JOURNALS OF THE SENATE

No. 139

THURSDAY, 14 MARCH 2013

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1 MEETING OF SENATE
The Senate met at 9.30 am. The President (Senator the Honourable John Hogg) took the chair, read prayers and made an acknowledgement of country.

2 ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION AMENDMENT (RETAINING FEDERAL APPROVAL POWERS) BILL 2012
Order of the day read for the adjourned debate on the motion of Senator Waters—That this bill be now read a second time.

Debate resumed.

Time expired: The time for general business orders of the day for the consideration of bills reached the limit of 2 hours 20 minutes.

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

3 NOTICES
The Parliamentary Secretary for School Education and Workplace Relations (Senator Collins): To move on the next day of sitting—That the provisions of paragraphs (5) to (8) of standing order 111 not apply to the Australian Sports Anti-Doping Authority Amendment Bill 2013, allowing it to be considered during this period of sittings. (statement of reasons for introduction and passage of the bill in the 2013 autumn sittings tabled on 12 March 2013 (see entry no. 9, 12 March 2013))

The Leader of the Opposition in the Senate (Senator Abetz): To move on the next day of sitting—That the Senate—

(a) notes that the Minister for Employment and Workplace Relations (Mr Shorten) addressed the Maritime Workers Union’s militancy conference on 26 February 2013, celebrating 140 years of the militant struggle and bringing together some of the most successful and militant trade unions from around Australia and the world;

(b) notes the Fair Work Ombudsman’s civil prosecution, in Fair Work Ombudsman v Maritime Union of Australia & Anor WAD132/2012 in the Federal Court of Australia, for breaches of the Fair Work Act 2009 by the Maritime Workers Union of Australia, namely circulating posters labelling workers as scabs;

(c) condemns comments by Maritime Workers Union Western Australian Secretary, Mr Cain, at the same conference who told delegates that laws had to be broken; and

(d) calls on all Australians to obey the laws of the Commonwealth and its states and territories. (general business notice of motion no. 1186)

The Chair of the Joint Select Committee on Cyber Safety (Senator Bilyk): To move on the next day of sitting—That—

(a) paragraph (17) of the resolution of appointment of the Joint Select Committee on Cyber Safety be amended to read as follows:

(17) That the committee may report from time to time but that it present its final report no later than 27 June 2013; and

(b) a message be forwarded to the House of Representatives seeking the concurrence of the House in this variation to the resolution of appointment. (general business notice of motion no. 1187)
The Leader of the Australian Greens (Senator Milne): To move on the next day of sitting—that the findings of the Auditor-General’s audit report no. 22 of 2012-13, Administration of the Tasmanian Forests Intergovernmental Agreement Contractors Voluntary Exit Grants Program, be referred to the Rural and Regional Affairs and Transport References Committee for inquiry and report by 12 April 2013.

4 SELECTION OF BILLS—STANDING COMMITTEE—REPORT NO. 3 OF 2013

The Chair of the Selection of Bills Committee (Senator McEwen) tabled the following report:

SELECTION OF BILLS COMMITTEE
REPORT NO. 3 OF 2013

1. The committee met in private session on Wednesday, 13 March 2013 at 7.20 pm.

2. The committee resolved to recommend—that—
   (a) the provisions of the Aged Care (Living Longer Living Better) Bill 2013, the Australian Aged Care Quality Agency Bill 2013, the Australian Aged Care Quality Agency (Transitional Provisions) Bill 2013, the Aged Care (Bond Security) Amendment Bill 2013 and the Aged Care (Bond Security) Levy Amendment Bill 2013 be referred immediately to the Community Affairs Legislation Committee for inquiry and report by 17 June 2013;
   (b) the Citizen Initiated Referendum Bill 2013 be referred immediately to the Finance and Public Administration Legislation Committee for inquiry and report by 24 June 2013;
   (c) the provisions of the Environment Protection and Biodiversity Conservation Amendment Bill 2013 be referred immediately to the Environment and Communications Legislation Committee for inquiry and report by 14 May 2013;
   (d) the provisions of the Tax Laws Amendment (Countering Tax Avoidance and Multinational Profit Shifting) Bill 2013 be referred immediately to the Economics Legislation Committee for inquiry and report by 14 May 2013; and
   (e) the provisions of the Water Efficiency Labelling and Standards (Registration Fees) Bill 2013 and the Water Efficiency Labelling and Standards Amendment (Registration Fees) Bill 2013 be referred immediately to the Environment and Communications Legislation Committee for inquiry and report by 17 June 2013.

