2013-15

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 131

MONDAY, 30 NOVEMBER 2015

Contents

1 Meeting of Senate .................................................................................................................. 3509
2 Documents .......................................................................................................................... 3509
3 Committee—Leave to Meet During Sitting ........................................................................ 3510
4 Administration—Gosford Waterfront—Purchase or Lease of Site—Order for Production of Documents—Statement by Leave .................................................. 3510
5 Australian Crime Commission Amendment (Criminology Research) Bill 2015 .................................................................................................................. 3510
6 Order of Business—Rearrangement ................................................................................... 3510
7 Education and Employment Legislation Committee—Report—Education Services for Overseas Students Amendment (Streamlining Regulation) Bill 2015 and Related Bill ........................................................................................................ 3510
8 Education Services for Overseas Students Amendment (Streamlining Regulation) Bill 2015 Education Services for Overseas Students (Registration Charges) Amendment (Streamlining Regulation) Bill 2015 ........................................................................................................ 3511
9 Questions ............................................................................................................................. 3511
10 Culture and the Arts—Australian World Orchestra—Answer to Question—Document .................................................................................................................. 3512
11 Motions to Take Note of Answers ....................................................................................... 3512
12 Notices ................................................................................................................................. 3512
13 Leave of Absence ............................................................................................................... 3515
14 Postponements .................................................................................................................... 3515
15 Committees—Extensions of Time to Report ..................................................................... 3515
16 Foreign Affairs, Defence and Trade References Committee—References..................... 3516
17 Health—HIV Prevention .................................................................................................... 3517
18 Historical Events—World War I—Kurrajongs .................................................................. 3518
19 Health—Medicinal Cannabis ............................................................................................. 3518
20 Environment—Phytophthora Dieback Management ......................................................... 3519
21 Administration—Australian Public Service—Training for Estimates Hearings—Order for Production of Documents ............................................................................. 3519
Animal Welfare—Puppy Farms .................................................................................................................. 3520
Discussion of Matter of Public Importance—Environment—Climate Change.......................................................... 3520
Documents—Consideration................................................................................................................................. 3520
Administration—Gosford Waterfront—Purchase or Lease of Site—Order for Production of Documents—Document .......................................................................................................................... 3521
Committee Membership ........................................................................................................................................... 3521
Community Affairs Legislation Committee—Report—Social Services Legislation Amendment (Family Payments Structural Reform and Participation Measures) Bill 2015 .................................................................................................................. 3521
Education and Employment Legislation Committee—Report—Higher Education Support Amendment (VET FEE-HELP Reform) Bill 2015 ............................................................................................................................ 3521
Community Affairs Legislation Committee—Report—Social Services Legislation Amendment (Youth Employment) Bill 2015 .................................................................................................................................. 3522
Community Affairs Legislation Committee—Report—Food Standards Australia New Zealand Amendment (Forum on Food Regulation and Other Measures) Bill 2015 .................................................................................................................................. 3522
Defence Legislation Amendment (First Principles) Bill 2015 ............................................................................. 3522
Governor-General’s Messages—Assent to Laws ................................................................................................. 3522
Social Services Legislation Amendment (Family Payments Structural Reform and Participation Measures) Bill 2015 .................................................................................................................................. 3523
Veterans’ Affairs Legislation Amendment (2015 Budget Measures) Bill 2015 ......................................................... 3524
Education Services for Overseas Students Amendment (Streamlining Regulation) Bill 2015 ............................ 3524
Education Services for Overseas Students (Registration Charges) Amendment (Streamlining Regulation) Bill 2015 .................................................................................................................................. 3525
Australian Citizenship Amendment (Allegiance to Australia) Bill 2015 ................................................................. 3527
Adjournment .......................................................................................................................................................... 3528
Attendance ............................................................................................................................................................. 3528
1 **MEETING OF SENATE**

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

2 **DOCUMENTS**

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

  - Report no. 96—LA and LB v Commonwealth of Australia (Department of Immigration and Border Protection).
  - Report no. 97—AV v DIAL-AN-ANGEL Pty Ltd.
- **Environment**—Marine reserves—Letter to the President of the Senate from the Minister for the Environment (Mr Hunt), dated 26 November 2015, responding to the resolution of the Senate of 9 November 2015.
- **Foreign affairs**—Funding for nutrition—Letter to the President of the Senate from the Minister for Foreign Affairs (Ms Bishop), dated 23 November 2015, responding to the resolution of the Senate of 15 October 2015.
- **Snowy Hydro Limited**—Financial report for the period 28 June 2014 to 27 June 2015.

*Superannuation (Government Co-contribution for Low Income Earners) Act 2003*—Operation of the Government co-contribution scheme—Quarterly reports for the period 1 July to 30 September 2015—
- Subsection 12G(1).
- Subsection 54(1).

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

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

- **Aged Care Act 1997**—Subsidy Amendment Principles 2015 (No. 1) [F2015L01841].
- **Australian Capital Territory (Planning and Land Management) Act 1988**—Australian Capital Territory (Planning and Land Management) Amendment (Fees) Regulation 2015—Select Legislative Instrument 2015 No. 189 [F2015L01847].


Corporations Act 2001—Amendments to Australian Accounting Standards—Effective Date of AASB 15—October 2015—AASB 2015-8 [F2015L01840].

