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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.

GOVERNMENT DOCUMENT
The following document was tabled:

REFERENDUM (MACHINERY PROVISIONS) AMENDMENT 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 School Education and Workplace Relations (Senator Collins) moved—That this bill may proceed without formalities and be now read a first time.

Senator Ryan requested that the motion be divided—
Question—That this bill may proceed without formalities—put.

The Senate divided—

AYES, 34

Senators—
Bilyk
Bishop
Brown
Cameron
Carr, Kim
Collins
Crossin
Di Natale
Farrell
Faulkner
Feneley
Furner
Gallacher
Hanson-Young
Hogg
Ludlam
Lundy
Marshall

McEwen (Teller)
McLucas
Milne
Polley
Pratt
Rhiannon
Siewert
Singh

Sterle
Thistlethwaite
Thorp
Urquhart
Waters
Whish-Wilson
Wright

NOES, 29

Senators—
Back
Bernardi
Birmingham
Boswell
Brandis
Bushby
Cash
Colbeck
Edwards
Eggleston
Fawcett
Fierravanti-Wells
Fifield
Heffernan
Humphries
Johnston

Kroger (Teller)
Macdonald
Madigan
Mason
McKenzie
Nash
Parry
Payne

Ruston
Ryan
Scullion
Sinodinos
Smith

Question agreed to.

Question—That this bill be now read a first time—put and passed.

Bill read a first time.

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

Debate ensued.

At 12.45 pm: Debate was interrupted while Senator Humphries was speaking.
4 **MATTERS OF PUBLIC INTEREST**

Matters of public interest were discussed.

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**At 2 pm—**

5 **QUESTIONS**

Questions without notice were answered.

6 **MOTIONS TO TAKE NOTE OF ANSWERS**

Senator Brandis moved—That the Senate take note of the answers given by the Minister for Finance and Deregulation (Senator Wong) to questions without notice asked by the Leader of the Opposition in the Senate (Senator Abetz), the Leader of The Nationals in the Senate (Senator Joyce) and Senators Cormann and Sinodinos today relating to the 2013-14 Budget.

Debate ensued.

Question put and passed.

Senator Xenophon 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 Senator Xenophon today relating to the recent election in Malaysia.

Question put and passed.

7 **NOTICES**

Senator Di Natale: To move on the next day of sitting—That the following matter be referred to the Rural and Regional Affairs and Transport References Committee for inquiry and report by 27 June 2013:

The practice of sports science in Australia with regard to:

(a) the current scope of practice, accreditation and regulation arrangements for the profession;

(b) the role of boards and management in the oversight of sports scientists inside sporting organisations;

(c) the duty of care of sports scientists to athletes, and the ethical obligations of sports scientists in relation to protecting and promoting the spirit of sport;

(d) avenues for reform or enhanced regulation of the profession; and

(e) any other related matter.

Senator Xenophon: To move on the next day of sitting—That the Export Market Development Grants Amendment Bill 2013 be referred to the Foreign Affairs, Defence and Trade Legislation Committee for inquiry and report by 17 June 2013.

Senators Mason and Smith: To move on the next day of sitting—That the Senate—

(a) notes with deep regret the passing of The Right Honourable The Baroness Thatcher, LG, OM, PC, FRS, one of the most significant and influential British Prime Ministers, and the first woman to become the Prime Minister of Great Britain and Northern Ireland; and

(b) conveys its condolences to the people of Great Britain. (general business notice of motion no. 1239)
Senator Ludlam: To move on the next day of sitting—That the Senate—
(a) notes that:
(i) in 1964 the Commonwealth Government transferred the Point Peron area to the Western Australian State Government subject to agreement that its future use was restricted to a reserve for public recreation and parklands, reiterating in 1968 that the land must not be used for private industrial, commercial or residential development,
(ii) the Western Australian Environmental Protection Authority gave conditional approval to the Mangles Bay Marina project in Cape Peron on 29 April 2013 adjacent to a protected freshwater lake containing one of the only surviving thrombolite communities in Western Australia, and
(iii) 8 000 signatures opposing the Point Peron Marina development were submitted to the Western Australian Parliament on Tuesday, 14 May 2013; and
(b) calls on the Government to insist that the Western Australian Government honour its 1964 commitment regarding the use of the land and reject development of this pristine area. (general business notice of motion no. 1240)

The Leader of the Australian Greens (Senator Milne): To move on the next day of sitting—That the Senate notes that not a single Australian economist or industry group has publicly supported the Coalition’s Direct Action Plan. (general business notice of motion no. 1241)

