2013-14

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 61

TUESDAY, 28 OCTOBER 2014

Contents

1 Meeting of Senate ................................................................. 1619
2 Documents.............................................................................. 1619
3 Committees—Leave to Meet During Sittings............................ 1625
4 Counter-Terrorism Legislation Amendment (Foreign Fighters) Bill 2014 ...... 1625
5 Questions................................................................................. 1625
6 Motions to Take Note of Answers............................................ 1625
7 Notices..................................................................................... 1626
8 Leave of Absence...................................................................... 1628
9 Private Senators’ Bills—Consideration....................................... 1628
10 Postponement ......................................................................... 1628
11 Committees—Extensions of Time to Report ................................. 1628
12 Foreign Affairs, Defence and Trade References Committee—Reference ...... 1629
13 Consideration of Legislation—Order of the Day Discharged .............. 1629
14 Days of Meeting....................................................................... 1629
15 Women—International Day of the Girl Child................................ 1630
16 Hours of Meeting and Routine of Business—Variation ..................... 1631
17 Corporations Amendment (Publish What You Pay) Bill 2014............... 1631
18 Foreign Affairs, Defence and Trade—Joint Standing Committee—Leave to
   Meet During Sittings .................................................................. 1632
19 Postponement ......................................................................... 1633
20 Immigration—Asylum Seekers—Mr Zainullah Naseri.......................... 1633
21 Industry—Black Coal Industry—Economic Benefits.......................... 1634
22 Administration—Future Fund—Risks Posed by Climate Change—Order for
   Production of Document ................................................................ 1634
23 Primary Industries—Biosecurity Operations .................................... 1634
24 Discussion of Matter of Public Importance—Administration—Abbott
   Government—Election Commitments ......................................... 1635
25 Documents—Consideration........................................................ 1635
26 Committee Reports and Government Responses—Tabling and
   Consideration Pursuant to Standing Order 62(4) ......................... 1635
27 Administration—Deregulation—Spring Repeal Day—Ministerial Statement—Document ................................................................. 1637
29 Defence—Military Service—Effects of Military Service on Veterans and Their Families—Ministerial Statement—Document ................. 1637
30 Committee Membership .......................................................................................................................................................... 1637
31 Migration Amendment (Character and General Visa Cancellation) Bill 2014 Rural Research and Development Legislation Amendment Bill 2014 ................................................................. 1638
32 Migration and Maritime Powers Legislation Amendment (Resolving the Asylum Legacy Caseload) Bill 2014 ................................................................. 1638
33 Albury-Wodonga Development Corporation (Abolition) Bill 2014 Australian Education Amendment Bill 2014 Dental Benefits Legislation Amendment Bill 2014 Social Services and Other Legislation Amendment (2014 Budget Measures No. 4) Bill 2014 Social Services and Other Legislation Amendment (Seniors Supplement Cessation) Bill 2014 Social Services and Other Legislation Amendment (Student Measures) Bill 2014 ......................................................................................................................................................... 1639
34 Aged Care and Other Legislation Amendment Bill 2014 Health and Other Services (Compensation) Care Charges (Amendment) Bill 2014 ......................................................................................................................................................... 1639
35 Committee Membership .......................................................................................................................................................... 1640
36 Governor-General’s Messages—Assent to Laws .......................................................................................................................... 1640
37 Community Affairs Legislation Committee—Report—Australian Sports Anti-Doping Authority Amendment Bill 2014 ......................................................................................... 1641
38 Education and Employment Legislation Committee—Report—Higher Education and Research Reform Amendment Bill 2014 .......................................................................................... 1641
40 Counter-Terrorism Legislation Amendment (Foreign Fighters) Bill 2014 ......................................................................................... 1641
41 Adjournment ............................................................................................................................................................................. 1647
42 Attendance ................................................................................................................................................................................. 1647
1 **MEETING OF SENATE**

The Senate met at 12.30 pm. The President (Senator the Honourable Stephen Parry) took the chair, read prayers and made an acknowledgement of country.

2 **DOCUMENTS**

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

- Australian Aged Care Quality Agency—Report for the period 1 January to 30 June 2014, including financial statements for the Aged Care Standards and Accreditation Agency Limited for the period 1 July to 31 December 2013.
- Australian Film, Television and Radio School (AFTRS)—Report for 2013-14.
- Australian Rail Track Corporation Limited (ARTC)—Report for 2013-14.
- Department of Health—Report for 2013-14 (2 volumes), including the Pharmaceutical Benefits Advisory Committee annual report on processes, and financial statements for the Therapeutic Goods Administration.
- Department of Industry—Report for 2013-14, including reports of Geoscience Australia and IP Australia.

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

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

- **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 2010-11.
- **Agricultural and Veterinary Chemicals Code Act 1994**—Agricultural and Veterinary Chemicals Code Instrument No. 4 (MRL Standard) Amendment Instrument 2014 (No. 9) [F2014L01355].
- **Australian Bureau of Statistics Act 1975**—
Austrian Communications and Media Authority Act 2005—Australian Communications and Media Authority (3.5 GHz frequency band) Direction 2014 [F2014L01399].

Australian National University Act 1991—
Academic Board and Committees Statute 2014 [F2014L01340].
Programs and Awards Statute 2013—Honorary Degrees Rules 2014 [F2014L01341].
Staff Superannuation (Repeal) Statute 2014 [F2014L01337].
Superannuation Funds (Investment and Management) (Repeal) Statute 2014 [F2014L01338].


Banking Act 1959—
Banking exemption No. 2 of 2014 [F2014L01401].
Banking exemption No. 3 of 2014 [F2014L01402].


Civil Aviation Act 1988—Civil Aviation Safety Regulations 1998—
Approval — to conduct flight tests for a training endorsement mentioned in Table 61.1235 of CASR 1998—CASA 255/14 [F2014L01350].
Exemption — Employment of part-time check pilots (Capiteq Limited)—CASA EX116/14 [F2014L01313].
Exemption — from requirement to register an emergency locator transmitter with the Australian Maritime Safety Authority—CASA EX123/14 [F2014L01369].
Hub Cracking—AD/PHS/18 Amdt 4 [F2014L01324].
Part 145 Manual of Standards Amendment Instrument 2014 (No. 1) [F2014L01316].
Repeal — exemption from standard take-off and landing minima (Air New Zealand)—CASA EX129/14 [F2014L01370].