Environment Protection and Biodiversity Conservation Act 1999—
Amendment of List of Exempt Native Specimens – Aquaculture (13 November 2015)—EPBC303DC/SFS/2015/42 [F2015L01838].
Amendment of List of Exempt Native Specimens – Northern Territory Demersal Fishery and South Australian Sardine Fishery (20 November 2015)—EPBC303DC/SFS/2015/44 [F2015L01842].

Health Insurance Act 1973—Health Insurance (Diabetes Testing in Aboriginal and Torres Strait Islander Primary Health Care Sites) Determination 2015 [F2015L01837].

Low Aromatic Fuel Act 2013—Low Aromatic Fuel (Designated Area) (Great Palm Island) Instrument 2015 [F2015L01844].

Migration Act 1958—
Directions under section 499—Revocation of Direction No. 66—Priority for considering and disposing of applications for specified visas made by persons who reside, or have resided, in an Ebola Virus Disease affected country—IMMI 15/142.


3 COMMITTEE—LEAVE TO MEET DURING SITTING
A committee was authorised to meet during the sitting of the Senate, as follows:
Legal and Constitutional Affairs References Committee—private meeting otherwise than in accordance with standing order 33(1) on Wednesday, 2 December 2015, from 10.30 am, for the committee’s inquiry into arts programs and funding.

4 ADMINISTRATION—GOSFORD WATERFRONT—PURCHASE OR LEASE OF SITE—ORDER FOR PRODUCTION OF DOCUMENTS—STATEMENT BY LEAVE
The Assistant Cabinet Secretary (Senator Ryan), by leave, made a statement clarifying comments he had made on 26 November 2015 concerning an order for the production of documents by the Minister representing the Assistant Treasurer.
5 **AUSTRALIAN CRIME COMMISSION AMENDMENT (CRIMINOLOGY RESEARCH) BILL 2015**

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

Debate resumed.

On the motion of the Assistant Minister for Multicultural Affairs (Senator Fierravanti-Wells) the debate was adjourned till the next day of sitting.

6 **ORDER OF BUSINESS—REARRANGEMENT**

The Assistant Minister for Multicultural Affairs (Senator Fierravanti-Wells) moved—That—

(a) government business order of the day no. 2 (Health Insurance Amendment (Safety Net) Bill 2015) be postponed till the next day of sitting; and

(b) government business order of the day no. 3 (Veterans’ Affairs Legislation Amendment (2015 Budget Measures) Bill 2015) be postponed till a later hour.

Question put and passed.

7 **EDUCATION AND EMPLOYMENT LEGISLATION COMMITTEE—REPORT—EDUCATION SERVICES FOR OVERSEAS STUDENTS AMENDMENT (STREAMLINING REGULATION) BILL 2015 AND RELATED BILL**

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

Education and Employment Legislation Committee—Education Services for Overseas Students Amendment (Streamlining Regulation) Bill 2015 [Provisions] and Education Services for Overseas Students (Registration Charges) Amendment (Streamlining Regulation) Bill 2015 [Provisions]—Report, dated November 2015 and submissions.

Senator Smith moved—That the report be printed.

Debate ensued.

Question put and passed.

8 **EDUCATION SERVICES FOR OVERSEAS STUDENTS AMENDMENT (STREAMLINING REGULATION) BILL 2015**

Order of the day read for the adjourned debate on the motion of the Assistant Minister for Agriculture and Water Resources (Senator Ruston)—That these bills be now read a second time.

Debate resumed.

*At 2 pm*: Debate was interrupted while Senator Canavan was speaking.

9 **QUESTIONS**

Questions without notice were answered.
Distinguished visitor: The President welcomed the Honourable Telmo Languiller, Speaker of the Legislative Assembly of Victoria, and, with the concurrence of honourable senators, invited him to take a seat on the floor of the chamber.

Further questions without notice were answered.

10 CULTURE AND THE ARTS—AUSTRALIAN WORLD ORCHESTRA—ANSWER TO QUESTION—DOCUMENT

The Minister for the Arts (Senator Fifield) tabled the following document:

Culture and the arts—Australian World Orchestra—Answer to question—Document listing funding to the Australian World Orchestra 2012-13 to 2018-19 relating to a question without notice asked by Senator Bilyk on 26 November 2015.

11 MOTIONS TO TAKE NOTE OF ANSWERS

Senator Collins moved—That the Senate take note of the answers given by the Attorney-General (Senator Brandis) and the Minister for Defence (Senator Payne) to questions without notice asked by Senators Collins and Gallacher and the Leader of the Opposition in the Senate (Senator Wong) today relating to ministerial standards and to the manufacture of the next fleet of Australian submarines.

Debate ensued.

Question put and passed.

Senator Whish-Wilson moved—That the Senate take note of the answer given by the Attorney-General (Senator Brandis) to a question without notice asked by Senator Whish-Wilson today relating to whaling in the Southern Ocean.

Question put and passed.