Senator Madigan: To move on 20 June 2013—That the following bill be introduced: A Bill for an Act to ensure that imported goods from a country that has a free trade agreement with Australia are modified to meet Australian Standards before they are sold in Australia. Fair Trade (Compliance of Imported Goods with Australian Standards) Bill 2013. (general business notice of motion no. 1242)

Senator Madigan: To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the Health Insurance Act 1973, and for related purposes. Health Insurance Amendment (Medicare Funding for Post-Operative Care for Illegal Organ Transplants) Bill 2013. (general business notice of motion no. 1243)

Senator Madigan: To move on the next day of sitting—That the Senate—
(a) notes that:
(i) five United Nations agencies: the Office of the High Commissioner for Human Rights, the United Nations Population Fund (UNFPA), the United Nations Children’s Fund, the United Nations Entity for Gender Equality and the Empowerment of Women and the World Health Organization, have issued a combined report calling for urgent steps to be taken to address gender-biased sex selection, including:
   (A) the collection of more reliable data on the extent of the problem,
   (B) guidelines on the use of technology for health professionals,
   (C) supportive measures for girls and women, and
   (D) other legal and awareness-raising actions,
(ii) in its 2010 report the UNFPA states that, according to the 2000 United States Census, immigrants to the United States of America from China, India and the Republic of Korea had a sex ratio at birth almost as skewed as in their countries of origin, demonstrating that the practice continued in some ethnic groups after migration to western nations, and
(iii) at the UN Conference on Population and Development (ICPD) (1994) in Cairo and at the 4th World Congress on Women (1995) in Beijing, Australia promised ‘to enact and enforce legislation protecting girls from all forms of violence ... including prenatal sex selection’;

(b) condemns the practice of gender-biased sex selection in abortion or infanticide whether in Australia or overseas; and

(c) calls on the Government to support the proposals of the five UN agencies and uphold its promises to the ICPD 1994 and the 4th World Congress on Women. (general business notice of motion no. 1244)

Senator Di Natale: To move on the next day of sitting—That, in order to preserve the integrity of the sporting experience and protect Australian children, the Senate notes the need for law reform, including measures such as:

(a) banning the broadcast advertising of live gambling odds for sports betting;

(b) banning the advertising of sports betting services on television and radio during children’s viewing hours, before 9 pm; and

(c) banning the paid promotion of sports betting services by sporting commentators and their guests during sports broadcasts. (general business notice of motion no. 1245)

Senator Hanson-Young: To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the Marriage Act 1961 to recognise same-sex marriages solemnised in a foreign country, and for related purposes. Marriage Act Amendment (Recognition of Foreign Marriages for Same-Sex Couples) Bill 2013. (general business notice of motion no. 1246)

The Leader of the Australian Greens (Senator Milne): 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 competition and consumers and food labelling, and for related purposes. Competition and Consumer Amendment (Australian Country of Origin Food Labelling) Bill 2013. (general business notice of motion no. 1247)

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

(a) notes the decision of Woodside Energy Ltd and its joint venture partners to process Browse gas offshore rather than at James Price Point, in the Kimberley; and

(b) calls on the Western Australian Government to end its efforts to compulsorily acquire the land at James Price Point from the Traditional Owners for the purpose of industrialising the Kimberley and to withdraw its application for a strategic assessment under the Environment Protection and Biodiversity Conservation Act 1999 of the James Price Point Browse gas processing site. (general business notice of motion no. 1248)

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

(a) notes that:

(i) 12 May to 18 May 2013 is Schizophrenia Awareness Week,

(ii) people affected by serious mental illness face critical challenges to achieving and maintaining the same physical health as other people in the community,

(iii) such people are more vulnerable to coronary heart disease, diabetes, stroke and respiratory disease than those without serious mental illness, and
(iv) their life expectancy is up to 25 years less than that of the general population; and

(b) calls on all governments in Australia to address the poor physical health status of people with serious mental illness as a priority. (general business notice of motion no. 1249)

Senator Whish-Wilson: To move on the next day of sitting—That the Senate—

(a) notes:

(i) the collapse of the Rana Plaza building in Bangladesh that killed 1 127 garment workers, many of whom were sewing clothes for international brands in unsafe conditions,

(ii) the significant protests and riots by garment workers in Bangladesh in response to the building collapse, and

(iii) that in response, some international clothing brands have signalled their intention to sign an accord committing to improve fire and building standards for their workers in Bangladesh; and

(b) calls on:

(i) Australian companies to ensure the safety of their workers in developing countries through improving standards and conditions and providing for independent inspections of factories,

(ii) Australian clothing companies to join the accord committing to improve fire and building standards for workers in Bangladesh, and

