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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):

[Documents presented since the last sitting of the Senate, pursuant to standing order 166, were authorised for publication on the dates indicated.]

- Attorney-General’s Department—Report for 2013-14. [Received 10 October 2014]
- Australia Business Arts Foundation Ltd (Creative Partnerships Australia)—Financial statements for 2013-14.
- Australian Bureau of Statistics—Report for 2013-14. [Received 15 October 2014]
- Australian Centre for International Agricultural Research (ACIAR)—Report for 2013-14.
- Australian Commission for Law Enforcement Integrity—Report for 2013-14. [Received 17 October 2014]
- Australian Commission on Safety and Quality in Health Care—Report for 2013-14. [Received 15 October 2014]
- Australian Communications and Media Authority (ACMA)—Report for 2013-14. [Received 16 October 2014]
- Australian Crime Commission (ACC)—Report for 2013-14. [Received 15 October 2014]
- Australian Customs and Border Protection Service—Report for 2013-14. [Received 17 October 2014]
- Australian Electoral Commission (AEC)—Report for 2013-14. [Received 24 October 2014]
- Australian Federal Police (AFP)—Report for 2013-14, including reports on assumed identities and the National Witness Protection Program.
- Australian Human Rights Commission—Reports—  
  No. 73—Mai v Commonwealth of Australia (Department of Immigration and Border Protection).  
  No. 74—MC and Hassan Ghanbari v Commonwealth of Australia (Department of Immigration and Border Protection).  
  No. 75—Arif v Commonwealth of Australia (Department of Immigration and Border Protection).  
  No. 76—Mordechai v Commonwealth of Australia (Department of Immigration and Border Protection).  
- Australian Institute of Criminology—Report for 2013-14. [Received 17 October 2014]
- Australian Institute of Marine Science (AIMS)—Report for 2013-14. [Received 17 October 2014]


Australian National Maritime Museum—Report for 2013-14. [Received 17 October 2014]

Australian Nuclear Science and Technology Organisation (ANSTO)—Report for 2013-14. [Received 15 October 2014]

Australian Pesticides and Veterinary Medicines Authority (APVMA)—Report for 2013-14.

Australian Postal Corporation (Australia Post)—


Australian Public Service Commissioner—Report of the Australian Public Service Commissioner for 2013-14, including report of the Merit Protection Commissioner. [Received 15 October 2014]


Australian Research Council (ARC)—Report for 2013-14.


Australian Transaction Reports and Analysis Centre (AUSTRAC)—Report for 2013-14. [Received 17 October 2014]

Bundanon Trust Limited—Report for 2013-14. [Received 17 October 2014]

Civil Aviation Safety Authority (CASA)—Report for 2013-14.

Classification Board and Classification Review Board—Reports for 2013-14. [Received 10 October 2014]

Commonwealth Director of Public Prosecutions (CDPP)—Report for 2013-14. [Received 17 October 2014]


Commonwealth Scientific and Industrial Research Organisation (CSIRO)—Report for 2013-14, including report of the Science and Industry Endowment Fund. [Received 15 October 2014]


Corporations and Financial Services—Joint Statutory Committee—Report—Family businesses in Australia – different and significant: why they shouldn’t be overlooked—Government response, dated October 2014. [Received 7 October 2014]


Department of Agriculture—Report for 2013-14. [Received 17 October 2014]