12 NOTICES

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

(a) recognises:

(i) the successful campaigning of Maria Bond from Bears Of Hope, whose efforts have prompted the Tasmanian Government move to provide official recognition for babies lost during early pregnancy, and

(ii) the importance of this initiative, which allows Tasmanian parents who lose a baby before 20 weeks gestation, or a baby that weighs less than 400 grams, to apply for a commemorative certificate;

(b) notes that:

(i) 15 October is recognised as Pregnancy and Infant Loss Remembrance Day in the United States of America, Canada, the United Kingdom, New South Wales and Western Australia, and

(ii) the campaign for Pregnancy and Infant Loss Remembrance Day in Australia began in 2008; and

(c) calls for 15 October to be recognised in Australia as Pregnancy and Infant Loss Remembrance Day—a day for parents and families who experience the loss of their baby. (general business notice of motion no. 974)
Senators Smith, McAllister, Singh and Simms: To move on the next day of sitting—
That the Senate—

(a) notes that:
   (i) 1 December marks World AIDS Day, which is held every year to raise awareness about the issues surrounding HIV and AIDS, and is a day for people to show their support for people living with HIV, and to remember those who have died,
   (ii) the aim of World AIDS Day is to encourage all Australians to be aware of HIV, to take action to reduce the transmission of HIV by promoting safe sexual practices, and to ensure that people living with HIV can participate fully in the life of the community, free from stigma and discrimination, and
   (iii) while significant advancements in treatment and diagnosis have been made, 30 years after the discovery of the HIV virus the HIV epidemic remains one of the greatest public health challenges facing Australia, its region and the world;

(b) reaffirms the commitment made by all Australian Health Ministers in 2014 in signing the AIDS 2014 Legacy Statement, which commits to:
   (i) a rejuvenated response to HIV and ensuring that the HIV responses of all jurisdictions reflect new scientific advances and the vision of ending HIV and AIDS,
   (ii) continue measures to ensure Aboriginal and Torres Strait Islander people remain a high priority area for Australia’s HIV response and to achieving HIV prevention and treatment targets, with a particular focus on research and health literacy,
   (iii) taking necessary actions, in partnership with key affected communities and sector partners, to remove barriers to accessing HIV testing, treatment, prevention, care and support across legal, regulatory, policy, social, political and economic domains,
   (iv) continuing to support high quality, multi-disciplinary, collaborative research that incorporates basic science, clinical research, social and behavioural science and operational research to inform local and international action to eliminate HIV,
   (v) advancing actions to ensure an appropriately trained and supported HIV workforce, including in clinical, community, research and policy and program areas, and
   (vi) continuing to demonstrate global leadership in the response to HIV; and

(c) acknowledges the role played by people living with HIV, their friends, family and supporters, AIDS activists and researchers, past and present, in making HIV a disease people can live with. (general business notice of motion no. 975)

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

(a) notes the recommencement of legal action against Australia by Timor-Leste in the Permanent Court of Arbitration in The Hague regarding claims that Australian spies bugged a Timor-Leste cabinet office during negotiations over an oil and gas treaty in 2004;

(b) calls on the Minister for Foreign Affairs to direct the Department of Foreign Affairs and Trade to reissue a passport to the individual known as ‘Witness K’, a former senior intelligence officer who came forward as a whistle-blower, to enable him/her to appear as a witness at the upcoming hearing of the case; and
(c) affirms the right of the Government of Timor-Leste to bring these proceedings against Australia in the Permanent Court of Arbitration, and the need for this case to be independently investigated. (general business notice of motion no. 976)

Senator McKenzie: To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the Charter and board composition in the Australian Broadcasting Corporation Act 1983, and for related purposes. Australian Broadcasting Corporation Amendment (Rural and Regional Advocacy) Bill 2015. (general business notice of motion no. 977)

The Deputy Chair of the Parliamentary Joint Committee on Law Enforcement (Senator Singh): To move on the next day of sitting—That the Parliamentary Joint Committee on Law Enforcement be authorised to hold private meetings otherwise than in accordance with standing order 33(1) during the sittings of the Senate, from 5 pm, as follows:

(a) Wednesday, 3 February 2016, followed by a public meeting;
(b) Wednesday, 24 February 2016, followed by a public meeting; and
(c) Wednesday, 16 March 2016. (general business notice of motion no. 978)

Senator Madigan: To move on the next day of sitting—That the resolution of appointment of the Joint Standing Committee on Electoral Matters be amended to provide for participating membership, omitting from paragraph (3A) “the 2013 election” and substituting “political donations”. (general business notice of motion no. 979)

The Chair of the Community Affairs References Committee (Senator Siewert) and Senator Polley: To move on the next day of sitting—That the following matter be referred to the Community Affairs References Committee for inquiry and report by 30 June 2016:

The future of Australia’s aged care sector workforce, with particular reference to:

(a) the current composition of the aged care workforce;
(b) future aged care workforce requirements, including the impacts of sector growth, changes in how care is delivered, and increasing competition for workers;
(c) the interaction of aged care workforce needs with employment by the broader community services sector, including workforce needs in disability, health and other areas, and increased employment as the National Disability Insurance Scheme rolls out;
(d) challenges in attracting and retaining aged care workers;
(e) factors impacting aged care workers, including remuneration, working environment, staffing ratios, education and training, skills development and career paths;
(f) the role and regulation of registered training organisations, including work placements, and the quality and consistency of qualifications awarded;
(g) government policies at the state, territory and Commonwealth level which have a significant impact on the aged care workforce;
(h) relevant parallels or strategies in an international context;
(i) the role of government in providing a coordinated strategic approach for the sector;
challenges of creating a culturally competent and inclusive aged care workforce to cater for the different care needs of Aboriginal and Torres Strait Islander peoples, culturally and linguistically diverse groups, and lesbian, gay, bisexual, transgender and intersex people;

(k) the particular aged care workforce challenges in regional towns and remote communities;

(l) impact of the Government’s cuts to the Aged Care Workforce Fund; and

(m) any other related matters.