(iii) the Australian clothing industry to consider moves towards supply chain accreditation for products from developing countries. (general business notice of motion no. 1250)

Senator Hanson-Young: To move on the next day of sitting—That the Senate—

(a) notes:

(i) that 17 May is International Day Against Homophobia, Biphobia and Transphobia on which individuals and organisations are encouraged to take a stand against sex and gender-based prejudice in the community, and

(ii) the physical and psychological harm caused by harassment and discrimination, including much higher rates of anxiety, depression, self-harm and suicide in the lesbian, gay, bisexual, transgender and intersex community compared with the general population; and

(b) calls on senators and other members of Parliament individually to commit to the ‘No to Homophobia’ campaign pledge to always stand up against homophobia, biphobia and transphobia and to promote this campaign within the Australian community. (general business notice of motion no. 1251)

Senators McKenzie and Colbeck: To move on the next day of sitting—That the Senate—

(a) notes its support for the fruit growers and workers in the local food processing industry;

(b) recognises the impact and toll that the increased cost of doing business has on local food processors;

(c) acknowledges the significance of iconic local food processors as key employers and contributors to regional communities; and

(d) supports the ‘Toss a tin in your trolley’ campaign to encourage Australians to throw a tin of local canned produce into their shopping trolley and urges supermarkets to promote this initiative. (general business notice of motion no. 1252)
Senator Waters: To move on the next day of sitting—That the Senate—

(a) notes:

(i) the World Heritage Committee’s draft decision on the Great Barrier Reef states, that to avoid the reef being added to the World Heritage in Danger list, Australia must turn around the ‘limited progress’ to date, and take ‘urgent and decisive’ action on its earlier recommendations to prevent new ports in pristine areas, and reject damaging port expansions,

(ii) the World Heritage Committee specifically identifies that the Fitzroy Delta, including Port Alma and Balaclava Island, should not be developed,

(iii) that Queensland’s draft Ports Strategy considers Port Alma and Balaclava Island part of the Gladstone Port available for development, and

(iv) that Glencore Xstrata has just withdrawn its plans to develop a major coal port on pristine Balaclava Island; and

(b) calls on the Government to:

(i) implement the World Heritage Committee’s recommendations regarding ports immediately so that Australia does not become the only developed country with a site on the World Heritage in Danger list, and

(ii) immediately rule out any industrial development in the Fitzroy Delta and reflect this in our national environment laws. (general business notice of motion no. 1253)

The Parliamentary Secretary for School Education and Workplace Relations (Senator Collins): To move on the next day of sitting—That standing order 110 be suspended to enable the third reading of a constitution alteration bill relating to local government to be passed without a roll call.

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 Offshore Petroleum and Greenhouse Gas Storage Amendment (Compliance Measures No. 2) Bill 2013, allowing it to be considered during this period of sittings.

Document: Senator Collins tabled the following document:
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 following bills, allowing them to be considered during this period of sittings:

- National Disability Insurance Scheme Legislation Amendment Bill 2013
- DisabilityCare Australia Fund Bill 2013
- Medicare Levy Amendment (DisabilityCare Australia) Bill 2013
- Fringe Benefits Tax Amendment (DisabilityCare Australia) Bill 2013
- Income Tax Rates Amendment (DisabilityCare Australia) Bill 2013
- Superannuation (Excess Concessional Contributions Tax) Amendment (DisabilityCare Australia) Bill 2013
- Superannuation (Excess Non-concessional Contributions Tax) Amendment (DisabilityCare Australia) Bill 2013
- Superannuation (Excess Untaxed Roll-over Amounts Tax) Amendment (DisabilityCare Australia) Bill 2013
- Income Tax (TFN Withholding Tax (ESS)) Amendment (DisabilityCare Australia) Bill 2013
- Income Tax (First Home Saver Accounts Misuse Tax) Amendment (DisabilityCare Australia) Bill 2013
- Family Trust Distribution Tax (Primary Liability) Amendment (DisabilityCare Australia) Bill 2013
- Taxation (Trustee Beneficiary Non-disclosure Tax) (No. 1) Amendment (DisabilityCare Australia) Bill 2013
- Taxation (Trustee Beneficiary Non-disclosure Tax) (No. 2) Amendment (DisabilityCare Australia) Bill 2013.

Documents: Senator Collins tabled the following documents:


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 Superannuation Legislation Amendment (Service Providers and Other Governance Measures) Bill 2012, allowing it to be considered during this period of sittings.