3. The committee recommends that the provisions of the Broadcasting Legislation Amendment (Convergence Review and Other Measures) Bill 2013, the Broadcasting Legislation Amendment (News Media Diversity) Bill 2013, the Television Licence Fees Amendment Bill 2013, the News Media (Self-regulation) Bill 2013, the News Media (Self-regulation) (Consequential Amendments) Bill 2013 and the Public Interest Media Advocate Bill 2013, contingent upon their introduction in the House of Representatives, be referred to the Environment and Communications Legislation Committee for inquiry and report but was unable to reach agreement on a reporting date.

4. The committee resolved to recommend—that the following bills not be referred to committees:
   Foreign Affairs Portfolio Miscellaneous Measures Bill 2013
International Monetary Agreements Amendment Bill 2013
Migration Amendment (Reinstatement of Temporary Protection Visas) Bill 2013 [No. 2]
Parliamentary Service Amendment (Parliamentary Budget Officer) Bill 2013.

The committee recommends accordingly.

5. The committee considered the Broadcasting Services Amendment (Material of Local Significance) Bill 2013 and noted that the Senate had agreed to refer the bill and a related matter to the Environment and Communications Legislation Committee for inquiry and report.

6. The committee deferred consideration of the following bills to its next meeting:
   Financial Framework Legislation Amendment Bill (No. 2) 2013
   International Organisations (Privileges and Immunities) Amendment Bill 2013
   Not-for-profit Sector Freedom to Advocate Bill 2013
   Social Security and Other Legislation Amendment (Caring for Single Parents) Bill 2013
   Social Security Legislation Amendment (Caring for People on Newstart) Bill 2013

Anne McEwen
Chair
14 March 2013.

Senator McEwen moved—That the report be adopted.

Senator Fifield moved the following amendment:

At the end of the motion, add “but, in respect of the Broadcasting Legislation Amendment (Convergence Review and Other Measures) Bill 2013, the Broadcasting Legislation Amendment (News Media Diversity) Bill 2013, the Television Licence Fees Amendment Bill 2013, the News Media (Self-regulation) Bill 2013, the News Media (Self-regulation) (Consequential Amendments) Bill 2013 and the Public Interest Media Advocate Bill 2013, the Environment and Communications Legislation Committee report by 17 June 2013”.

Debate ensued.

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

Main question, as amended, put and passed.

5 ORDER OF BUSINESS—REARRANGEMENT

The Parliamentary Secretary for School Education and Workplace Relations (Senator Collins) moved—That—

(a) the following government business orders of the day be considered from 12.45 pm today:
   No. 5 Customs Amendment (Anti-Dumping Commission) Bill 2013
   No. 6 Customs Amendment (Miscellaneous Measures) Bill 2012
   No. 7 Completion of Kakadu National Park (Koongarra Project Area Repeal) Bill 2013; and
(b) government business be called on after consideration of the bills listed in paragraph (a) and considered till not later than 2 pm today.

Question put and passed.

Senator Collins moved—that the order of general business for consideration today be as follows:

(a) general business notice of motion no. 1182 standing in the name of Senator Fifield relating to free speech; and

(b) orders of the day relating to government documents.

Question put and passed.

6 **PRIVATE SENATORS’ BILLS—CONSIDERATION**

The Parliamentary Secretary for School Education and Workplace Relations (Senator Collins) moved—that the following general business orders of the day be considered on Thursday, 21 March 2013 under the temporary order relating to the consideration of private senators’ bills:

- No. 102 Fair Work (Registered Organisations) Amendment (Towards Transparency) Bill 2012.
- No. 111 Migration Amendment (Reinstatement of Temporary Protection Visas) Bill 2013 [No. 2].

Question put and passed.