13 LEAVE OF ABSENCE

Senator Bushby, by leave, moved—That leave of absence be granted to Senator McGrath for 30 November and 1 December 2015, on account of parliamentary business.

Question put and passed.

Senator McEwen, by leave, moved—That leave of absence be granted to Senator Sterle for 1 December 2015, for personal reasons.

Question put and passed.

Senator Siewert, by leave, moved—That leave of absence be granted to Senator Waters from 30 November to 3 December 2015, on account of parliamentary business.

Question put and passed.

14 POSTPONEMENTS

Business was postponed as follows:

Business of the Senate notice of motion no. 2 standing in the name of the Chair of the Education and Employment References Committee (Senator Lines) for today, proposing a reference to the Education and Employment References Committee, postponed till 2 February 2016.

Business of the Senate notice of motion no. 3 standing in the name of Senator Whish-Wilson for today, proposing a reference to the Foreign Affairs, Defence and Trade References Committee, postponed till 2 December 2015.

General business notice of motion no. 911 standing in the name of Senator Hanson-Young for today, proposing the introduction of the Migration Amendment (Free the Children) Bill 2015, postponed till 3 December 2015.

General business notice of motion no. 929 standing in the name of Senator Siewert for today, relating to the New South Wales Custody Notification Service, postponed till 1 December 2015.

General business notice of motion no. 969 standing in the name of Senator Xenophon for today, proposing an order for the production of documents by the Minister for Education and Training, postponed till 1 December 2015.

15 COMMITTEES—EXTENSIONS OF TIME TO REPORT

The following committees were granted extensions of time to report:

Economics References Committee—
Australian food certification schemes and certifiers, extended to 2 December 2015.
Cooperative, mutual and member-owned firms, extended to 17 March 2016.
Credit card interest rates, extended to 16 December 2015.
Education and Employment References Committee—

Australia’s temporary work visa programs, extended to 25 February 2016.


Finance and Public Administration References Committee—Aboriginal and Torres Strait Islander experience of law enforcement and justice services, extended to 17 March 2016.

16 FOREIGN AFFAIRS, DEFENCE AND TRADE REFERENCES COMMITTEE—

REFERENCES

Senator McEwen, at the request of Senators Conroy and Rhiannon and 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 matters, in relation to perfluorooctane sulfonate (PFOS) and perfluorooctanoic acid (PFOA) contamination, be referred to the Foreign Affairs, Defence and Trade References Committee for inquiry and report:

(a) by 4 February 2016 on PFOS and PFOA contamination at RAAF Base Williamtown and Australian Defence Force facilities, with reference to:

(i) what contamination has occurred to the water, soil and any other natural or human made structures in RAAF Base Williamtown and the surrounding environs,

(ii) the response of, and coordination between, the Commonwealth Government, including the Department of Defence and RAAF Base Williamtown management, and New South Wales authorities to PFOS/PFOA contamination, including when base employees, local residents and businesses, the Port Stephens and Newcastle City councils, and the New South Wales Environmental Protection Agency (EPA) were informed of the contamination,

(iii) the adequacy of consultation and coordination between the Commonwealth Government, the New South Wales Government, the Port Stephens and Newcastle City councils, the Department of Defence and Australian Defence Force, affected local communities and businesses, and other interested stakeholders,

(iv) whether appropriate measures have been taken to ensure the health, wellbeing and safety of Australian military and civilian personnel at RAAF Base Williamtown,

(v) the adequacy of health advice and testing of defence and civilian personnel and members of the public exposed, or potentially exposed, to PFOS/PFOA in and around RAAF Base Williamtown,

(vi) the adequacy of Commonwealth and state and territory government environmental and human health standards and legislation, with specific reference to PFOS/PFOA contamination at RAAF Base Williamtown,

(vii) what progress has been made on remediation works at RAAF Base Williamtown, and the adequacy of measures to control further contamination,

(viii) what consideration has been undertaken of financial impacts and assistance to affected business and individuals, and

(ix) any other related matters; and
No. 131—30 November 2015

(b) by 30 April 2016 on PFOS and PFOA contamination on other Commonwealth, state and territory sites in Australia where firefighting foams containing PFOS and PFOA were used, with reference to:

(i) what Commonwealth, state and territory facilities have been identified as having PFOS/PFOA contamination, and what facilities may potentially still be identified as being contaminated,

(ii) the response of, and coordination between, the Commonwealth, state and territory governments, local governments, commercial entities and affected local communities,

(iii) what measures have been taken by the Commonwealth and state and territory governments to ensure the health, wellbeing and safety of people in close proximity to known affected sites,

(iv) the adequacy of public disclosure of information about PFOS/PFOA contamination,

(v) what consideration has been undertaken of financial impacts on affected businesses and individuals,

(vi) the adequacy of Commonwealth and state and territory government environmental and human health standards and legislation, with specific reference to PFOS/PFOA contamination,

(vii) what progress has been made on the remediation and the adequacy of measures to control further PFOS/PFOA contamination at affected Commonwealth, state and territory sites,

(viii) what investigation and assessment of contaminated sites and surrounding areas has occurred, and

(ix) any other related matters.

Question put and passed.