Document: Senator Collins tabled the following document:

- Consideration of legislation—Statement of reasons for introduction and passage of the Superannuation Legislation Amendment (Service Providers and Other Governance Measures) Bill 2012 in the 2013 Budget sittings.
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 Aviation Transport Security Amendment (Inbound Cargo Security Enhancement) Bill 2013, allowing it to be considered during this period of sittings.

Document: Senator Collins tabled the following document:

8 RURAL AND REGIONAL AFFAIRS AND TRANSPORT REFERENCES COMMITTEE—EXTENSION OF TIME TO REPORT
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 time for the presentation of the report of the Rural and Regional Affairs and Transport References Committee on the Foreign Investment Review Board national interest test be extended to 24 June 2013.
Question put and passed.

9 LEAVE OF ABSENCE
Senator Kroger, by leave, moved—That leave of absence be granted to Senator Boyce for today, for personal reasons.
Question put and passed.

10 POSTPONEMENTS
The following items of business were postponed:

Business of the Senate notice of motion no. 3 standing in the name of the Chair of the Rural and Regional Affairs and Transport References Committee (Senator Heffernan) for today, proposing a reference to the Rural and Regional Affairs and Transport References Committee, postponed till 16 May 2013.

General business notice of motion no. 1233 standing in the name of Senator Rhiannon for today, proposing the introduction of the Overseas Aid (Millennium Development Goals) Bill 2013, postponed till 17 June 2013.

11 EDUCATION, EMPLOYMENT AND WORKPLACE RELATIONS REFERENCES COMMITTEE—REFERENCE
Senator Wright amended business of the Senate notice of motion no. 2 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the following matter be referred to the Education, Employment and Workplace Relations References Committee for inquiry and report by 27 June 2013:
The effectiveness of the National Assessment Program – Literacy and Numeracy (NAPLAN), with specific reference to:

(a) whether the evidence suggests that NAPLAN is achieving its stated objectives;
(b) unintended consequences of NAPLAN’s introduction;
(c) NAPLAN’s impact on teaching and student learning practices;
(d) the impact on teaching and student learning practices of publishing NAPLAN test results on the MySchool website;
(e) potential improvements to the program, to improve student learning and assessment;
(f) international best practice for standardised testing, and international case studies about the introduction of standardised testing; and
(g) other relevant matters.
Question put and passed.

12 COMMITTEES—ALLOCATION OF DEPARTMENTS—VARIATION
The Parliamentary Secretary for School Education and Workplace Relations (Senator Collins), pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 1—that paragraph (2) of the order of the Senate agreed to on 29 September 2010 and amended on 8 February 2012, relating to the allocation of departments and agencies to legislative and general purpose standing committees, be amended as follows:

Under Environment and Communications, omit departments and agencies, substitute:
Broadband, Communications and the Digital Economy
Climate Change
Sustainability, Environment, Water, Population and Communities

Question put and passed.

13 COMMITTEES—REFERENCES
The Parliamentary Secretary for School Education and Workplace Relations (Senator Collins) amended government business notice of motion no. 2 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—that—

(1) To ensure appropriate consideration of time critical bills by Senate committees, the provisions of all bills introduced into the House of Representatives after 16 May 2013 and up to and including 6 June 2013 that contain substantive provisions commencing on or before 1 July 2013 (together with the provisions of any related bill), are referred to committees for inquiry and report by 17 June 2013.

(2) The committee to which each bill is referred shall be determined in accordance with the order of 29 September 2010, as amended on 8 February 2012 and 15 May 2013, allocating departments and agencies to standing committees.

(3) A committee to which a bill has been referred may determine, by unanimous decision, that there are no substantive matters that require examination and report that fact to the Senate.

(4) This order does not apply in relation to bills which contain:
   (a) no provisions other than provisions appropriating revenue or moneys (appropriation bills); and
   (b) commencement clauses providing only for the legislation to commence on Royal Assent.

Question put and passed.
14 **ENVIRONMENT AND COMMUNICATIONS LEGISLATION COMMITTEE—LEAVE TO MEET DURING SITTING**

Senator McEwen, at the request of the Chair of the Environment and Communications Legislation Committee (Senator Cameron) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1219—That the Environment and Communications Legislation Committee be authorised to hold a public meeting during the sitting of the Senate on Thursday, 16 May 2013, from 1 pm, to take evidence 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. Question put and passed.

15 **ENVIRONMENT AND COMMUNICATIONS LEGISLATION COMMITTEE—EXTENSION OF TIME TO REPORT**

Senator McEwen, at the request of the Chair of the Environment and Communications Legislation Committee (Senator Cameron) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1220—That the time for the presentation of the report of the Environment and Communications Legislation Committee on the Environment Protection and Biodiversity Conservation Amendment (Great Barrier Reef) Bill 2013 be extended to 13 June 2013. Question put and passed.