7 **RURAL AND REGIONAL AFFAIRS AND TRANSPORT REFERENCES COMMITTEE—LEAVE TO MEET DURING SITTING**

Senator Kroger, by leave and at the request of the Chair of the Rural and Regional Affairs and Transport References Committee (Senator Heffernan), moved—that the Rural and Regional Affairs and Transport References Committee be authorised to hold an in camera hearing during the sitting of the Senate on Monday, 18 March 2013, from 4 pm.

Question put and passed.

8 **ENVIRONMENT AND COMMUNICATIONS LEGISLATION COMMITTEE—LEAVE TO MEET DURING SITTING**

Senator McEwen, by leave and at the request of the Chair of the Environment and Communications Legislation Committee (Senator Cameron), moved—that the Environment and Communications Legislation Committee be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate today.

Question put and passed.

9 **RURAL AND REGIONAL AFFAIRS AND TRANSPORT REFERENCES COMMITTEE—EXTENSIONS OF TIME TO REPORT**

Senator Kroger, at the request of the Chair of the Rural and Regional Affairs and Transport References Committee (Senator Heffernan) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1181—that the time for the presentation of reports of the Rural and Regional Affairs and Transport References Committee be extended, as follows:

(a) an aviation accident investigation—to 30 April 2013;

(b) fresh pineapple imports—to 24 June 2013;
(c) New Zealand potatoes import risk analysis—24 June 2013; and
(d) fresh ginger import risk analysis—to 24 June 2013.

Question put and passed.

10 HISTORICAL EVENTS—GOULBURN—SESQUICENTENARY

Senator McEwen, at the request of Senator Stephens and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1185—That the Senate—

(a) notes:

(i) that Royal Letters Patent issued by Queen Victoria on 14 March 1863 established the Anglican Diocese of Goulburn, giving Goulburn city status and making it Australia’s first inland city,
(ii) that 14 March 2013 is the 150th anniversary of the declaration of Goulburn as a city,
(iii) St Saviour’s Anglican Cathedral, designed by Edmund Thomas Blacket, was completed in 1884, and the Catholic Cathedral of Sts Peter and Paul’s in 1890, and
(iv) Goulburn’s rich heritage since its settlement in the 1820s;
(b) recognises the contribution of Goulburn’s institutions to the expansion and economic development of southern New South Wales since the 1820s; and
(c) congratulates Goulburn and its citizens on its sesquicentenary.

Question put and passed.

11 FOREIGN AFFAIRS—FIJI

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. 1183—That the Senate—

(a) condemns the apparent torture and inhumane and degrading treatment of detainees in Fiji, as recently reported in an online video; and
(b) calls on the interim Fiji Government to:

(i) publicly condemn the use of torture and uphold international conventions protecting civil and political rights, and
(ii) establish an independent and transparent investigation into the events.

Question put and passed.

12 ENVIRONMENT—RENEWABLE ENERGY CERTIFICATES

Senator Madigan, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1160—That the Senate—

(a) notes that:

(i) the Assistant Director of Regional Projects for the Department of Planning and Community Development in Victoria has confirmed that the Waubra Wind Farm, which has been under review since it commenced in 2009, has not been signed off on any noise compliance by the Planning Minister, Mr Matthew Guy, therefore making it non-compliant,
(ii) to obtain accreditation from the Clean Energy Regulator, the Waubra Wind Farm must provide evidence that it is compliant with all state permit requirements, and

(iii) as a result of having been granted Clean Energy Regulator accreditation of its Waubra Wind Farm, Acciona has received tens of millions of dollars in Renewable Energy Certificates (RECs); and

(b) calls on the Government to:

(i) order a review of the accreditation process, and a review of the accreditation of all other wind farms that have been accredited under the same regulations as the Waubra Wind Farm, and

(ii) order an investigation of how many RECs have been raised by non-compliant power stations and traded into REC markets as well as the extent to which REC markets and REC market prices may have been distorted by this activity.

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

Question put.