Commissioner of Taxation—Public Rulings—
Class Rulings—
Addendum—CR 2009/78.
Notice of Withdrawal—CR 2013/65.
Excise Ruling—Addendum—ER 2012/1.
Goods and Services Tax Advice—Notice of Withdrawal—GSTA TPP 032.
Goods and Services Tax Determination—Addendum—GSTD 2013/1.
Goods and Services Tax Rulings—
Addenda—GSTR 2000/19 and GSTR 2001/1.
GSTR 2014/1.
Product Rulings—
Addenda—PR 2008/23 and PR 2013/16.
PR 2014/17.
Taxation Determination—Notice of Withdrawal—TD 2012/19.
Corporations (Aboriginal and Torres Strait Islander) Act 2006—Corporations (Aboriginal and Torres Strait Islander) Determination 1/2014 [F2014L01315].
Corporations Act 2001—ASIC Class Orders—
CO 14/827 [F2014L01345].
CO 14/829 [F2014L01347].
Currency Act 1965—
Currency (Perth Mint) Determination 2014 (No. 4) [F2014L01317].
Currency (Royal Australian Mint) Determination 2014 (No. 6) [F2014L01333].
Defence Act 1903—
Section 58B—
Deliberately differentiated offer for members—Defence Determination 2014/51.
Foreign language training—Defence Determination 2014/50.
National ADF Family Health Program—Defence Determination 2014/49.
Post indexes and hardship allowance—amendment—Defence Determination 2014/52.
Woomera Prohibited Area Rule 2014—
Determination of an Exclusion Period for the Green Zone [F2014L01403].
Determination of Exclusion Periods for Amber Zone 1 and Amber Zone 2 for Financial Year 2014-2015 [F2014L01354].
Suspension of Standing Permission in the Woomera Prohibited Area [F2014L01404].
Diplomatic Privileges and Immunities Act 1967—Diplomatic Privileges and Immunities (Indirect Tax Concession Scheme) Amendment Determination 2014 (No. 1) [F2014L01394].
Environment Protection and Biodiversity Conservation Act 1999—
Section 269A—Instrument Adopting and Revoking Recovery Plans (WA) (21 October 2014) [F2014L01397].
Terms of Reference for the Expert Panel on a Declared Commercial Fishing Activity (2 September 2014).
Fair Work Act 2009—Direction to Inspectors (1 October 2014) [F2014L01374].

Fisheries Management Act 1991—


Health Insurance Act 1973—
Health Insurance (Diagnostic Imaging Services Table) Regulation 2014—Select Legislative Instrument 2014 No. 148 [F2014L01362].
Health Insurance Legislation Amendment (General Medical Services Table and Other Measures) Regulation 2014—Select Legislative Instrument 2014 No. 149 [F2014L01360].
Health Insurance (Pathology Services Table) Regulation 2014—Select Legislative Instrument 2014 No. 150 [F2014L01367].


Higher Education Support Act 2003—VET Provider Approvals—
No. 58 of 2014 [F2014L01357].
No. 59 of 2014 [F2014L01366].
No. 60 of 2014 [F2014L01351].
No. 62 of 2014 [F2014L01352].


Land Transport Infrastructure Amendment Act 2014—Land Transport Infrastructure Amendment Commencement Proclamation 2014 [F2014L01325].

Lands Acquisition Act 1989—Statement describing property acquired by agreement for specified purposes.


Migration Act 1958—
Migration Amendment (Bridging Visas) Regulation 2014—Select Legislative Instrument 2014 No. 144 [F2014L01321].
Migration Amendment (Temporary Graduate Visas) Regulation 2014—Select Legislative Instrument 2014 No. 145 [F2014L01320].

Migration Regulations 1994—
Access to Movement Records—IMMI 14/058 [F2014L01314].
Class of Passports—IMMI 14/073 [F2014L01319].
Transit Passengers who are Eligible for a Special Purpose Visa—IMMI 14/090 [F2014L01322].
Visas attracting a Subsequent Temporary Application Charge—IMMI 14/091 [F2014L01335].


National Health Act 1953—
National Health Determination under paragraph 98C(1)(b) Amendment 2014 (No. 10)—PB 83 of 2014 [F2014L01393].
National Health (Paperless Prescribing, Dispensing and Claiming Trial) Special Arrangement 2014—PB 71 of 2014 [F2014L01336].

National Land Transport Act 2014—
Roads to Recovery Funding Conditions 2014 [F2014L01359].
Roads to Recovery List 2014 [F2014L01318].

National Vocational Education and Training Regulator Act 2011—
Standards for Registered Training Organisations (RTOs) 2015 [F2014L01377].
Standards for VET Regulators 2015 [F2014L01375].


Advice of decision to pay assistance—21 October 2014.
Consolidated statement of expenditure—16 October 2014.


Radiocommunications Act 1992—Radiocommunications (Field Trial by Corrective Services NSW of PMTS Jamming Devices at Lithgow Correctional Centre) Exemption Determination 2014 [F2014L01398].
Remuneration Tribunal Act 1973—
Telecommunications Act 1997—Telecommunications Service Provider (Mobile Premium Services) Amendment Determination 2014 (No. 1) [F2014L01396].
Veterans’ Entitlements Act 1986—
Statement of Principles concerning anxiety disorder—
No. 102 of 2014 [F2014L01389].
No. 103 of 2014 [F2014L01390].
Statement of Principles concerning leptospirosis—
No. 94 of 2014 [F2014L01385].
No. 95 of 2014 [F2014L01386].
Statement of Principles concerning malignant neoplasm of the breast—
No. 96 of 2014 [F2014L01383].
No. 97 of 2014 [F2014L01387].
Statement of Principles concerning malignant neoplasm of the lung—
No. 92 of 2014 [F2014L01382].
No. 93 of 2014 [F2014L01384].
Statement of Principles concerning osteomyelitis—
No. 90 of 2014 [F2014L01380].
No. 91 of 2014 [F2014L01381].
Statement of Principles concerning osteoporosis—
No. 98 of 2014 [F2014L01388].
No. 99 of 2014 [F2014L01391].
Statement of Principles concerning rotator cuff syndrome—
No. 100 of 2014 [F2014L01376].
No. 101 of 2014 [F2014L01379].
Committees—Leave to Meet During Sittings

Committees were authorised to meet during the sittings of the Senate, as follows:

- Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples—Joint Select Committee—private briefing on Wednesday, 29 October 2014, from 10 am.
- Electoral Matters—Joint Standing Committee—public meeting on Wednesday, 29 October 2014, from 9.40 am to 11 am, to take evidence for the committee’s inquiry into the 2013 federal election.
- Foreign Affairs, Defence and Trade—Joint Standing Committee—public meetings today—
  - From 12.45 pm to 2 pm, to take evidence for the committee’s inquiry into human rights issues confronting women and girls in the Indian Ocean – Asia Pacific region.
  - From 5.30 pm to 6.30 pm, to take evidence for the committee’s inquiry into Government support for Australia’s Defence industry exports.