16 **COMMUNITY AFFAIRS REFERENCES COMMITTEE—LEAVE TO MEET DURING SITTING**

Senator McEwen, at the request of the Chair of the Community Affairs References Committee (Senator Siewert) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1221—That the Community Affairs References Committee be authorised to hold a public meeting during the sitting of the Senate on Wednesday, 15 May 2013, from 5 pm, to take evidence for the committee’s inquiry into the sterilisation of people with disabilities. Question put and passed.

17 **FOREIGN AFFAIRS, DEFENCE AND TRADE REFERENCES COMMITTEE—EXTENSIONS OF TIME TO REPORT**

Senator McEwen, at the request of the Chair of the Foreign Affairs, Defence and Trade References Committee (Senator Eggleston) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1223—That the time for the presentation of reports of the Foreign Affairs, Defence and Trade References Committee be extended, as follows:

(a) Australia and the countries of the Indian Ocean rim—to 17 June 2013; and

(b) victims of sexual and other abuse in Defence—to 27 June 2013. Question put and passed.
18 FOREIGN AFFAIRS, DEFENCE AND TRADE—JOINT STANDING COMMITTEE—LEAVE TO MEET DURING SITTING
Senator McEwen, at the request of Senator Furner and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1225—That the Joint Standing Committee on Foreign Affairs, Defence and Trade be authorised to hold a public meeting during the sitting of the Senate on Thursday, 16 May 2013, from 11 am, to take evidence for the committee’s inquiry into the review of the Defence annual report 2011-12.
Question put and passed.

19 GAMBLING REFORM—JOINT SELECT COMMITTEE—EXTENSION OF TIME TO REPORT
Senator McEwen, at the request of Senator Pratt and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1226—That the time for the presentation of the report of the Joint Select Committee on Gambling Reform on its inquiry into the advertising and promotion of gambling services in sport be extended to 28 June 2013.
Question put and passed.

20 ENVIRONMENT AND COMMUNICATIONS REFERENCES COMMITTEE—EXTENSION OF TIME TO REPORT
Senator Kroger, at the request of the Chair of the Environment and Communications References Committee (Senator Birmingham) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1222—That the time for the presentation of the report of the Environment and Communications References Committee on the protection of Australia’s threatened species and ecological communities be extended to 20 June 2013.
Question put and passed.

21 RURAL AND REGIONAL AFFAIRS AND TRANSPORT REFERENCES COMMITTEE—EXTENSION 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. 1224—That the time for the presentation of the report of the Rural and Regional Affairs and Transport References Committee on the Australian citrus industry be extended to 31 July 2013.
Question put and passed.

22 COMMONWEALTH RADIOACTIVE WASTE MANAGEMENT (REPEAL AND CONSEQUENTIAL AMENDMENT) BILL 2010—GENERAL BUSINESS ORDER OF THE DAY DISCHARGED
Senator Siewert, at the request of Senator Ludlam and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1229—That general business order of the day no. 4, relating to the Commonwealth Radioactive Waste Management (Repeal and Consequential Amendment) Bill 2010, be discharged from the Notice Paper.
Question put and passed.
23 **COMPETITION AND CONSUMER AMENDMENT (AUSTRALIAN FOOD LABELLING) BILL 2012 (NO. 2)—GENERAL BUSINESS ORDER OF THE DAY DISCHARGED**

Senator Siewert, at the request of the Leader of the Australian Greens (Senator Milne) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1230—that general business order of the day no. 96, relating to the Competition and Consumer Amendment (Australian Food Labelling) Bill 2012 (No. 2), be discharged from the Notice Paper.

Question put and passed.

24 **AUSTRALIAN BROADCASTING CORPORATION AMENDMENT (INTERNATIONAL BROADCASTING SERVICES) BILL 2011—GENERAL BUSINESS ORDER OF THE DAY DISCHARGED**

Senator Siewert, at the request of Senator Ludlam and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1231—that general business order of the day no. 75, relating to the Australian Broadcasting Corporation Amendment (International Broadcasting Services) Bill 2011, be discharged from the Notice Paper.

Question put and passed.

25 **BROADCASTING SERVICES AMENDMENT (ADVERTISING FOR SPORTS BETTING) BILL 2013**

Senator Di Natale, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1232—that the following bill be introduced:

A Bill for an Act to amend the Broadcasting Services Act 1992, and for related purposes.

Question put and passed.