17 HEALTH—HIV PREVENTION

Senator Simms, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 968—That the Senate—

(a) notes that:

(i) the Council of Australian Governments has agreed to a target to end new HIV infections in Australia by 2020,

(ii) in 2014, there were 1 080 infections in Australia with about 750 of these amongst sex between men,

(iii) each new infection and lifelong treatment brings significant health and personal impacts, with lifelong costs estimated at $200 000 to $300 000 per person,

(iv) there is now a strong evidence base and consensus amongst Australian non-government organisations in this area that pre-exposure prophylaxis (PrEP) along with rapid HIV tests and home self-tests are vital to add to the prevention tools currently available, and

(v) France is the latest jurisdiction to announce wide-scale access to PrEP, with many other cities and states already having arrangements in place; and

(b) calls on the Government to:

(i) demonstrate leadership on HIV by urgently removing regulatory barriers to access to PrEP, rapid HIV tests and home self-tests, and
(ii) as an interim measure, urgently explore policy options, including expanded trials in states and territories, to enable access to these important prevention tools.

Statement by leave: The Assistant Cabinet Secretary (Senator Ryan), by leave, made a statement relating to the motion.

Question put and passed.

18 HISTORICAL EVENTS—WORLD WAR I—KURRAJONGS

Senator Williams, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 971—That the Senate notes that:

(a) on 12 January 1916, the people of Inverell, New South Wales, lined the town’s streets to farewell a group of 114 men who were answering the call to serve their country following terrible losses at Gallipoli in World War I;

(b) the body of men became known as the ‘Kurrajongs’, and at the time was the single largest group of men to leave a New South Wales country town together for war;

(c) in 1918, Inverell was presented with the New South Wales Governor’s Shield for attaining the highest number of recruits per head of population during a specific recruiting campaign in May and June of that year;

(d) that among the 114 Kurrajongs was Private Alan Mather, who was killed in action, and whose remains were discovered in Belgium in 2008 and buried at Prowse Point Commonwealth War Graves Cemetery in 2010 with full military honours;

(e) on 10 January 2016, Inverell will host the re-enactment of the Kurrajongs march;

(f) on 12 January 2016, Inverell will host a commemorative service, and the re-enactment of the presentation of the New South Wales Governor’s Shield; and

(g) the Re-enactment Committee thanks the Australian Government and the former Minister Assisting the Prime Minister for the Centenary of ANZAC, Senator Ronaldson, for the support and funding of the events.

Question put and passed.

19 HEALTH—MEDICINAL CANNABIS

The Leader of the Australian Greens (Senator Di Natale), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 970—That the Senate—

(a) notes:

(i) the efficacy of medicinal cannabis for managing crippling symptoms where other pain relief and medicines have failed, and

(ii) the urgency and importance of making medicinal cannabis accessible for patients;

(b) applauds the bravery of those families acting to ease the pain of their loved ones despite the anachronistic classification of medicinal cannabis;

(c) affirms the critical need for a framework that makes medicinal cannabis accessible through a doctor, legal, available and affordable; and
(d) urges the Australian Government to heed the voices and deeply moving stories of over a quarter of a million Australians who have called for legal and accessible medicinal cannabis.

Statements by leave: The Assistant Cabinet Secretary (Senator Ryan) and Senator Di Natale, by leave, made statements relating to the motion.

Question put and passed.

20 ENVIRONMENT—PHYTOPHTHORA DIEBACK MANAGEMENT

Senator Siewert, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 973—That the Senate—

(a) acknowledges:

(i) the importance of managing Phytophthora Dieback in protecting the vulnerable plant species and high value ecosystems in Western Australia, and

(ii) the work that has been done by Project Dieback Partners on integrated management as part of implementing the threat abatement plan; and

(b) urges the Government to continue to invest in the ongoing management of Phytophthora Dieback.

Statement by leave: The Assistant Cabinet Secretary (Senator Ryan), by leave, made a statement relating to the motion.

Question put and passed.

21 ADMINISTRATION—AUSTRALIAN PUBLIC SERVICE—TRAINING FOR ESTIMATES HEARINGS—ORDER FOR PRODUCTION OF DOCUMENTS

Senator Rhiannon amended general business notice of motion no. 961 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That there be laid on the table by the Leader of the Government in the Senate, no later than 11 am on Wednesday, 3 February 2016, all documents (whether archived in paper or digital format) held by the Government in relation to any training since 1 January 2013 undertaken by public servants as preparation to appear before Senate estimates committees, including but not limited to:

(a) media or media awareness training documents or similar;

(b) performance or confidence training documents or similar;

(c) details of contracts, including, for each contract, the name of the department, dates of training, numbers of staff trained, name of training provider, and costs of contracts;

(d) copies of related tender documents, including documents specifying training outcomes sought by departments;

(e) copies of each training program training schedule including, but not limited to, content and aims or outcomes of subjects or module or activities, such as role playing, performance skills, delivery and impression;

(f) examples of individual written reports, analyses of performances, DVDs or other feedback from such courses, with personal identifiers redacted;

(g) documents relating to any training provided by the company Media Manoeuvres, and other training providers; and

(h) any other relevant document, memo or emails.
Statement by leave: The Assistant Cabinet Secretary (Senator Ryan), by leave, made a statement relating to the motion.

Question put and passed.