Department of Communications—Report for 2013-14. [Received 17 October 2014]
Department of Finance—
  Report for 2010-11—Erratum. [Received 17 October 2014]
  Report for 2011-12—Erratum. [Received 17 October 2014]
  Report for 2012-13—Erratum. [Received 17 October 2014]
  Report for 2013-14. [Received 17 October 2014]
Department of Foreign Affairs and Trade—Report for 2013-14.
Department of Immigration and Border Protection—Report for 2013-14. [Received 17 October 2014]
Department of Social Services—Report for 2013-14. [Received 14 October 2014]
Department of the Prime Minister and Cabinet—Report for 2013-14, including financial statements for the Aboriginal Benefit Account and the Aboriginal and Torres Strait Islander Land Account. [Received 16 October 2014]
Department of the Senate—Report for 2013-14. [Certified 16 October 2014]
Departmental and agency appointments and vacancies—Budget (Supplementary) estimates—Letters of advice pursuant to the order of the Senate of 24 June 2008, as amended—
  Attorney-General’s portfolio. [Received 23 October 2014]
  Communications portfolio. [Received 10 October 2014]
  Defence portfolio. [Received 21 October 2014]
  Department of Agriculture. [Received 13 October 2014]
  Department of Human Services. [Received 10 October 2014]
  Department of Veterans’ Affairs. [Received 13 October 2014]
  Education portfolio. [Received 14 October 2014]
  Employment portfolio. [Received 10 October 2014]
  Environment portfolio. [Received 20 October 2014]
  Finance portfolio. [Received 14 October 2014]
  Foreign Affairs and Trade portfolio. [Received 15 October 2014]
  Health portfolio. [Received 16 October 2014]
  Immigration and Border Protection portfolio. [Received 13 October 2014]
  Indigenous Affairs. [Received 10 October 2014]
  Industry portfolio. [Received 9 October 2014]
  Infrastructure and Regional Development portfolio. [Received 13 October 2014]
  Office for Women. [Received 13 October 2014]
  Prime Minister and Cabinet portfolio. [Received 16 October 2014]
  Social Services portfolio. [Received 15 October 2014]
  Treasury portfolio. [Received 14 October 2014]
Departmental and agency grants—Budget (Supplementary) estimates—Letters of advice pursuant to the order of the Senate of 24 June 2008—
  Agriculture portfolio. [Received 9 October 2014]
  Attorney-General’s portfolio. [Received 17 October 2014]
  Cancer Australia. [Received 9 October 2014]
  Communications portfolio. [Received 10 October 2014]
  Defence portfolio. [Received 21 October 2014]
  Department of Education. [Received 14 October 2014]
Department of Employment. [Received 16 October 2014]
Department of Health [2]. [Received 16 and 21 October 2014]
Department of Human Services. [Received 10 October 2014]
Department of Infrastructure and Regional Development. [Received 9 October 2014]
Department of Veterans’ Affairs. [Received 13 October 2014]
Environment portfolio. [Received 20 October 2014]
Finance portfolio. [Received 14 October 2014]
Foreign Affairs and Trade portfolio. [Received 15 October 2014]
Immigration and Border Protection portfolio. [Received 13 October 2014]
Indigenous Affairs [2]. [Received 10 and 15 October 2014]
Industry portfolio. [Received 9 October 2014]
National Health and Medical Research Council. [Received 8 October 2014]
Office for Women. [Received 13 October 2014]
Prime Minister and Cabinet portfolio. [Received 16 October 2014]
Social Services portfolio. [Received 15 October 2014]
Treasury portfolio. [Received 14 October 2014]
Economics References Committee—Report—Performance of the Australian Securities and Investments Commission—Government response, dated October 2014. [Received 23 October 2014]
Environment and Communications References Committee—Report—Tasmanian Wilderness World Heritage Area—Government response, dated October 2014. [Received 8 October 2014]
Estimates hearings—Unanswered questions on notice—Budget estimates 2014-15—Statements pursuant to the order of the Senate of 25 June 2014—
Australian Public Service Commission. [Received 13 October 2014]
Australian Trade Commission. [Received 13 October 2014]
Commonwealth Ombudsman. [Received 22 October 2014]
Communications portfolio. [Received 10 October 2014]
Department of Human Services. [Received 10 October 2014]
Department of Social Services. [Received 13 October 2014]
Department of the Prime Minister and Cabinet. [Received 15 October 2014]
Department of Veterans’ Affairs. [Received 13 October 2014]
Education portfolio. [Received 7 October 2014]
Environment portfolio. [Received 16 October 2014]
Finance portfolio. [Received 14 October 2014]
Finance portfolio (Special Minister of State). [Received 13 October 2014]
Foreign Affairs and Trade portfolio. [Received 10 October 2014]
Health portfolio. [Received 7 October 2014]
Immigration and Border Protection portfolio. [Received 13 October 2014]
Office of National Assessments. [Received 15 October 2014]
Tourism Australia. [Received 13 October 2014]
Treasury portfolio. [Received 15 October 2014]
Federal Court of Australia—Report for 2013-14, including report of the National Native Title Tribunal.