The Senate divided—

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Question negatived.
13 FOREIGN AFFAIRS—AID BUDGET

Senator Rhiannon amended general business notice of motion no. 1177 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

(a) notes that:

(i) the United Nations (UN) endorsed target to meet the Millennium Development Goals is for developed nations to devote 0.7 per cent of gross national income (GNI) to foreign aid by 2015, yet Australia currently contributes a mere 0.35 per cent,

(ii) both the Australian Labor Party and the Coalition went to the 2010 election with a commitment to increase aid to 0.5 per cent of GNI by 2015,

(iii) in the 2012-13 Budget, the Government pushed back by a year its commitment to increase aid to 0.5 per cent and the Coalition removed its timetable altogether, and

(iv) since the 2012-13 Budget the Government has directed $375 million from the aid budget to pay for the onshore costs of detaining refugees, and the Australian Defence Force has had to re-classify almost $190 million claimed to be overseas development aid as military spending; and

(b) calls on:

(i) the Minister for Foreign Affairs (Senator Bob Carr) to ensure that the overseas aid budget does not suffer further cuts in the May 2013-14 Budget, and

(ii) the Government and Coalition to publicly reaffirm their commitment to the UN endorsed target of 0.7 per cent and to release their timetable for reaching the target.

Question put.
The Senate divided—

AYES, 10

Senators—

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

NOES, 46

Senators—

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Bernardi  Edwards  Ludwig  Ryan
Bilyk  Eggleston  Madigan  Scullion
Birmingham  Evans  Marshall  Singh
Bishop  Farrell  Mason  Smith
Boswell  Fawcett  McEwen  Sterle
Boyce  Feeney  McKenzie  Thistlethwaite
Brown  Fifield  McLucas  Thorp
Cameron  Furner  Moore  Urquhart
Carr, Kim  Gallacher  Polley  Williams
Cash  Hogg  Pratt
Colbeck  Humphries  Ronaldson

Question negatived.
14 FAMILY AND COMMUNITY SERVICES—NEWSTART

Senator Siewert, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1179—That the Senate—

(a) acknowledges the financial hardship that single parent families who were moved from Parenting Payment to Newstart on 1 January 2013 have experienced; and

(b) calls on the Government to reverse Schedule 1 of the *Social Security Legislation Amendment (Fair Incentives to Work) Act 2012*.

Question put.
The Senate divided—

AYES, 11

Senators—

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Senators—

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Question negatived.

15 EDUCATION—TEACHER QUALITY

Senator Wright, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1180—That the Senate—

(a) recognises that:

(i) improving teacher quality is one of the various important components to raising education standards in Australian schools,

(ii) measures to ensure trainee teachers have the necessary skills and aptitude are fitting but should be complemented by other incentives to attract candidates to the profession,

(iii) school teachers must be appropriately remunerated and supported in the challenging functions they perform, through fair wages, suitable career structures, ongoing professional development and adequate time for out-of-classroom preparation, and

(iv) adequately resourcing government schools creates optimal conditions for raising education standards; and
(b) calls on the Government to:

(i) include measures which will enhance morale, professional development and job satisfaction among teachers, to complement teacher training, and

(ii) address the under-resourcing of government schools by implementing the Gonski recommendations without delay.

Question put.

The Senate divided—

AYES, 9

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Question negatived.

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

16 ENVIRONMENT—COAL SEAM GAS

Senator Waters, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1184—That the Senate—

(a) notes that:

(i) no coal seam gas projects or coal mines have been assessed under Australia’s national environment laws for their impacts on the climate or water resources, and

(ii) there is huge concern about the impacts of coal seam gas and coal mines in the Australian community, particularly within farming communities that depend on scarce water resources; and

(b) calls on the Government to retrospectively apply its proposed water trigger and re-assess all projects approved under the Minister for Sustainability, Environment, Water, Population and Communities (Mr Burke).

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

Question put.

The Senate divided—

AYES, 10

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Senators—

No. 139—14 March 2013

NOES, 30

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Question negatived.

17 **EXPORT FINANCE AND INSURANCE CORPORATION AMENDMENT (FINANCE) BILL 2013**

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


The Parliamentary Secretary for Defence (Senator Feeney) 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 Feeney moved—That this bill be now read a second time.

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

18 **ELECTORAL AND REFERENDUM AMENDMENT (IMPROVING ELECTORAL ADMINISTRATION) BILL 2013**

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

Message no. 599, dated 14 March 2013—A Bill for an Act to amend the law relating to elections, referendums and taxation, and for related purposes.