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

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*Explanatory memorandum: Senator Di Natale, by leave, tabled an explanatory memorandum relating to the bill.*

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Debate adjourned till the next day of sitting, Senator Di Natale in continuation.
26 HEALTH—NURSES AND MIDWIVES
Senator Ludlam, at the request of Senator Hanson-Young, amended general business notice of motion no. 1238 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—
(a) notes:
(i) the long-term forecasts provided by Health Workforce Australia that show there will be a national shortage of 109 000 nurses and midwives by 2025, and
(ii) that South Australia is already facing a shortage in these industries due to a lack of succession planning, with only 50 per cent of South Australian nurses who graduated in 2012 employed in the state’s public health system; and
(b) in light of current and impending pressures, urges the Federal Government and the Labor Weatherill Government to work with the Australian Nursing and Midwifery Federation (South Australian Branch) to increase secure graduate jobs for nurses and midwives and provide specialist skills development within those industries to address the worsening attrition rates.
Question put and passed.

27 ENVIRONMENT—TASMANIA—FORESTS
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. 1227—That the Senate—
(a) notes the April 2013 letter from the Minister for Sustainability, Environment, Water, Population and Communities (Mr Burke) to the signatories in the Tasmanian forestry talks affirming that he would not allow logging within the Tasmanian Wilderness World Heritage Area or other areas listed in the Environment Protection and Biodiversity Conservation Act 1999; and
(b) upholds the principle that areas listed as world heritage should never be logged.
Question put and passed.

Statements by leave: Senators Colbeck and Milne, by leave, made statements relating to the motion.

28 ANIMAL WELFARE—LIVE ANIMAL EXPORTS
Senator Rhiannon, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1178—That the Senate—
(a) notes that:
(i) in November 2011, the Federal Labor Conference voted against phasing out the live export trade but agreed to establish an independent Office of Animal Welfare,
(ii) in November 2012 the Labor Caucus voted to have the Caucus Live Animal Export Working Group develop a model for an Office of Animal Welfare to be presented to Caucus by the end of February 2013, and
(iii) in February 2012, the Minister for Agriculture, Fisheries and Forestry (Senator Ludwig) failed to show clear support for the establishment of an office under questioning from the Australian Greens in Senate estimates, stating ‘we will continue to look at the issue’; and
(b) calls on the Minister for Agriculture, Fisheries and Forestry to immediately report to Parliament on the progress to establish the Office of Animal Welfare and commit to legislation establishing the office before the 14 September 2013 election.

Question put.
The Senate divided—

**AYES, 10**

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Question negatived.

**29 ENVIRONMENT—JABILUKA**

Senator Ludlam, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1228—That the Senate—

(a) notes that:

(i) 19 May 2013 marks 15 years since Mirarr Senior Traditional Owner, Yvonne Margarula, was arrested for trespass on her own country at Jabiluka,

(ii) legal action, public education and one of the largest blockades in Australian history involving 5,000 people from across Australia and around the world stopped the mining of uranium at Jabiluka, and

(iii) Yvonne Margarula has recently restated her absolute opposition to Jabiluka’s development and her wish to see the area incorporated into Kakadu National Park; and

(b) calls on the Government to incorporate the Jabiluka lease into Kakadu National Park.

*Statement by leave:* Senator Ludlam, by leave, made a statement relating to the motion. Question put and negatived.

**30 POLITICS—LEADERS’ DEBATE COMMISSION**

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. 1235—That the Senate—

(a) notes the Australian Greens are committed to working with all parliamentarians to establish a Leaders’ Debate Commission in time for the 2013 federal election; and
calls on the Labor Government to act urgently on this matter to ensure that the Australian people can hear directly from the leaders of all parties during the election campaign.

Question put.

The Senate divided—

AYES, 9

Senators—

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NOES, 24

Senators—

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Question negatived.

31 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—BUDGET 2013-14

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

The Gillard Government’s Budget of more debt, more deficits, more taxes, more broken promises and more uncertainty.

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

32 SCRUTINY OF BILLS—STANDING COMMITTEE—5TH REPORT AND ALERT DIGEST NO. 5 OF 2013

Senator Bushby, at the request of the Chairman of the Standing Committee for the Scrutiny of Bills (Senator Macdonald), tabled the following report and document:

Scrutiny of Bills—Standing Committee—


Alert digest no. 5 of 2013, dated 15 May 2013.