Foreign Affairs, Defence and Trade References Committee—private meeting otherwise than in accordance with standing order 33(1) today, from 12.35 pm, for the committee’s inquiries into illegal fishing, and into abuse in Defence.

Counter-Terrorism Legislation Amendment (Foreign Fighters) Bill 2014

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

Debate resumed.

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

Questions

A question without notice was answered.

Leave refused: The Leader of the Opposition in the Senate (Senator Wong) sought leave to table a document.

An objection was raised and leave was not granted.
Further questions without notice were answered.

Motions to Take Note of Answers

The Leader of the Opposition in the Senate (Senator Wong) moved—That the Senate take note of the answers given by the Minister for Defence (Senator Johnston) to questions without notice asked by Senators Wong and Conroy today relating to the manufacture of the next fleet of Australian submarines.

Debate ensued.

Question put and passed.
Senator Rice moved—That the Senate take note of the answer given by the Minister for Defence (Senator Johnston) to a question without notice asked by Senator Rice today relating to the East West Link.

Question put and passed.

7 Notices

Senators Hanson-Young and Di Natale: To move on the next day of sitting—That there be laid on the table by the Assistant Minister for Immigration and Border Protection, no later than 3 pm on 30 October 2014, a copy of the advice which informed the Minister for Immigration and Border Protection’s decision to suspend the humanitarian intake from Ebola-affected countries, in particular Liberia, Sierra Leone and Guinea. (general business notice of motion no. 484)

Senator O’Sullivan: To move on the next day of sitting—That the Senate notes the biggest reduction in energy costs ever recorded and continues to support initiatives that will bring downward pressure on the cost of energy to all Australians. (general business notice of motion no. 485)

The Attorney-General (Senator Brandis): To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the law relating to counter-terrorism, and for related purposes. Counter-Terrorism Legislation Amendment Bill (No. 1) 2014.

The Attorney-General (Senator Brandis): To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend various Acts relating to law and justice, and for related purposes. Civil Law and Justice Legislation Amendment Bill 2014.

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

(a) notes:

(i) the significant impact of the International Day of the Girl Child, on 11 October, in promoting girls’ rights and women’s empowerment, bringing attention to gender-based discrimination, inequity and abuse suffered by girls globally, and

(ii) that Plan International and its parliamentary delegates are calling for cross-party support for the seven goals in relation to the post-2015 development agenda contained within Plan International’s 2014 Girls Call to Action:

1. Ensure girls in Australia and around the world have access to inclusive and quality education and life-long learning opportunities

2. End harmful practices such as child marriage, child labour and human trafficking

3. Provide accessible health care and protect the sexual and reproductive rights of girls and young women

4. Ensure women have the same access to employment opportunities as their male counterparts and encourage young women to participate fully in the workforce

5. Eliminate gender-based violence and improve safety to ensure that girls are protected from harm

6. Ensure young women and girls live in an environment that supports a healthy lifestyle and have access to clean water, clean land and clean air
7. Achieve gender equality, the full realisation of women’s and girls’ human rights and the empowerment of all women and girls worldwide; and
(b) calls on all parties and parliamentarians to consider how they can support these goals and work towards gender equality in Australia and around the world.
(General business notice of motion no. 486)

Senators Bilyk, Ryan and Di Natale: To move on the next day of sitting—That the Senate notes that:
(a) 26 October to 1 November 2014 marks International Brain Tumour Awareness Week and, in doing so, acknowledges the impact brain tumours have on patients, their families and the community;
(b) statistics show that:
(i) in 2014, about 1 785 Australians (1 060 men and 725 women) are expected to be diagnosed with brain cancer, with 130 new cases a year among young people 0-24 years old,
(ii) brain cancer is the leading cause of cancer death in people under the age of 40, and
(iii) between 2006 and 2010, people with a brain cancer had just a 22 per cent chance of surviving for at least 5 years; and
(c) approximately 2 000 benign brain tumours are also diagnosed each year in Australia, and that these may cause permanent disability or death.
(General business notice of motion no. 487)

Senator Rhiannon: To move on the next day of sitting—That the Senate—
(a) notes that:
(i) the Sunswift University of New South Wales Solar Racing Team was recently confirmed by the Fédération Internationale de l’Automobile to have broken the world speed record for electric vehicles, averaging more than 100 km/hr over 500 km on a single battery charge,
(ii) the team is in the process of making their vehicle road registrable, which will be a good proof of concept for solar vehicles and inspire the young engineers of the future, and
(iii) projects like these are only possible with federal research funding that prioritises clean, renewable technologies;
(b) congratulates the Sunswift team on their achievements; and
(c) calls on the Government to reverse its cuts to federal research funding and prioritise funding for the development of clean, renewable technologies.
(General business notice of motion no. 488)

Senator Whish-Wilson: To move on the next day of sitting—That the Senate—
(a) notes members of the:
(i) Australian Parliament will only be allowed to see the final text of the Trans-Pacific Partnership Agreement (the Agreement) once it has been signed,
(ii) United States of America Congress are allowed access to the Agreement draft text, and
(iii) Malaysian Parliament will be shown the draft text prior to Malaysia signing the Agreement; and
calls on the Minister for Trade and Investment and the Department of Foreign Affairs and Trade to allow members of Parliament access to the Agreement draft text. (general business notice of motion no. 489)

Senator Conroy: To move on the next day of sitting—That there be laid on the table by the Minister for Finance (Senator Cormann), and the Minister representing the Minister for Communications (Senator Fifield), by 3.30 pm on Monday, 24 November 2014, a copy of the NBN Co Corporate Plan 2014-17, prepared by NBN Co under section 95 of the Public Governance, Performance and Accountability Act 2013 and in accordance with the Government’s Statement of Expectations. (general business notice of motion no. 490)

Notice of motion withdrawn: Senator Wright withdrew general business notice of motion no. 472 standing in her name for today, relating to the South Australian renewable energy industry.

8 LEAVE OF ABSENCE

Senator Bushby, by leave, moved—That leave of absence be granted to Senator Leyonhjelm for 27 October 2014, for personal reasons.

Question put and passed.

Senator McEwen, by leave, moved—That leave of absence be granted to Senator Ludwig from 27 to 30 October 2014, for personal reasons.

Question put and passed.

9 PRIVATE SENATORS’ BILLS—CONSIDERATION

The Assistant Minister for Social Services (Senator Fifield) moved—That the following general business orders of the day be considered on Thursday, 30 October 2014 under the temporary order relating to the consideration of private senators’ bills:

No. 23  Trade and Foreign Investment (Protecting the Public Interest) Bill 2014.

No. 1  National Integrity Commission Bill 2013.

Question put and passed.