22 ANIMAL WELFARE—PUPPY FARMS

Senator Rhiannon, also on behalf of Senators Lindgren and Singh, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 972—That the Senate—

(a) notes that:
   (i) many of the puppies that will be given as presents this Christmas will have been bred in puppy farms and raised under inhumane conditions without the opportunity to socialise,
   (ii) many of the bitches are forced to breed continuously in barren pens, often starting from as young as 6 months, and
   (iii) the majority of puppies purchased informally, online and from pet shops cannot be traced;
(b) urges all customers considering purchasing a puppy as a present to only buy from registered and reputable breeders after inspecting breeding facilities;
(c) encourages customers to adopt rescued animals from pounds or animal shelters;
(d) calls on all state and territory governments to adopt a consistent national register of organisations that are approved breeders, and issue permits to such organisations; and
(e) encourages all state and territory governments:
   (i) to regulate the sale of cats and dogs via online services, in pet shops and at local markets, and
   (ii) that do not have a register and breeder permit system to consider adopting such a system.

Question put and passed.

23 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—ENVIRONMENT—CLIMATE CHANGE

The Deputy President (Senator Marshall) informed the Senate that Senator Moore had proposed that the following matter of public importance be submitted to the Senate for discussion:

The need to take effective action on climate change.

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

24 DOCUMENTS—CONSIDERATION

The following documents tabled earlier today (see entry no. 2) were considered:

Environment—Marine reserves—Letter to the President of the Senate from the Minister for the Environment (Mr Hunt) responding to the resolution of the Senate of 9 November 2015. Motion to take note of document moved by Senator Siewert, debated and agreed to.


25 ADMINISTRATION—GOSFORD WATERFRONT—PURCHASE OR LEASE OF SITE—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENT

The Assistant Minister for Agriculture and Water Resources (Senator Ruston) tabled the following document:

Administration—Gosford waterfront—Purchase or lease of site—Letter to the President of the Senate from the Minister for Finance (Senator Cormann), dated 30 November 2015, responding to the order of the Senate of 26 November 2015.

26 COMMITTEE MEMBERSHIP

The Acting Deputy President (Senator Edwards) informed the Senate that the President had received a letter requesting changes in the membership of a committee. The Assistant Minister for Agriculture and Water Resources (Senator Ruston), by leave, moved—That Senator Carr replace Senator Dastyari on the Economics References Committee for the committee’s inquiry into Australia’s steel industry, and Senator Dastyari be appointed as a participating member. Question put and passed.

27 COMMUNITY AFFAIRS LEGISLATION COMMITTEE—REPORT—SOCIAL SERVICES LEGISLATION AMENDMENT (FAMILY PAYMENTS STRUCTURAL REFORM AND PARTICIPATION MEASURES) BILL 2015

Pursuant to order, Senator Fawcett, 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 Fawcett.

28 EDUCATION AND EMPLOYMENT LEGISLATION COMMITTEE—REPORT—HIGHER EDUCATION SUPPORT AMENDMENT (VET FEE-HELP REFORM) BILL 2015

Pursuant to order, Senator Fawcett, 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 Fawcett.
29 **COMMUNITY AFFAIRS LEGISLATION COMMITTEE—REPORT—SOCIAL SERVICES LEGISLATION AMENDMENT (YOUTH EMPLOYMENT) BILL 2015**

Pursuant to order, Senator Fawcett, 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 Fawcett.

30 **COMMUNITY AFFAIRS LEGISLATION COMMITTEE—REPORT—FOOD STANDARDS AUSTRALIA NEW ZEALAND AMENDMENT (FORUM ON FOOD REGULATION AND OTHER MEASURES) BILL 2015**

Pursuant to order, Senator Fawcett, 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 Fawcett.

31 **DEFENCE LEGISLATION AMENDMENT (FIRST PRINCIPLES) BILL 2015**

A message from the House of Representatives was reported agreeing to the following bill without amendment:


32 **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:

26 November 2015—Messages Nos—

62—


63—


64—

33. **Social Services Legislation Amendment (Family Payments Structural Reform and Participation Measures) Bill 2015**

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

Message no. 505, dated 30 November 2015—A Bill for an Act to amend the law relating to family assistance, and for related purposes.

The Assistant Minister for Agriculture and Water Resources (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.

**Consideration of legislation:** Senator Ruston, by leave, moved—that the provisions of paragraphs (5) to (8) of standing order 111 not apply to this bill, allowing it to be considered during this period of sittings.

---

**Document:** Senator Ruston tabled the following document:

Consideration of legislation—Statement of reasons for introduction and passage of the bill in the 2015 spring sittings.

---

Question put and passed.

Senator Ruston moved—that this bill be now read a second time.

---

**Explanatory memorandum:** Senator Ruston tabled a revised explanatory memorandum relating to the bill.

---

Debate ensued.

Question put.

The Senate divided—

**AYES, 35**

<table>
<thead>
<tr>
<th>Senators</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Abetz</td>
<td>Fierravanti-Wells</td>
<td>McKenzie</td>
<td>Ronaldson</td>
</tr>
<tr>
<td>Back</td>
<td>Gallacher</td>
<td>McLucas</td>
<td>Ryan</td>
</tr>
<tr>
<td>Bilyk</td>
<td>Ketter</td>
<td>Moore</td>
<td>Smith</td>
</tr>
<tr>
<td>Bullock</td>
<td>Leyonhjelm</td>
<td>Nash</td>
<td>Sterle</td>
</tr>
<tr>
<td>Bushby</td>
<td>Lindgren</td>
<td>O’Neill</td>
<td>Urquhart</td>
</tr>
<tr>
<td>Cameron</td>
<td>Lines</td>
<td>Payne</td>
<td>Wang</td>
</tr>
<tr>
<td>Canavan</td>
<td>Marshall</td>
<td>Peris</td>
<td>Williams</td>
</tr>
<tr>
<td>Edwards</td>
<td>McAllister</td>
<td>Polley</td>
<td>Xenophon</td>
</tr>
<tr>
<td>Fawcett (Teller)</td>
<td>McEwen</td>
<td>Reynolds</td>
<td></td>
</tr>
</tbody>
</table>
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.
On the motion of the Assistant Minister for Multicultural Affairs (Senator Fierravanti-Wells) the bill was read a third time.