The Parliamentary Secretary for Defence (Senator Feeney) 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 Feeney moved—That this bill be now read a second time.

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

On the motion of Senator Feeney the debate was adjourned till the next day of sitting.
19 **Broadcasting Legislation—Joint Select Committee—Appointment**

A message from the House of Representatives was reported proposing the appointment of a joint select committee, as follows:

Message no. 597, dated 13 March 2013—Proposed Joint Select Committee on Broadcasting Legislation, and transmitting for the concurrence of the Senate the following resolution:

That:

1. A Joint Select Committee on Broadcasting Legislation be appointed to inquire into and report on potential areas for further reform of Australia’s broadcasting legislation, with particular reference to:
   1. the abolition of the 75 per cent rule, particularly in relation to regional and local news;
   2. whether the Australian Communications and Media Authority (ACMA) should be required to examine program supply agreements for news and current affairs when determining whether a person is in control of a commercial television broadcasting service; and
   3. on-air reporting of ACMA findings regarding Broadcasting regulation breaches;
2. the committee consist of ten members, two Members of the House of Representatives to be nominated by the Government Whip or Whips, two Members of the House of Representatives to be nominated by the Opposition Whip or Whips, and one non-aligned Member, two Senators to be nominated by the Leader of the Government in the Senate, two Senators to be nominated by the Leader of the Opposition in the Senate, and one Senator to be nominated by the Australian Greens Whip;
3. every nomination of a member of the committee be notified in writing to the President of the Senate and the Speaker of the House of Representatives;
4. the members of the committee hold office as a joint select committee until presentation of the committee’s report or the House of Representatives is dissolved or expires by effluxion of time, whichever is the earlier;
5. the committee elect:
   1. as its chair a Government member; and
   2. a deputy chair who shall act as chair of the committee at any time when the chair is not present at a meeting of the committee, and at any time when the chair and deputy chair are not present at a meeting of the committee the members present shall elect another member to act as chair of that meeting;
6. in the event of an equality of voting, the chair, or the deputy chair when acting as chair, have a casting vote;
7. three members of the committee constitute a quorum of the committee provided that in a deliberative meeting the quorum shall include one Government member of either House and one non-Government member of either House;
8. the committee have power to appoint subcommittees consisting of three or more of its members and to refer to any subcommittee any matter which the committee is empowered to examine;
(9) the committee appoint the chair of each subcommittee who shall have a casting vote only, and at any time when the chair of a subcommittee is not present at a meeting of the subcommittee the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting;

(10) the quorum of a subcommittee be two members of that subcommittee, provided that in a deliberative meeting the quorum shall comprise one Government member of either House and one non-Government member of either House;

(11) the committee or any subcommittee have power to call for witnesses to attend and for documents to be produced;

(12) the committee or any subcommittee may conduct proceedings at any place it sees fit;

(13) the committee or subcommittee have the power to adjourn from time to time and to sit during any adjournment of the House of Representatives and the Senate;

(14) the committee be provided with all necessary staff, facilities and resources and be empowered to appoint persons with specialist knowledge for the purposes of the committee with the approval of the Presiding Officers;

(15) the committee be empowered to print from day to day such documents and evidence as may be ordered by it, and a daily Hansard be published of such proceedings as take place in public;

(16) the committee may report from time to time but that it make a final report no later than 17 June 2013; and

(17) the provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.

The Parliamentary Secretary for Defence (Senator Feeney), by leave, moved—That the Senate concurs with the resolution of the House of Representatives contained in message no. 597 relating to the appointment of a joint select committee.

Document: Senator Feeney tabled the following document:

Broadcasting Legislation—Joint Select Committee—Briefing note on the 75 per cent reach rule.

Question put and passed.

20 LEGISLATION COMMITTEES—REPORTS—ANNUAL REPORTS

Pursuant to order, Senator Brown, at the request of the chairs of the respective committees, tabled the following reports:

Reports on annual reports referred to legislation committees—No. 1 of 2013, dated March 2013—

Community Affairs Legislation Committee.
Economics Legislation Committee.
Education, Employment and Workplace Relations Legislation Committee.
Reports ordered to be printed on the motion of Senator Brown.