10 POSTPONEMENT

Business was postponed as follows:

General business notice of motion no. 474 standing in the name of Senator Siewert for today, proposing the introduction of the Social Security and Other Legislation Amendment (Caring for Single Parents) Bill 2014, postponed till 29 October 2014.

11 COMMITTEES—EXTENSIONS OF TIME TO REPORT

The following committees were granted extensions of time to report:

Economics References Committee—Retail leasing, extended to the eighth sitting day in 2015.

Environment and Communications References Committee—National Landcare Program, extended to 26 November 2014.

Legal and Constitutional Affairs Legislation Committee—

Exposure draft of the Medical Services (Dying with Dignity) Bill 2014, extended to 10 November 2014.
Migration Amendment (Protecting Babies Born in Australia) Bill 2014, extended to 10 February 2015.

Legal and Constitutional Affairs References Committee—Manus Island Detention Centre, extended to 3 December 2014.

12 FOREIGN AFFAIRS, DEFENCE AND TRADE REFERENCES COMMITTEE—REFERENCE

The Chair of the Foreign Affairs, Defence and Trade References Committee (Senator Gallacher), pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 1—That the following matter be referred to the Foreign Affairs, Defence and Trade References Committee for inquiry and report by the last sitting day in June 2015:

The potential use by the Australian Defence Force of unmanned air, maritime and land platforms, with particular reference to:

(a) their role in intelligence, reconnaissance and surveillance operations, including in support of border security, civil emergencies and regional cooperation;
(b) their cost- and combat-effectiveness in relation to conventional military platforms;
(c) the Government’s force structure review and defence capability plan;
(d) challenges, opportunities and risks associated with their deployment;
(e) domestic and international legal, ethical and policy considerations;
(f) research and development capabilities and Australia’s industrial expertise;
(g) transport, health and air safety implications; and
(h) other related matters.

Question put and passed.

13 CONSIDERATION OF LEGISLATION—ORDER OF THE DAY DISCHARGED

The Assistant Minister for Social Services (Senator Fifield), pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 1—That the government business order of the day relating to the Social Services and Other Legislation Amendment (2014 Budget Measures No. 1) Bill 2014 and the Social Services and Other Legislation Amendment (2014 Budget Measures No. 2) Bill 2014 be discharged from the Notice Paper.

Statements by leave: Senators Moore, Fifield and Siewert, by leave, made statements relating to the motion.

Question put and passed.

14 DAYS OF MEETING

The Assistant Minister for Social Services (Senator Fifield), at the request of the Minister for Employment (Senator Abetz) and pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 2—That the days of meeting of the Senate for 2015 be as follows:

**Autumn sittings:**
- Monday, 9 February to Thursday, 12 February
- Monday, 2 March to Thursday, 5 March
- Monday, 16 March to Thursday, 19 March
- Monday, 23 March to Thursday, 26 March

**Budget sittings:**
- Tuesday, 12 May to Thursday, 14 May
Winter sittings:
   Monday, 15 June to Thursday, 18 June
   Monday, 22 June to Thursday, 25 June

Spring sittings:
   Monday, 10 August to Thursday, 13 August
   Monday, 17 August to Thursday, 20 August
   Monday, 7 September to Thursday, 10 September
   Monday, 14 September to Thursday, 17 September

Spring sittings (2):
   Monday, 12 October to Thursday, 15 October

Spring sittings (3):
   Monday, 9 November to Thursday, 12 November
   Monday, 23 November to Thursday, 26 November
   Monday, 30 November to Thursday, 3 December.

Statements by leave: Senators Moore and Fifield and the Leader of the Australian Greens (Senator Milne), by leave, made statements relating to the motion.

Question put and passed.

15 WOMEN—INTERNATIONAL DAY OF THE GIRL CHILD
The Minister Assisting the Prime Minister for Women (Senator Cash), pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 3—That the Senate—

(a) notes that:
   (i) the International Day of the Girl Child was celebrated on Saturday, 11 October 2014, presenting an opportunity for all Australians to recognise girls’ rights and the unique challenges girls face around the world,
   (ii) the theme for this year was ‘Empowering Adolescent Girls: Ending the Cycle of Violence’, and
   (iii) empowering and investing in girls is crucial in order to break the cycle of discrimination, violence and inequality suffered by girls around the world; and

(b) acknowledges the Government’s:
   (i) commitment to the National Plan to Reduce Violence Against Women and their Children 2010-2022, and the launch of the Second Action Plan on 27 June 2014, which will assist women to lead happy, productive lives in safe communities,
   (ii) continuing work under the National Action Plan on Women, Peace and Security 2012-2018,
   (iii) commitment to improving women’s economic empowerment and increasing their economic independence and stability through a range of policies and practices,
   (iv) new aid paradigm which sets a target requiring that at least 80 per cent of investments, regardless of their objectives, will effectively address gender issues in their implementation, and
(v) recent aid announcements to support women and girls in conflict zones or other vulnerable security situations, including committing:

(A) a further $2 million to the United Nations Population Fund specifically to support women and girls who have been brutalised by ISIL during this conflict, noting that this support will be for reproductive and other health services and this is in addition to the $5 million in humanitarian support that Australia has already provided to Iraq; and

(B) an additional $12.4 million to support women and their children subjected to violence in Afghanistan and Pakistan, bringing Australia’s total contribution to ending violence against women and children in Afghanistan and Pakistan to over $30 million since 2013.

Statement by leave: Senator Waters, by leave, made a statement relating to the motion. Question put and passed.

16 **HOURS OF MEETING AND ROUTINE OF BUSINESS—VARIATION**

The Assistant Minister for Social Services (Senator Fifield), pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 4—That—

(a) on Tuesday, 28 October 2014:

(i) the hours of meeting shall be 12.30 pm to 11 pm,

(ii) the question for the adjournment of the Senate shall be proposed at 10 pm,

(iii) the routine of business from not later than 7.20 pm be government business only, and

(iv) consideration of the government business order of the day relating to the Counter-Terrorism Legislation Amendment (Foreign Fighters) Bill 2014 have precedence over all other government business; and

(b) on Wednesday, 29 October 2014:

(i) the Counter-Terrorism Legislation Amendment (Foreign Fighters) Bill 2014 be considered and that the time allotted for all remaining stages be until 12.30 pm, and

(ii) paragraph (b)(i) of this order shall operate as a limitation of debate under standing order 142.

Question put and passed.

17 **CORPORATIONS AMENDMENT (PUBLISH WHAT YOU PAY) BILL 2014**

The Leader of the Australian Greens (Senator Milne), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 480—That the following bill be introduced:

A Bill for an Act to require reporting of certain payments to governments in relation to resource extraction activities, and for related purposes.

Question put and passed.

Senator Milne presented the bill and 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 Milne moved—That this bill be now read a second time.