34 Veterans’ Affairs Legislation Amendment (2015 Budget Measures) Bill 2015
Order of the day read for the consideration of the bill in committee of the whole.

In the committee

Explanatory memorandum: The Minister for Defence (Senator Payne) tabled a supplementary explanatory memorandum relating to the government amendments to be moved to the bill.

Bill debated.
On the motion of Senator Payne the following amendments, taken together by leave, were agreed to:
- Title, page 1 (lines 2 and 3), omit “, military rehabilitation and compensation”.
- Clause 2, page 2 (table item 3), omit the table item.

Question—That the bill, as amended, be agreed to—divided, at the request of Senator Payne, in respect of Schedule 2.

Question—That Schedule 2 stand as printed—put and negatived.
Bill, as amended, debated and agreed to.
Bill to be reported with amendments and an amendment to the title.

The Acting Deputy President (Senator Williams) resumed the chair and the Temporary Chair of Committees reported accordingly.
On the motion of Senator Payne the report from the committee was adopted and the bill read a third time.
Order of the day read for the adjourned debate on the motion of the Assistant Minister for Agriculture and Water Resources (Senator Ruston)—That these bills be now read a second time.

Debate resumed.

Question put and passed.

Bills read a second time.

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

In the committee

Bills taken together and as a whole by leave.

Senator Carr moved the following amendment in respect of the Education Services for Overseas Students Amendment (Streamlining Regulation) Bill 2015:

Schedule 5, item 3, page 78 (line 15), after “the course.”, insert “The provider must keep those fees in a separate account.”.

Debate ensued.

Question—That the amendment be agreed to—put.

The committee divided—

AYES, 33

Senators—

Bilyk (Teller)  Ketter  McEwen  Rice
Brown  Lambie  McKim  Siewert
Bullock  Lazarus  McLucas  Simms
Cameron  Lines  Moore  Singh
Carr  Ludlam  Muir  Sterle
Di Natale  Ludwig  O’Neill  Urquhart
Gallacher  Marshall  Peris  Whish-Wilson
Gallagher  McAllister  Rhiannon  Xenophon
Hanson-Young

NOES, 30

Senators—

Abetz  Edwards  Madigan  Ruston
Back  Fawcett (Teller)  McKenzie  Ryan
Bernardi  Fierravanti-Wells  Nash  Scullion
Bushby  Heffernan  Parry  Sinodinos
Canavan  Johnston  Payne  Smith
Cash  Leyonhjelm  Reynolds  Wang
Colbeck  Lindgren  Ronaldson  Williams
Day  Macdonald

Question agreed to.

Question—That the Education Services for Overseas Students Amendment (Streamlining Regulation) Bill 2015, as amended, be agreed to—divided, at the request of Senator Carr, in respect of Schedule 5, items 9, 13, 15 and 18.

Question—That Schedule 5, items 9, 13, 15 and 18 stand as printed—put.
The committee divided—

AYES, 30

Senators—

Abetz
Back
Bernardi
Bushby
Canavan
Cash
Colbeck
Day

Edwards
Fawcett (Teller)
Ferravanti-Wells
Heffernan
Johnston
Leyonhjelm
Lindgren
Macdonald

Madigan
McKenzie
Nash
Parry
Payne
Reynolds
Ronaldson

Ruston
Ryan
Scullion
Sinodinos
Smith
Wang
Williams

NOES, 32

Senators—

Bilyk (Teller)
Brown
Bullock
Cameron
Carr
Di Natale
Gallacher
Gallagher

Hanson-Young
Ketter
Lambie
Lazarus
Lines
Ludlam
Ludwig
Marshall

McAllister
McEwen
McKim
McLucas
Moore
Muir
O’Neill
Pers

Rhiannon
Rice
Siewert
Simms
Sterle
Urquhart
Whish-Wilson
Xenophon

Items negatived.

The Education Services for Overseas Students Amendment (Streamlining Regulation) Bill 2015, as amended, and the Education Services for Overseas Students (Registration Charges) Amendment (Streamlining Regulation) Bill 2015 agreed to.

The Education Services for Overseas Students Amendment (Streamlining Regulation) Bill 2015 to be reported with amendments and the Education Services for Overseas Students (Registration Charges) Amendment (Streamlining Regulation) Bill 2015 to be reported without amendments.

The President resumed the chair and the Chair of Committees (Senator Marshall) reported accordingly.

On the motion of the Minister for Tourism and International Education (Senator Colbeck) the report from the committee was adopted.

Senator Colbeck moved—That these bills be now read a third time.

