranked as the second wealthiest country in the world, there are currently 3 million people living in poverty, including 739,000 children,
   (iii) Australia has no poverty reduction plan, and despite economic growth, poverty levels have remained entrenched at a high level,
   (iv) Newstart and Youth Allowance have not had an increase in real terms since 1994, and
   (v) the poverty rate for sole parents rose from 35% in 2013 to 59% in 2015, and rates of poverty for sole parents remain high;
(b) calls on the Federal Government to abandon their punitive approach to social policy and the demonisation of those accessing the social safety net, and acknowledge that the current rate of Newstart is too low and is a barrier to people participating in the workforce; and

(c) calls on the Federal Government to increase Newstart and Youth Allowance by $75 a week.

Statements by leave: The Assistant Minister for International Development and the Pacific (Senator Ruston) and Senator Chisholm, by leave, made statements relating to the motion.

The question was divided at the request of Senator Chisholm—

Question—That paragraphs (a) and (b) of the motion be agreed to—put.

The Senate divided—

AYES, 29

Senators—

Carr
Chisholm
Collins
Di Natale
Faruqi
Gallacher
Griff
Hanson-Young

Hinch
Keneally
Ketter
Kitching
McCarthy
McKim
O’Neill

Patrick
Polley
Pratt
Rice
Siewert
Singh
Smith, David

Steele-John
Sterle
Storer
Waters
Urqhart*
Watt
Whish-Wilson

NOES, 23

Senators—

Abetz
Anning
Bernardi
Bushby*
Canavan
Cash
Colbeck
Duniam
Fawcett
Ferravanti-Wells
Hume
Leyonhjelm

McGrath
McKenzie
Molan
O’Sullivan
Payne
Reynolds

Ruston
Scullion
Scullion
Stoker
Williams

* Tellers

Question agreed to.

Question—That paragraph (c) of the motion be agreed to—put.

The Senate divided—

AYES, 13

Senators—

Di Natale
Faruqi
Griff
Hanson-Young

Hinch
McKim
Patrick

Rice*
Siewert*
Steele-John

Storer
Waters
Whish-Wilson

NOES, 32

Senators—

Anning
Bushby
Canavan
Carr
Chisholm
Colbeck
Collins
Duniam
Ferravanti-Wells
Gallacher
Hume
Keneally
Ketter
Kitching
Leyonhjelm
McCarthy

McGrath
McKenzie
Molan
O’Neill
Polley
Pratt
Reynolds
Ruston

Scullion
Singh
Smith, David
Smith, Dean
Sterle
Stoker
Watt*
Williams

* Tellers

Question negatived.
Discussion of matter of public importance—Hospitals

The Acting Deputy President (Senator Duniam) informed the Senate that the following matter of public importance submitted by the Leader of the Opposition in the Senate (Senator Wong) under standing order 75 had been selected for discussion today:

A plan to fix Australia’s hospitals, including more investment in beds, doctors and nurses; ending the Medicare freeze; and providing new MRI machines across Australia.

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

Documents—Consideration

Documents tabled earlier today (see entry no. 2) were considered as follows:

Motion to take note of document no. 9 moved by Senator Ketter. Consideration to resume on Thursday at general business.

Motion to take note of documents nos 7, 20 and 23 moved by Senator Siewert. Consideration to resume on Thursday at general business.

Motion to take note of documents nos 21, 29, 46, 49, 50, 67 to 69 and 92 moved by Senator Urquhart. Consideration to resume on Thursday at general business.

Senator McKim moved—That the Senate take note of document no. 84.

At 6.10 pm: Pursuant to order, debate was interrupted while Senator McKim was speaking.

Social Security (Administration) Act—Instruments—Proposed disallowance

Senator Siewert, pursuant to notice, moved the following business of the Senate notices of motion together—


Debate ensued.

Question—That business of the Senate notice of motion no. 1 be agreed to—put.