Explanatory memorandum: Senator Milne, by leave, tabled an explanatory memorandum relating to the bill.

Debate adjourned till the next day of sitting. Senator Milne in continuation.

18 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE—LEAVE TO MEET DURING SITTINGS

Senator Bushby, at the request of Senator Fawcett and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 478—That the Joint Standing Committee on Foreign Affairs, Defence and Trade be authorised to hold public meetings during the sittings of the Senate, as follows:

(a) Wednesday, 29 October 2014, from 11 am to noon, to take evidence for the committee’s inquiry into Australia’s trade and investment relationships with countries of the Middle East;

(b) Wednesday, 29 October 2014, from 1 pm to 2 pm, to take evidence for the committee’s inquiry into the role of the private sector in promoting economic growth and reducing poverty in the Indo-Pacific region;

(c) Thursday, 30 October 2014, from 11 am to 12.30 pm, to take evidence for the committee’s inquiry into human rights issues confronting women and girls in the Indian Ocean – Asia Pacific region;

(d) Monday, 24 November 2014, from 5.30 pm to 6.30 pm, to take evidence for the committee’s inquiry into the role of the private sector in promoting economic growth and reducing poverty in the Indo-Pacific region;

(e) Tuesday, 25 November 2014, from 12.45 pm to 2 pm, to take evidence for the committee’s inquiry into human rights issues confronting women and girls in the Indian Ocean – Asia Pacific region;

(f) Wednesday, 26 November 2014, from 11 am to noon, to take evidence for the committee’s inquiry into Australia’s trade and investment relationships with countries of the Middle East;

(g) Monday, 1 December 2014, from 5.30 pm to 6.30 pm, to take evidence for the committee’s inquiry into the role of the private sector in promoting economic growth and reducing poverty in the Indo-Pacific region;

(h) Tuesday, 2 December 2014, from 12.45 pm to 2 pm, to take evidence for the committee’s inquiry into human rights issues confronting women and girls in the Indian Ocean – Asia Pacific region;

(i) Wednesday, 3 December 2014, from 11 am to noon, to take evidence for the committee’s inquiry into Australia’s trade and investment relationships with countries of the Middle East;

(j) Wednesday, 3 December 2014, from 12.45 pm to 2 pm, to take evidence for the committee’s inquiry into human rights issues confronting women and girls in the Indian Ocean – Asia Pacific region; and

(k) Thursday, 4 December 2014, from 10 am to noon, to take evidence for the committee’s inquiry into human rights issues confronting women and girls in the Indian Ocean – Asia Pacific region.

Question put and passed.
19 POSTPONEMENT
Senator Rhiannon, by leave, moved—That general business notice of motion no. 477 standing in her name for today, relating to public housing, be postponed till the next day of sitting.
Question put and passed.

20 IMMIGRATION—ASYLUM SEEKERS—MR ZAINULLAH NASERI
Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 479—That the Senate—
(a) notes that Mr Zainullah Naseri, a Hazara man and the first Afghan forcibly removed by the Australian Government, was tortured by the Taliban on his return;
(b) agrees that the security situation in Afghanistan is deteriorating and remains extremely dangerous for Hazaras; and
(c) calls on the Government to:
   (i) issue a moratorium on the forced return of asylum seekers back to Afghanistan, and
   (ii) send a contingent of officials to Afghanistan to investigate the security situation there and in the Hazara region of Ghazni and report to Parliament on their return.
Question put.

Statements by leave: The Assistant Minister for Immigration and Border Protection (Senator Cash) and Senators Carr and Hanson-Young, by leave, made statements relating to the motion.
Question put.
The Senate divided—

AYES, 10

Di Natale  Milne  Siewert (Teller)  Whish-Wilson
Hanson-Young  Rhiannon  Waters  Wright
Ludlam  Rice

NOES, 33

Back  Dastyari  McEwen  Peris
Bilyk  Edwards  McGrath  Polley
Bullock  Fifield  McKenzie  Ruston
Bushby (Teller)  Gallagher  McLucas  Singh
Canavan  Ketter  Moore  Sinodinos
Carr  Lanes  O'Neil  Smith
Cash  Marshall  O'Sullivan  Sterle
Colbeck  Mason  Parry  Williams
Collins

Question negatived.
21 INDUSTRY—BLACK COAL INDUSTRY—ECONOMIC BENEFITS

Senator O’Sullivan, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 482—That the Senate acknowledges the massive economic benefits delivered to this nation by the black coal industry and the importance it has for the employment fortunes of miners and other professionals in this nation, noting that Australia should maintain a diverse and sensible energy mix.

Question put.

The Senate divided—

AYES, 30

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NOES, 12

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Question agreed to.

22 ADMINISTRATION—FUTURE FUND—RISKS POSED BY CLIMATE CHANGE—ORDER FOR PRODUCTION OF DOCUMENT

The Leader of the Australian Greens (Senator Milne), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 481—That there be laid on the table by the Minister representing the Treasurer (Senator Cormann), no later than noon on 24 November 2014, a copy of the Future Fund’s analysis of risks posed by climate impacts and ‘unburnable carbon’ to its portfolio, through the Asset Owners Disclosure Project 2014 survey.

Statement by leave: The Assistant Minister for Social Services (Senator Fifield), by leave, made a statement relating to the motion.

Question put and passed.

23 PRIMARY INDUSTRIES—BIOSECURITY OPERATIONS

Senator Siewert, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 483—That the Senate—

(a) notes the importance of well resourced, expert biosecurity operations in protecting Australia’s biosecurity status and agricultural industry; and

(b) calls on the Government to rule out any push to integrate Australia’s biosecurity operations into the new Australian Border Force Agency.

Statement by leave: The Assistant Minister for Social Services (Senator Fifield), by leave, made a statement relating to the motion.

Question put and passed.
24 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—ADMINISTRATION—ABBOTT GOVERNMENT—ELECTION COMMITMENTS**

The President informed the Senate that, at 8.30 am today, two senators each submitted letters in accordance with standing order 75, Senator Siewert proposing a matter of urgency for debate and Senator Moore proposing a matter of public importance for discussion. The question of which proposal would be submitted to the Senate was determined by lot.

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

> The Prime Minister’s pre-election promise there would be ‘no cuts to education, no cuts to health, no change to pensions, no change to the GST and no cuts to the ABC or SBS’.

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

25 **DOCUMENTS—CONSIDERATION**

The documents tabled earlier today *(see entry no. 2)* and general business orders of the day nos 1 to 110 relating to documents were called on but no motion was moved.

26 **COMMITTEE REPORTS AND GOVERNMENT RESPONSES—TABLING AND CONSIDERATION PURSUANT TO STANDING ORDER 62(4)**

Senator O'Sullivan, on behalf of the Parliamentary Standing Committee on Public Works, tabled the following report:


Senator O'Sullivan, on behalf of the Joint Standing Committee on Foreign Affairs, Defence and Trade, tabled the following report:


Senator O'Sullivan moved—that the Senate take note of the report.