Question put.
The Senate divided—

AYES, 51

<table>
<thead>
<tr>
<th>Senators</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Back</td>
<td>Fawcett (Teller)</td>
<td>Madigan</td>
<td>Ronaldson</td>
</tr>
<tr>
<td>Bernardi</td>
<td>Fierravanti-Wells</td>
<td>Marshall</td>
<td>Ruston</td>
</tr>
<tr>
<td>Bily</td>
<td>Gallagher</td>
<td>McAllister</td>
<td>Ryan</td>
</tr>
<tr>
<td>Brown</td>
<td>Gallagher</td>
<td>McKenzie</td>
<td>Scullion</td>
</tr>
<tr>
<td>Bullock</td>
<td>Heffernan</td>
<td>McLucas</td>
<td>Singh</td>
</tr>
<tr>
<td>Bushby</td>
<td>Johnston</td>
<td>Moore</td>
<td>Sinodinos</td>
</tr>
<tr>
<td>Cameron</td>
<td>Ketter</td>
<td>Muir</td>
<td>Smith</td>
</tr>
<tr>
<td>Canavan</td>
<td>Lambie</td>
<td>Nash</td>
<td>Sterle</td>
</tr>
<tr>
<td>Carr</td>
<td>Lazarus</td>
<td>O’Neill</td>
<td>Urquhart</td>
</tr>
<tr>
<td>Cash</td>
<td>Leyonhjelm</td>
<td>Parry</td>
<td>Wang</td>
</tr>
<tr>
<td>Colbeck</td>
<td>Lindgren</td>
<td>Payne</td>
<td>Williams</td>
</tr>
<tr>
<td>Day</td>
<td>Lines</td>
<td>Pers</td>
<td>Xenophon</td>
</tr>
<tr>
<td>Edwards</td>
<td>Ludwig</td>
<td>Reynolds</td>
<td></td>
</tr>
</tbody>
</table>

NOES, 9

<table>
<thead>
<tr>
<th>Senators</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Di Natale</td>
<td>McKim</td>
<td>Rice</td>
<td>Simms</td>
</tr>
<tr>
<td>Hanson-Young</td>
<td>Rhiannon</td>
<td>Siewert (Teller)</td>
<td>Whish-Wilson</td>
</tr>
<tr>
<td>Ludlam</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Question agreed to.

Bills read a third time.

36 AUSTRALIAN CITIZENSHIP AMENDMENT (ALLEGIANCE TO AUSTRALIA) BILL 2015

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


The Minister for Tourism and International Education (Senator Colbeck) moved—That this bill may proceed without formalities and be now read a first time.

Question put and passed.

Bill read a first time.

Consideration of legislation: Senator Colbeck, by leave, moved—That the provisions of paragraphs (5) to (8) of standing order 111 not apply to this bill, allowing it to be considered during this period of sittings.

Document: Senator Colbeck tabled the following document:

Consideration of legislation—Statement of reasons for introduction and passage of the bill in the 2015 spring sittings.

Debate ensued.

Question put.
The Senate divided—

**AYES, 40**

<table>
<thead>
<tr>
<th>Senators</th>
<th>AYES</th>
<th>AYES</th>
<th>AYES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Back</td>
<td>Edwards</td>
<td>Madigan</td>
<td>Reynolds</td>
</tr>
<tr>
<td>Bilyk</td>
<td>Fawcett</td>
<td>McAllister</td>
<td>Ronaldson</td>
</tr>
<tr>
<td>Bullock</td>
<td>Gallacher</td>
<td>McEwen</td>
<td>Ryan</td>
</tr>
<tr>
<td>Bushby</td>
<td>Gallagher</td>
<td>McKenzie</td>
<td>Singh</td>
</tr>
<tr>
<td>Cameron</td>
<td>Ketter</td>
<td>McLucas</td>
<td>Sinodinos</td>
</tr>
<tr>
<td>Canavan</td>
<td>Lazarus</td>
<td>Moore</td>
<td>Smith (Teller)</td>
</tr>
<tr>
<td>Carr</td>
<td>Lindgren</td>
<td>Muir</td>
<td>Sterle</td>
</tr>
<tr>
<td>Colbeck</td>
<td>Lines</td>
<td>Nash</td>
<td>Urquhart</td>
</tr>
<tr>
<td>Dastyari</td>
<td>Ludwig</td>
<td>O'Neill</td>
<td>Wang</td>
</tr>
<tr>
<td>Day</td>
<td>Macdonald</td>
<td>Peris</td>
<td>Williams</td>
</tr>
</tbody>
</table>

**NOES, 11**

<table>
<thead>
<tr>
<th>Senators</th>
<th>NOES</th>
<th>NOES</th>
<th>NOES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Di Natale</td>
<td>Leyonhjelm</td>
<td>Rhiannon</td>
<td>Simms</td>
</tr>
<tr>
<td>Hanson-Young</td>
<td>Ludlam</td>
<td>Rice</td>
<td>Whish-Wilson</td>
</tr>
<tr>
<td>Lambie</td>
<td>McKim</td>
<td>Siewert (Teller)</td>
<td></td>
</tr>
</tbody>
</table>

Question agreed to.
Senator Colbeck moved—That this bill be now read a second time.
Debate ensued.

*At 9.50 pm: Debate was interrupted.*

37 **ADJOURNMENT**
The Acting Deputy President (Senator Peris) proposed the question—That the Senate do now adjourn.
Debate ensued.
The Senate adjourned at 10.14 pm till Tuesday, 1 December 2015 at 12.30 pm.

38 **ATTENDANCE**
Present, all senators except Senators McGrath*, O’Sullivan* and Waters* (*on leave).

ROSEMARY LAING
Clerk of the Senate

Printed by authority of the Senate