The Senate divided—

AYES, 28

Senators—

<table>
<thead>
<tr>
<th>Cameron</th>
<th>Gallacher</th>
<th>McKim</th>
<th>Smith, David</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carr</td>
<td>Hanson-Young</td>
<td>O’Neill</td>
<td>Steele-John</td>
</tr>
<tr>
<td>Chisholm</td>
<td>Keneally</td>
<td>Polley</td>
<td>Sterle</td>
</tr>
<tr>
<td>Di Natale</td>
<td>Ketter</td>
<td>Pratt</td>
<td>Storer</td>
</tr>
<tr>
<td>Dodson</td>
<td>Kitching</td>
<td>Rice</td>
<td>Waters</td>
</tr>
<tr>
<td>Farrell</td>
<td>Lines</td>
<td>Siewert</td>
<td>Watt*</td>
</tr>
<tr>
<td>Faruqi</td>
<td>McCarthy</td>
<td>Singh</td>
<td>Whish-Wilson</td>
</tr>
</tbody>
</table>
Question negatived.

Question—That business of the Senate notice of motion no. 2 be agreed to—put.

The Senate divided—

AYES, 28

Senators—

Cameron Gallacher McKim Smith, David
Carr Hanson-Young O’Neill Steele-John
Chisholm Keneally Polley Sterle
Di Natale Ketter Pratt Storer
Dodson Kitching Rice Waters
Farrell Lines Siewert Watt*
Faruqi McCarthy Singh Whish-Wilson

NOES, 32

Senators—

Abetz Colbeck Hanson Payne
Anning Cormann Hinch Reynolds
Bernardi Duniam Hume Ruston
Brockman Fierravanti-Wells Leyonhjelm Ryan
Burston Fifield McGrath Scullion
Bushby Georgiou Molan Smith, Dean*
Canavan Gichuhi O’Sullivan Stoker
Cash Griff Patrick Williams

* Tellers

Question negatived.

Question—That business of the Senate notice of motion no. 3 be agreed to—put and negatived.

31 Notice

Senator Faruqi, by leave, gave a notice of motion as follows: To move on 15 November 2018—That the following bill be introduced: A Bill for an Act to amend the Australian Research Council Act 2001, and for related purposes. Australian Research Council Amendment (Ensuring Research Independence) Bill 2018. (general business notice of motion no. 1190)

32 Documents—Consideration

Consideration resumed of the documents tabled earlier today:

Debate resumed on the motion of Senator McKim to take note of document no. 84. Consideration to resume on Thursday at general business.

Motion to take note of documents nos 99, 113, 117, 121, 129, 138 and 139 moved by Senator Watt. Consideration to resume on Thursday at general business.
33 **Veterans and their families—Ministerial statement—Document**

The Assistant Minister for International Development and the Pacific (Senator Ruston) tabled the following document:

Veterans and their families—Ministerial statement by the Minister for Veterans' Affairs (Mr Chester), dated 24 October 2018.

34 **Committee membership**

The President informed the Senate that the President had received a letter nominating senators to be members of a committee.


Question put and passed.

35 **Treasury Laws Amendment (Making Sure Every State and Territory Gets Their Fair Share of GST) Bill 2018**

A message from the House of Representatives was reported transmitting for the concurrence of the Senate the following bill:


The Minister for Finance and the Public Service (Senator Cormann) 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 Cormann moved—That this bill be now read a second time.

*Documents:* Senator Cormann tabled the following documents:

Letters [8] from the Treasurer (Mr Frydenberg) to Treasurers for each of the states and territories.

On the motion of Senator Cormann the debate was adjourned and the resumption of the debate made an order of the day for a later hour.

36 **Defence Amendment (Call Out of the Australian Defence Force) Bill 2018**

A message from the House of Representatives was reported transmitting for the concurrence of the Senate the following bill:

Message no. 500, dated 23 October 2018—A Bill for an Act to amend the Defence Act 1903, and for related purposes.

The Assistant Minister for International Development and the Pacific (Senator Ruston) 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 Ruston moved—That this bill be now read a second time.

On the motion of Senator Ruston the debate was adjourned and the resumption of the debate made an order of the day for a later hour.
Aboriginal and Torres Strait Islander Land and Sea Future Fund Bill 2018
Aboriginal and Torres Strait Islander Land and Sea Future Fund (Consequential Amendments) Bill 2018

Messages from the House of Representatives were reported transmitting for the concurrence of the Senate the following bills:

  Message no. 506, dated 8 November 2018—A Bill for an Act to establish the Aboriginal and Torres Strait Islander Land and Sea Future Fund, and for other purposes.
  Message no. 507, dated 8 November 2018—A Bill for an Act to deal with consequential matters arising from the enactment of the Aboriginal and Torres Strait Islander Land and Sea Future Fund Act 2018, and for other purposes.