Debate adjourned till the next day of sitting, Senator O'Sullivan in continuation.

Senator O'Sullivan, at the request of the Chair of the Community Affairs Legislation Committee (Senator Seselja), tabled the following documents:

Senator Bilyk, on behalf of the Joint Standing Committee on the National Capital and External Territories, tabled the following report:


Senator Bilyk moved—That the Senate take note of the report.
Debate adjourned till the next day of sitting, Senator Bilyk in continuation.

The Chair of the Parliamentary Joint Committee on Human Rights (Senator Smith) tabled the following report:


Report ordered to be printed on the motion of Senator Smith.
Senator Smith moved—That the Senate take note of the report.
Question put and passed.

The Deputy Chair of the Joint Select Committee on Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples (Senator Peris) tabled the following report and documents:

Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples—Joint Select Committee—Progress report, dated October 2014, Hansard record of proceedings, documents presented to the committee, additional information and submissions.

Report ordered to be printed on the motion of Senator Peris.
Senator Peris moved—that the Senate take note of the report.
Debate ensued.
Debate adjourned till the next day of sitting, Senator Siewert in continuation.

The Minister for Indigenous Affairs (Senator Scullion) tabled the following document:


The Minister for Indigenous Affairs (Senator Scullion) tabled the following document:

Orders of the day nos 1 to 4 relating to committee reports and government responses were called on but no motion was moved.

27 **ADMINISTRATION—DEREGULATION—SPRING REPEAL DAY—MINISTERIAL STATEMENT—DOCUMENT**

The Minister for Indigenous Affairs (Senator Scullion) tabled the following document:

Administration—Deregulation—Spring repeal day—Ministerial statement by the Prime Minister (Mr Abbott), dated 22 October 2014.

28 **ADMINISTRATION—CORPORATIONS AMENDMENT (STREAMLINING FUTURE OF FINANCIAL ADVICE) REGULATION 2014—ADVICE—ORDER FOR PRODUCTION OF DOCUMENT—DOCUMENT**

The Minister for Indigenous Affairs (Senator Scullion) tabled the following document:

Administration—Corporations Amendment (Streamlining Future of Financial Advice) Regulation 2014—Advice—Letter to the President of the Senate from the Minister for Finance (Senator Cormann), dated 23 October 2014, responding to the order of the Senate of 2 October 2014 and raising public interest immunity claims.

29 **DEFENCE—MILITARY SERVICE—EFFECTS OF MILITARY SERVICE ON VETERANS AND THEIR FAMILIES—MINISTERIAL STATEMENT—DOCUMENT**

The Minister for Veterans’ Affairs (Senator Ronaldson) tabled the following document:

Defence—Military service—Research into the effects of military service on veterans and their families—Ministerial statement by the Minister for Veterans’ Affairs (Senator Ronaldson), dated 28 October 2014.

Senator Ronaldson, by leave, moved—That the Senate take note of the document.

Debate ensued.

Question put and passed.

30 **COMMITTEE MEMBERSHIP**

The Deputy President (Senator Marshall) informed the Senate that the President had received letters requesting changes in the membership of committees.

The Minister for Indigenous Affairs (Senator Scullion), by leave, moved—That senators be appointed to committees as follows:

**Australia Fund Establishment—Joint Select Committee**—
Appointed—Senator Lazarus

**Community Affairs Legislation and References Committees**—
Appointed—Participating members: Senators Lazarus and Wang

**Economics Legislation and References Committees**—
Appointed—Participating members: Senators Lazarus and Wang

**Education and Employment Legislation and References Committees**—
Appointed—Participating members: Senators Lambie and Lazarus

**Environment and Communications Legislation and References Committees**—
Appointed—Participating members: Senators Lambie, Lazarus and Wang

**Finance and Public Administration Legislation and References Committees**—
Appointed—Participating members: Senators Lambie, Lazarus and Wang
Foreign Affairs, Defence and Trade Legislation Committee—
Appointed—Participating members: Senators Lambie, Lazarus and Wang

Foreign Affairs, Defence and Trade References Committee—
Appointed—Participating members: Senators Lazarus and Wang

Legal and Constitutional Affairs Legislation and References Committees—
Appointed—Participating members: Senators Lambie, Lazarus and Wang

Rural and Regional Affairs and Transport Legislation and References Committees—
Appointed—Participating members: Senators Lambie and Wang.

Question put and passed.

31 MIGRATION AMENDMENT (CHARACTER AND GENERAL VISA CANCELLATION) BILL 2014

RURAL RESEARCH AND DEVELOPMENT LEGISLATION AMENDMENT BILL 2014

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


Message no. 252, dated 27 October 2014—A Bill for an Act to amend legislation relating to research and development for primary industries, and for related purposes.

The Minister for Indigenous Affairs (Senator Scullion) 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 Scullion moved—That these bills be now read a second time.

Consideration of legislation: Pursuant to order, the debate was adjourned and the resumption of the debate made an order of the day for the day fixed for committees to report on the bills, 24 November 2014.

Senator Scullion moved—That the bills be listed on the Notice Paper as separate orders of the day.

Question put and passed.

32 MIGRATION AND MARITIME POWERS LEGISLATION AMENDMENT (RESOLVING THE ASYLUM LEGACY CASELOAD) BILL 2014

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

Message no. 246, dated 23 October 2014—A Bill for an Act to amend the law relating to migration and maritime powers, and for related purposes.

The Assistant Minister for Health (Senator Nash) 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 Nash moved—That this bill be now read a second time.

Consideration of legislation: Pursuant to order, the debate was adjourned and the resumption of the debate made an order of the day for the day fixed for the Legal and Constitutional Affairs Legislation Committee to report on the bill, 27 November 2014.

33 ALBURY-WODONGA DEVELOPMENT CORPORATION (ABOLITION) BILL 2014
AUSTRALIAN EDUCATION AMENDMENT BILL 2014
DENTAL BENEFITS LEGISLATION AMENDMENT BILL 2014
SOCIAL SERVICES AND OTHER LEGISLATION AMENDMENT (2014 BUDGET MEASURES NO. 4) BILL 2014
SOCIAL SERVICES AND OTHER LEGISLATION AMENDMENT (SENIORS SUPPLEMENT CESSATION) BILL 2014
SOCIAL SERVICES AND OTHER LEGISLATION AMENDMENT (STUDENT MEASURES) BILL 2014

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

- Message no. 247, dated 23 October 2014—A Bill for an Act to abolish the Albury-Wodonga Development Corporation, and for related purposes.
- Message no. 241, dated 20 October 2014—A Bill for an Act to amend the Australian Education Act 2013, and for other purposes.
- Message no. 248, dated 23 October 2014—A Bill for an Act to amend legislation in relation to dental benefits, and for other purposes.
- Message no. 244, dated 23 October 2014—A Bill for an Act to amend the law relating to social security, family assistance, veterans’ entitlements and farm household support, and for related purposes.
- Message no. 243, dated 23 October 2014—A Bill for an Act to amend the law relating to social security and veterans’ entitlements, and for related purposes.
- Message no. 242, dated 23 October 2014—A Bill for an Act to amend the law relating to social security and student assistance, and for related purposes.