Senator Ryan, by leave, moved—That the Senate take note of the report of the Finance and Public Administration Legislation Committee.

Question put and passed.

21 **CUSTOMS AMENDMENT (ANTI-DUMPING COMMISSION) BILL 2013**

Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary to the Prime Minister (Senator McLucas)—That this bill be now read a second time.

Debate resumed.

Question put and passed.

Bill read a second time.

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

On the motion of the Parliamentary Secretary for Defence (Senator Feeney) the bill was read a third time.

22 **CUSTOMS AMENDMENT (MISCELLANEOUS MEASURES) BILL 2012**

Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary for School Education and Workplace Relations (Senator Collins)—That this bill be now read a second time.

Debate resumed.

Question put and passed.

Bill read a second time.

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

On the motion of the Parliamentary Secretary for Sustainability and Urban Water (Senator Farrell) the bill was read a third time.

23 **COMPLETION OF KAKADU NATIONAL PARK (KOONGARRA PROJECT AREA REPEAL) BILL 2013**

Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary to the Prime Minister (Senator McLucas)—That this bill be now read a second time.

Debate resumed.

Question put and passed.

Bill read a second time.

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

On the motion of the Parliamentary Secretary for Sustainability and Urban Water (Senator Farrell) the bill was read a third time.
24 **FISHERIES LEGISLATION AMENDMENT BILL (NO. 1) 2012**

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

Debate resumed.

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

25 **QUESTIONS**

Questions without notice were answered.

26 **MOTIONS TO TAKE NOTE OF ANSWERS**

Senator Brandis moved—That the Senate take note of the answers given by the Minister for Broadband, Communications and the Digital Economy (Senator Conroy) to questions without notice asked by Senators Sinodinos and Birmingham today relating to proposed media legislation.

Debate ensued.

Question put and passed.

Senator Rhiannon moved—That the Senate take note of the answer given by the Minister for Foreign Affairs (Senator Bob Carr) to a question without notice asked by the Leader of the Australian Greens (Senator Milne) today relating to overseas aid.

Question put and passed.

27 **ECONOMICS LEGISLATION COMMITTEE—GOVERNMENT RESPONSE—ANNUAL REPORTS**

The Parliamentary Secretary to the Prime Minister (Senator McLucas) tabled the following document:


28 **DOCUMENTS**

The following documents were tabled by the Clerk:

[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.]

- Coastal Trading (Revitalising Australian Shipping) Act—Section 11 exemption for voyages between Christmas Island and Australian States and Territories, dated 19 February 2013 [F2013L00450].
- Environment Protection and Biodiversity Conservation Act—Amendment of list of specimens taken to be suitable for live import—EPBC/s.303EC/SSLI/Amend/058 [F2013L00443].
- Instrument of Approval of Variation to Adopted Recovery Plan, dated 21 February 2013 [F2013L00447].

Family Law Act—Family Law (Superannuation) Regulations—
   Family Law (Superannuation) (Methods and Factors for Valuing Particular Superannuation Interests) Amendment Approval 2013 (No. 1) [F2013L00454].
   Family Law (Superannuation — Provision of Information: Governor-General Pension Scheme) Determination 2013 [F2013L00453].

Fisheries Management Act—Northern Prawn Fishery (Closures) Direction No. 163 [F2013L00442].


National Health Act—Instrument No. PB 18 of 2013—National Health (Weighted average disclosure price – main disclosure cycle) Amendment Determination 2013 (No. 1) [F2013L00445].

Public Service Act—
   Australian Public Service Commissioner’s Directions 2013 [F2013L00448].
   Select Legislative Instrument 2013 No. 35—Public Service Amendment Regulation 2013 (No. 1) [F2013L00460].


29 INDEXED LISTS OF DEPARTMENTAL AND AGENCY FILES—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENTS

The following documents were tabled pursuant to the order of the Senate of 30 May 1996, as amended:
   Indexed lists of departmental and agency files for the period 1 July to 31 December 2012—Statements of compliance—
   Department of Human Services.
   Department of the Prime Minister and Cabinet.
   Immigration and Citizenship portfolio.
   Infrastructure and Transport portfolio.