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

33 PUBLIC ACCOUNTS AND AUDIT—JOINT STATUTORY COMMITTEE—STATEMENT—

DRAFT ESTIMATES FOR THE AUDIT OFFICE AND THE PARLIAMENTARY BUDGET OFFICE

Senator Polley, on behalf of the Parliamentary Standing Committee on Public Accounts and Audit, tabled the following document:

34 PUBLIC WORKS—JOINT STATUTORY COMMITTEE—2ND REPORT OF 2013
Senator Polley, on behalf of the Parliamentary Standing Committee on Public Works, tabled the following report:
Public Works—Joint Statutory Committee—2nd report of 2013—Referrals made February to April 2013: Extension of budget and timeline to the proposed fit-out of Commonwealth Parliamentary offices at 1 Bligh Street, Sydney, NSW; Construction of a new post-entry quarantine facility at Mickleham, Victoria; AIR 9000 Phase 8 MH-60R Seahawk Romeo facilities project; Air warfare destroyer ship sustainment facilities at Garden Island, Randwick Barracks and HMAS Watson, Sydney, NSW; Landing helicopter dock ship sustainment facilities at Garden Island and Randwick Barracks, Sydney, NSW; Defence Science and Technology Organisation Human Protection Performance Division security and facilities upgrade, Fisherman’s Bend, Melbourne, Vic; Australian Broadcasting Corporation Melbourne accommodation project, Southbank, Vic; Infrastructure and upgrade works to establish a regional processing centre on Manus Island, Papua New Guinea; Multi National Base Tarin Kot Remediation Project, dated May 2013.

35 ENVIRONMENT AND COMMUNICATIONS REFERENCES COMMITTEE—REPORT—SILENT NUMBER FEE PROHIBITION
Pursuant to order, the Chair of the Environment and Communications References Committee (Senator Birmingham) tabled the following report and documents:
Environment and Communications References Committee—The feasibility of a prohibition on charging fees for an unlisted number service—Report, dated May 2013 and submissions.
Report ordered to be printed on the motion of Senator Birmingham.
Senator Birmingham moved—That the Senate take note of the report.
Question put and passed.

36 CORPORATIONS AND FINANCIAL SERVICES—JOINT STATUTORY COMMITTEE—REPORT—CORPORATIONS AMENDMENT (SIMPLE CORPORATE BONDS AND OTHER MEASURES) BILL 2013
Senator Bushby, on behalf of the Parliamentary Joint Committee on Corporations and Financial Services, tabled the following report:
Report ordered to be printed on the motion of Senator Bushby.

37 CORPORATIONS AND FINANCIAL SERVICES—JOINT STATUTORY COMMITTEE—REPORT—CORPORATIONS AND FINANCIAL SECTOR LEGISLATION AMENDMENT BILL 2013
Senator Bushby, on behalf of the Parliamentary Joint Committee on Corporations and Financial Services, tabled the following report:
Report ordered to be printed on the motion of Senator Bushby.
38 **HUMAN RIGHTS—JOINT STATUTORY COMMITTEE—6TH REPORT OF 2013**

Senator Stephens, on behalf of the Parliamentary Joint Committee on Human Rights, tabled the following report:


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

Senator Stephens moved—that the Senate take note of the report.

Question put and passed.

39 **ESTIMATES OF PROPOSED EXPENDITURE FOR 2013-14—PORTFOLIO BUDGET STATEMENTS—PORTFOLIOS AND EXECUTIVE DEPARTMENTS—DOCUMENT**

The Minister for Agriculture, Fisheries and Forestry (Senator Ludwig) tabled the following document:


40 **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.]

Australian National Registry of Emissions Units Act—Australian National Registry of Emissions Units (Commonwealth foreign registry account in the Union Registry) Direction 2013 [F2013L00762].

Environment Protection and Biodiversity Conservation Act—Amendments of lists of—

- Exempt native specimens—
  - EPBC303DC/SFS/2013/29 [F2013L00767].
  - EPBC303DC/SFS/2013/30 [F2013L00769].

- Threatened species, dated—
  - 26 April 2013 [F2013L00763].
  - 29 April 2013 [F2013L00765].
  - 30 April 2013—
    - [F2013L00764].
    - [F2013L00766].

Private Health Insurance Act—Private Health Insurance (Data Provision) Amendment Rules 2013 (No. 1) [F2013L00771].

Public Service Act—Public Service Commissioner’s Amendment Direction 2013 (No. 2).

Social Security Act—Social Security (Personal Care Support—Tasmanian Self Directed Funding Pilot) (FaHCSIA) Determination 2013 [F2013L00770].
41 DEPARTMENTAL AND AGENCY APPOINTMENTS AND VACANCIES—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENTS

The following documents were tabled pursuant to the order of the Senate of 24 June 2008, as amended:

- Departmental and agency appointments and vacancies—Budget estimates—Letters of advice—
  - Infrastructure and Transport portfolio.
  - Prime Minister and Cabinet portfolio.