The Assistant Minister for Health (Senator Nash) 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 Nash moved—That these bills be now read a second time.

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

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

Question put and passed.

34 AGED CARE AND OTHER LEGISLATION AMENDMENT BILL 2014
HEALTH AND OTHER SERVICES (COMPENSATION) CARE CHARGES (AMENDMENT) BILL 2014

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

- Message no. 251, dated 27 October 2014—A Bill for an Act to amend legislation relating to aged care, and for other purposes.

The Assistant Minister for Health (Senator Nash) 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 Nash moved—that these bills be now read a second time.

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

35 COMMITTEE MEMBERSHIP

Messages from the House of Representatives were reported informing the Senate of changes in the membership of joint committees, as follows:

Message no. 240, dated 2 October 2014—
Joint Select Committee on the Australia Fund Establishment, Ms TM Butler, Mr Husic and Mr Wilkie, appointed
Joint Select Committee on Trade and Investment Growth, Dr Chalmers, Mr Conroy and Mr Palmer, appointed.

Message no. 249, dated 23 October 2014—Joint Select Committee on the Australia Fund Establishment, Mr Pitt in place of Dr Gillespie.

36 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:

16 October 2014—Message No. 51—

21 October 2014—Messages Nos—
52—
Australian Transaction Reports and Analysis Centre Supervisory Cost Recovery Levy Amendment Act 2014 (Act No. 111, 2014)

53—
Customs Amendment (Korea-Australia Free Trade Agreement Implementation) Act 2014 (Act No. 113, 2014)
37 **COMMUNITY AFFAIRS LEGISLATION COMMITTEE—REPORT—AUSTRALIAN SPORTS ANTI-DOPING AUTHORITY AMENDMENT BILL 2014**

Pursuant to order, Senator Ruston, at the request of the Chair of the Community Affairs Legislation Committee (Senator Seselja), tabled the following report and documents:


Report ordered to be printed on the motion of Senator Ruston.

38 **EDUCATION AND EMPLOYMENT LEGISLATION COMMITTEE—REPORT—HIGHER EDUCATION AND RESEARCH REFORM AMENDMENT BILL 2014**

Pursuant to order, Senator Ruston, at the request of the Chair of the Education and Employment Legislation Committee (Senator McKenzie), tabled the following report and documents:


Report ordered to be printed on the motion of Senator Ruston.

39 **ECONOMICS LEGISLATION COMMITTEE—REPORT—TAX AND SUPERANNUATION LAWS AMENDMENT (2014 MEASURES NO. 5) BILL 2014**

Pursuant to order, Senator Ruston, at the request of the Chair of the Economics Legislation Committee (Senator Edwards), tabled the following report and documents:


Report ordered to be printed on the motion of Senator Ruston.

40 **COUNTER-TERRORISM LEGISLATION AMENDMENT (FOREIGN FIGHTERS) BILL 2014**

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

Debate resumed.

——

*Explanatory memorandum:* The Assistant Minister for Health (Senator Nash) tabled a replacement explanatory memorandum relating to the bill.

——

Debate continued.

Question put.
The Senate divided—

AYES, 46

Senators—

Bernardi  Bilyk  Brandis  Brown  Bullock  Bushby  Cameron  Canavan  Carr  Colbeck  Collins  Dustyari

Day  Edwards  Fawcett  Fierravanti-Wells  Gallacher  Heffernan  Ketter  Lambie  Lazarus  Lines  Lundy  Macdonald


Polley  Reynolds  Ronaldson  Ruston  Seselja  Singh  Smith  Sterle  Urquhart  Wang 

NOES, 12

Senators—

Di Natale  Hanson-Young  Leyonhjelm

Ludlam  Milne  Rhiannon

Rice  Siewert (Teller)  Waters

Whish-Wilson  Wright  Xenophon

Question agreed to.

Bill read a second time.

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

In the committee

Bill taken as a whole by leave.

Explanatory memorandum: Senator Brandis tabled a supplementary explanatory memorandum relating to the government amendments to be moved to the bill.

Leave refused: Senator Brandis sought leave to move all government amendments to the bill together.

An objection was raised and leave was not granted.

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

Schedule 1, item 21, page 7 (line 20), omit “ASIO”, substitute “The Director-General of Security”.

Schedule 1, item 21, page 7 (line 21), omit “it”, substitute “the Director-General”.

Schedule 1, item 21, page 8 (lines 1 to 5), omit subsection 22A(3), substitute:

(3) If an Australian travel document of a person has been suspended under subsection (1), another request under subsection (2) relating to the person must not be made unless the grounds for suspicion mentioned in subsection (2) include information first obtained by the Director-General of Security or an officer or employee of ASIO after the end of the suspension.
4 The Director-General of Security may, in writing, delegate his or her power under subsection (2) to a Deputy Director-General of Security (within the meaning of the Australian Security Intelligence Organisation Act 1979).

5 In exercising power under a delegation, the delegate must comply with any directions of the Director-General of Security.

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

Schedule 1, item 25, page 10 (after line 16), after subsection 48A(6), insert:

6A Before the end of the following periods, the Minister administering the Australian Federal Police Act 1979 must consider whether to revoke a certificate under subsection (4) (if the certificate remains in force):

(a) 12 months after it was issued;

(b) 12 months after that Minister last considered whether to revoke it.

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

Schedule 1, item 26, page 10 (lines 25 to 27), omit the item, substitute:

26 After subsection 51(1)

Insert:

1A The Minister may, in writing, delegate to the Secretary of the Department the Minister’s power under subsection 22A(1).

Senator Wright moved the following amendments together by leave:

Schedule 1, item 21, page 7 (lines 17 to 19), omit subsection 22A(1), substitute:

1 The Minister may, on request under subsection (2), suspend for up to 48 hours all Australian travel documents that have been issued to a person.

1A The Minister may, on request under subsection (2A), extend a suspension under subsection (1) for an additional period of 48 hours.

1B The Minister may extend a suspension under subsection (1) more than once, but must not do so if the extension would result in the total length of the suspension being longer than 7 days.