30 DEPARTMENTAL AND AGENCY CONTRACTS—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENT

The following document was tabled pursuant to the order of the Senate of 20 June 2001, as amended:
   Departmental and agency contracts for 2012—Letter of advice—Veterans’ Affairs portfolio.
31 **COMMITTEE MEMBERSHIP**

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

The Parliamentary Secretary to the Prime Minister (Senator McLucas), by leave, moved—That senators be discharged from and appointed to committees as follows:

**Broadcasting Legislation—Joint Select Committee**
- Appointed—Senators Birmingham, Cameron, Joyce, Ludlam and Thistlethwaite

**Environment and Communications Legislation Committee**
- Appointed—
  - Substitute members:
    - Senator Ludlam to replace Senator Waters for the committee’s inquiry into the Broadcasting Services Amendment (Material of Local Significance) Bill 2013 and the delivery of news coverage in rural and regional areas by the Australian Broadcasting Corporation
    - Senator Ludlam to replace Senator Waters for the committee’s inquiry into the provisions of the Television Licence Fees Amendment Bill 2013 and related bills
  - Participating member: Senator Waters.

Question put and passed.

32 **GOVERNOR-GENERAL’S MESSAGE—ASSENT TO LAW**

A message from Her Excellency the Governor-General was reported, informing the Senate that she had assented to the following law:


General business was called on.

33 **COMMUNICATIONS—FREE SPEECH**

Senator Birmingham, at the request of Senator Fifield and pursuant to notice, moved general business notice of motion no. 1182—That the Senate notes Labor’s relentless attacks on free speech.

Debate ensued.

*At 6 pm:* Debate was interrupted while Senator Sterle was speaking.

34 **GOVERNMENT DOCUMENTS—ORDERS OF THE DAY—CONSIDERATION**

The following orders of the day relating to government documents were considered:

- Australian Agency for International Development (AusAID)—
  - Addendum.

—Motion of Senator Bushby to take note of documents debated. Debate adjourned till Thursday at general business, Senator Macdonald in continuation.

General business concluded.
35 COMMITTEE REPORTS AND GOVERNMENT RESPONSES—ORDERS OF THE DAY—
CONSIDERATION

The following orders of the day relating to committee reports and government responses were considered:

Finance and Public Administration References Committee—Report—Implementation of the National Health Reform Agreement. Motion of Senator Williams to take note of report debated and agreed to.


Rural and Regional Affairs and Transport References Committee—Final report—The management of the Murray-Darling Basin. Motion of the chair of the committee (Senator Heffernan) to take note of report debated. Debate adjourned till the next day of sitting, Senator Heffernan in continuation.

Treaties—Joint Standing Committee—Report 132—Treaties tabled on 18 September and 30 October 2012. Motion of the chair of the committee (Senator Thistlethwaite) to take note of report called on. On the motion of Senator Kroger debate was adjourned till the next day of sitting.

Human Rights—Joint Statutory Committee—Third report of 2013—Examination of legislation in accordance with the Human Rights (Parliamentary Scrutiny) Act 2011: Bills introduced 5 February to 28 February 2013; Legislative instruments registered with the Federal Register of Legislative Instruments 5 January to 15 February 2013. Motion of Senator Stephens to take note of report called on. On the motion of Senator Kroger debate was adjourned till the next day of sitting.

Procedure—Standing Committee—First report of 2013—Electronic petitions; Routine of business. Motion of the chair of the committee (Senator Parry) to take note of report called on. On the motion of Senator Kroger debate was adjourned till the next day of sitting.

National Broadband Network—Joint Standing Committee—Fourth report—Review of the rollout of the National Broadband Network. Motion of Senator Cameron to take note of report debated and agreed to.

36 ADJOURNMENT

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

Debate ensued.

The Senate adjourned at 7.40 pm till Monday, 18 March 2013 at 10 am.

37 ATTENDANCE

Present, all senators except Senators Cormann* and Parry* (* on leave).

ROSEMARY LAING
Clerk of the Senate

Printed by authority of the Senate