The Assistant Minister for International Development and the Pacific (Senator Ruston) moved—that these bills may proceed without formalities, may be taken together and be now read a first time.

Question put and passed.

Bills read a first time.

Senator Ruston moved—that these bills be now read a second time.


On the motion of Senator Ruston the debate was adjourned till the next day of sitting.

Aboriginal and Torres Strait Islander Amendment (Indigenous Land Corporation) Bill 2018
Aviation Transport Security Amendment Bill 2018
Copyright Amendment (Online Infringement) Bill 2018
Corporations Amendment (Strengthening Protections for Employee Entitlements) Bill 2018
National Housing Finance and Investment Corporation Amendment Bill 2018
Shipping Registration Amendment Bill 2018

Messages from the House of Representatives were reported transmitting for the concurrence of the Senate the following bills:

  Message no. 508, dated 8 November 2018—A Bill for an Act to extend the functions of the Indigenous Land Corporation to rights in relation to water, and for related purposes.
  Message no. 504, dated 25 October 2018—A Bill for an Act to amend the Copyright Act 1968, and for related purposes.
  Message no. 502, dated 25 October 2018—A Bill for an Act to amend the law relating to protecting employee entitlements, and for related purposes.
The Assistant Minister for International Development and the Pacific (Senator Ruston) moved—That these bills may proceed without formalities, may be taken together and be now read a first time.

Question put and passed.

Bills read a first time.

Senator Ruston moved—That these bills be now read a second time.

Explanatory memorandum: Senator Ruston tabled a revised explanatory memorandum relating to the Aboriginal and Torres Strait Islander Amendment (Indigenous Land Corporation) Bill 2018.

On the motion of Senator Ruston the debate was adjourned till the next day of sitting.

Consideration of legislation: Senator Ruston moved—That the bills be listed on the Notice Paper as separate orders of the day.

Question put and passed.

39 Royal Commission into Institutional Responses to Child Sexual Abuse—Joint Select Committee—Extension of time to report

A message from the House of Representatives was reported as follows:

Message no. 498, dated 23 October 2018—Agreeing to the Senate resolution relating to an extension of time, to the second last sitting day of March 2019, for the Joint Select Committee on oversight of the implementation of redress related recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse to present its report.

40 Governor-General’s messages—Assent to laws

Messages from His Excellency the Governor-General were reported, informing the Senate that he had assented to the following laws:

19 October 2018—Message no. 54—

Customs Amendment (Comprehensive and Progressive Agreement for Trans-Pacific Partnership Implementation) Act 2018 (Act no. 127, 2018)

Customs Tariff Amendment (Comprehensive and Progressive Agreement for Trans-Pacific Partnership Implementation) Act 2018 (Act no. 128, 2018)


25 October 2018—Messages nos—


56—

Customs Amendment (Collecting Tobacco Duties at the Border) Act 2018 (Act no. 131, 2018)


Treasury Laws Amendment (Gift Cards) Act 2018 (Act no. 133, 2018)


41 **Finance and Public Administration Legislation Committee—Report—Intelligence Services Amendment (Enhanced Parliamentary Oversight of Intelligence Agencies) Bill 2018**

Pursuant to order, Senator Hume, at the request of the Chair of the Finance and Public Administration Legislation Committee (Senator Paterson), tabled the following report and documents:


42 **National Apology to Victims and Survivors of Institutional Child Sexual Abuse**

Order read for the adjourned debate on the motion of the Minister for Finance and the Public Service (Senator Cormann) (see entry no. 7).

Debate resumed.

The motion was supported and all senators present joined in a moment of silence—Question passed.

43 **Treasury Laws Amendment (Making Sure Every State and Territory Gets Their Fair Share of GST) Bill 2018**

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

Debate resumed.

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

44 **Adjournment**

The Acting Deputy President (Senator Bernardi) proposed the question—That the Senate do now adjourn.

Debate ensued.

The Senate adjourned at 10.16 pm till Tuesday, 13 November 2018 at midday.

45 **Attendance**


**RICHARD PYE**

Clerk of the Senate

Published by authority of the Senate