42 DEPARTMENTAL AND AGENCY GRANTS—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENT

The following document was tabled pursuant to the order of the Senate of 24 June 2008:

- Departmental and agency grants—Budget estimates—Letter of advice—Prime Minister and Cabinet portfolio.

43 COMMITTEE MEMBERSHIP

A message from the House of Representatives was reported informing the Senate of a change in the membership of the Parliamentary Joint Committee on Law Enforcement, as follows:

Message no. 619, dated 15 May 2013—Mr McClelland in place of Mr Hayes.

44 BUILDING CODE 2013—PROPOSED DISALLOWANCE

The Leader of the Opposition in the Senate (Senator Abetz), pursuant to notice, moved business of the Senate notice of motion no. 1—That the Building Code 2013, made under subsection 27(1) of the Fair Work (Building Industry) Act 2012, be disallowed. Debate ensued.

Question put and negatived.

45 REFERENDUM (MACHINERY PROVISIONS) AMENDMENT BILL 2013

Order 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.

The Senate divided—

AYES, 35

Senators—

Bishop
Brown
Cameron
Carr, Kim
Collins
Crossin
Di Natale
Farrell
Faulkner
Feeney
Furner
Gallacher
Hanson-Young
Ludlam
Ludwig
Lundy
Marshall
McEwen (Teller)
McLucas
Milne
Moore
Polley
Pratt
Rhiannon
Siewert
Singh
Stephens
Sterle
Thistlethwaite
Thorpe
Unquist
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, debated.
Question—That the bill stand as printed—divided, at the request of Senator Ryan, in respect of clause 4.
Clause 4 debated.
Senator Collins moved—That the committee report progress and ask leave to sit again.
Question put and passed.

The Deputy President (Senator Parry) resumed the chair and the Chair of Committees reported that the committee had considered the bill, made progress and asked leave to sit again.
Ordered, on the motion of Senator Collins, that the committee have leave to sit again at a later hour.

46 ROUTINE OF BUSINESS—VARIATION

The Parliamentary Secretary for School Education and Workplace Relations (Senator Collins), by leave, moved—That consideration of government documents be postponed and that government business continue till 7.10 pm.
Question put and passed.

47 REFERENDUM (MACHINERY PROVISIONS) AMENDMENT BILL 2013

Order read for the further consideration of the bill in committee of the whole.

In the committee

Consideration resumed of clause 4.
Clause 4 further debated.
Question—That clause 4 stand as printed—put.
Clause agreed to.

Question—That the bill stand as printed—divided, at the request of Senator Ryan, in respect of Schedule 1, items 1 to 3.

Schedule 1, items 1 to 3 debated.

Question—That Schedule 1, items 1 to 3 stand as printed—put.

The committee divided—

| AYES, 35 |
|---------------------|---------------------|---------------------|
| Senators—            |                      |                      |
| Bilyk               | Feeney              | McLucas             |
| Bishop              | Furner              | Milne               |
| Brown               | Gallacher           | Moore               |
| Cameron             | Hanson-Young        | Polley              |
| Collins             | Hogg                | Pratt               |
| Crossin             | Ludlam              | Rhiannon            |
| Di Natale           | Ludwig              | Siewert             |
| Farrell             | Marshall            | Singh               |
| Faulkner            | McEwen (Teller)     | Stephens            |
|                      |                      |                      |
| NOES, 28            |                      |                      |
| Senators—            |                      |                      |
| Abetz               | Cash                | Joyce               |
| Back                | Colbeck             | Kroger              |
| Bernardi            | Eggleston           | Macdonald           |
| Birmingham          | Gallacher           | Moore               |
| Boswell             | Fierravanti-Wells   | Mason               |
| Brandis             | Heffernan           | McKenzie            |
| Bushby              | Johnston            | Nash                |
|                     |                      |                      |
|                      |                      |                      |
| Items agreed to.    |                      |                      |
| Bill agreed to.     |                      |                      |
Bill to be reported without amendment.

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

On the motion of the Parliamentary Secretary for School Education and Workplace Relations (Senator Collins) the report from the committee was adopted.

Senator Collins moved—that this bill be now read a third time.

Question put.

The Senate divided—

AYES, 35

Senators—

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Question agreed to.

Bill read a third time.

48 ADJOURNMENT

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

Debate ensued.

The Senate adjourned at 7.58 pm till Thursday, 16 May 2013 at 9.30 am.

49 ATTENDANCE

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

ROSEMARY LAING

Clerk of the Senate

Printed by authority of the Senate