Schedule 1, item 21, page 7 (line 20), omit “ASIO”, substitute “An officer of ASIO”.

Schedule 1, item 21, page 7 (line 21), omit “if it suspects”, substitute “if the officer suspects”.

Schedule 1, item 21, page 7 (after line 28), after subsection 22A(2), insert:

2A While the Australian travel documents issued to a person are suspended under subsection (1), an officer of ASIO may request the Minister to extend the suspension if the officer suspects on reasonable grounds that:

(a) the person may leave Australia to engage in conduct referred to in paragraph (2)(a); and

(b) it is necessary to extend the suspension in order to prevent the person from engaging in the conduct.
Schedule 1, item 21, page 8 (lines 1 to 5), omit subsection 22A(3), substitute:

(3) If an Australian travel document of a person has been suspended under subsection (1), an officer of ASIO must not make another request under subsection (2) relating to the person unless the grounds for the officer’s suspicion mentioned in subsection (2) include information ASIO obtained after the end of the suspension.

Note: Subsection (3) does not prevent a request for a suspension to be extended under subsection (2A) being made during the suspension.

Debate ensued.

Question—that the amendments be agreed to—put and negatived.

Question—that the bill, as amended, be agreed to—divided, at the request of Senator Wright, in respect of Schedule 1, item 26, as amended.

Schedule 1, item 26, as amended, agreed to.

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

Schedule 1, item 26, as amended, agreed to.

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

Schedule 1, item 33, page 12 (lines 4 and 5), omit the item, substitute:

33 Section 34ZZ

Omit “22 July 2016”, substitute “7 September 2018”.

Schedule 1, item 43, page 13 (line 27), omit “15 December 2025”, substitute “7 September 2018”.

Schedule 1, item 44, page 14 (line 3), omit “15 December 2025”, substitute “7 September 2018”.

Schedule 1, item 45, page 14 (line 6), omit “15 December 2025”, substitute “7 September 2018”.

Schedule 1, item 86, page 70 (line 18), omit “15 December 2025”, substitute “7 September 2018”.

Schedule 1, item 87, page 70 (line 21), omit “15 December 2025”, substitute “7 September 2018”.

Schedule 1, item 107, page 75 (line 20), omit “15 December 2025”, substitute “7 September 2018”.

Schedule 1, item 108, page 75 (line 23), omit “15 December 2025”, substitute “7 September 2018”.

Schedule 1, item 110, page 83 (line 32), omit “10 years after it commences”, substitute “at the end of 7 September 2018”.

Question—that the bill, as amended, be agreed to—divided, at the request of Senator Wright, in respect of Schedule 1, items 33, 43 to 45, 86 and 87, 107 and 108, as amended.

Schedule 1, items 33, 43 to 45, 86 and 87, 107 and 108, as amended, debated.

Question—that Schedule 1, items 33, 43 to 45, 86 and 87, 107 and 108, as amended, be agreed to—put.
The committee divided—

**AYES, 36**

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Items, as amended, agreed to.

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

Schedule 1, page 12 (after line 10), after item 34, insert:

**34A At the end of section 38**

Add:

(7) Before the end of the following periods, the Attorney-General must consider whether to revoke a certificate certifying in accordance with paragraph (2)(a) (if the certificate remains in force):

(a) 12 months after it was issued;
(b) 12 months after the Attorney-General last considered whether to revoke it.

**34B Application**

Subsection 38(7) of the *Australian Security Intelligence Organisation Act 1979* applies to certificates issued on or after the commencement of that subsection.

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

Schedule 1, item 51, page 20 (line 28), omit “member;”, substitute “member.”.

Schedule 1, item 51, page 20 (lines 29 and 30), omit paragraphs 3ZZAF(1)(c) and (d).

Schedule 1, item 51, page 20 (lines 32 and 33), omit “part-time senior member or a member”, substitute “full-time senior member”.

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

Schedule 1, item 51, page 44 (line 18), omit “18”, substitute “12”.

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

Schedule 1, item 51, page 59 (after line 32), after paragraph 3ZZHA(2)(a), insert:

(aa) the disclosure is for the purposes of obtaining or providing legal advice related to this Part;
Schedule 1, item 51, page 60 (after line 13), after paragraph 3ZZHA(2)(d), insert:

(da) the disclosure is made by anyone to the Ombudsman, a Deputy Commonwealth Ombudsman or a member of the Ombudsman’s staff (whether in connection with the exercise of powers or performance of functions under Division 7, in connection with a complaint made to the Ombudsman or in any other circumstances);

Senator Leyonhjelm moved the following amendment:

Schedule 1, item 51, page 60 (line 19), at the end of subsection 3ZZHA(2), add:

; (g) the disclosure is made reasonably and in good faith, and in the public interest;

(h) the disclosure concerns corruption or misconduct in relation to the issuing or execution of a delayed notification search warrant.

Debate ensued.

Question—That the amendment be agreed to—put.

The committee divided—

AYES, 12

Day
Leyonhjelm (Teller)
Rhiannon
Waters

Di Natale
Ludlam
Rice
Whish-Wilson

Hanson-Young
Milne
Stewart
Wright

NOES, 38

Bilyk
Edwards
McGrath
Polley

Brandis
Fawcett
McKenzie
Reynolds

Brown
Ketter
McLucas
Ruston

Bullock
Lambie
Moore
Seselja

Bushby
Lazarus
Muir
Singh

Cameron
Lines
Nash
Smith

Canavan
Lundy
O’Neill
Urquhart

Colbeck
Madigan
O’Sullivan
Wang

Collins
Marshall
Peris
Williams

Dastyari
McEwen (Teller)

Question negatived.

Senator Leyonhjelm moved the following amendment:

Schedule 1, item 51, page 61 (after line 22), at the end of Division 9, add:

3ZZIC Sunset provision

A delayed notification search warrant cannot be applied for or issued after the end of 7 September 2018.

Debate ensued.

Question—That the amendment be agreed to—put.
The committee divided—

**AYES, 14**

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**NOES, 40**

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Question negatived.

Senator Wright moved the following amendment:

Schedule 1, item 61, page 63 (line 11), omit “reckless as to whether”, substitute “with the intention that”.

________

At 10 pm: The President resumed the chair and the Chair of Committees (Senator Marshall) reported progress.

41 **ADJOURNMENT**

The President proposed the question—That the Senate do now adjourn. Debate ensued.

________

*Declaration of interest*: Senator McGrath declared an interest in relation to the matter under discussion.

________

Debate continued.

The Senate adjourned at 10.58 pm till Wednesday, 29 October 2014 at 9.30 am.

42 **ATTENDANCE**

Present, all senators except Senator Ludwig (on leave).

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ROSEMARY LAING
Clerk of the Senate

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