Historical events—Australian Red Cross—Centenary—Letter to the President of the Senate from the Minister for Immigration and Border Protection (Mr Morrison), dated 16 October 2014, responding to the resolution of the Senate of 3 September 2014.

Immigration—Asylum seekers—Mr Hamid Kehazaei—Letter to the President of the Senate from the Assistant Minister for Immigration and Border Protection (Senator Cash), dated 1 October 2014, responding to the resolution of the Senate of 22 September 2014.

Independent cost-benefit analysis of broadband and review of regulation by Dr Michael Vertigan, AC—


Volume 2—The costs and benefits of high-speed broadband, dated August 2014.

Independent Hospital Pricing Authority (IHPA)—Report for 2013-14. [Received 16 October 2014]

Indexed lists of departmental and agency files for the period 1 January to 30 June 2014—Statements of compliance pursuant to the order of the Senate of 30 May 1996, as amended—

Attorney-General’s portfolio. [Received 23 October 2014]

Treasury portfolio. [Received 8 October 2014]

Indigenous Australians—Western Australia—Demolition of Oombulgurri—Letter to the President of the Senate from the Minister for Indigenous Affairs (Senator Scullion), dated 13 October 2014, responding to the resolution of the Senate of 2 October 2014.

Inspector-General of Intelligence and Security (IGIS)—Report for 2013-14. [Received 16 October 2014]


Migration Act 1958—Section 486O—Assessment of detention arrangements—
Personal identifiers 1001202, 1001287, 1001292, 1001309, 1001320, 1001323, 1001332, 1001334, 1001342, 1001359, 1001368, 1001371, 1001396, 1001399, 1001412, 1001413, 1001433, 1001453, 1001465, 1001481, 1001483, 1001489, 1001491, 1001494, 1001498, 1001503, 1001512, 1001513, 1001515, 1001521, 1001527, 1001546, 1001547, 1001552, 1001573, 1001575, 1001576, 1001581, 1001592, 1001600, 1001651, 1001657, 1001658, 1001666, 1001669, 1001672, 1001674, 1001694, 1001695, 1001710, 1001714 and 1001748—
Commonwealth Ombudsman’s reports, dated 22 October 2014.
Government response to Ombudsman’s reports, dated 7 October 2014.
Migration Agents Registration Authority—Report for 2013-14. [Received 17 October 2014]
Migration Review Tribunal and Refugee Review Tribunal—Report for 2013-14. [Received 16 October 2014]
National Gallery of Australia—Report for 2013-14. [Received 17 October 2014]
National Health Reform Act 2011—Report for 2013-14 on reports released by the National Health Performance Authority.
National Museum of Australia—Report for 2013-14. [Received 17 October 2014]
National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA)—Report for 2013-14. [Received 15 October 2014]
National Portrait Gallery of Australia—Report for 2013-14. [Received 17 October 2014]
National Water Commission—Report for 2013-14. [Received 7 October 2014]
Old Parliament House (Museum of Australian Democracy)—Report for 2013-14. [Received 17 October 2014]
Remuneration Tribunal—Report for 2013-14. [Received 16 October 2014]
Reserve Bank of Australia—Reports for 2013-14—
Annual report.
Equity and diversity.
Payments System Board.
Sydney Airport Demand Management Act 1997—Quarterly report on the maximum movement limit for Sydney Airport for the period 1 April to 30 June 2014.


Torres Strait Protected Zone Joint Authority—Report for 2010-11.

Veterans’ Review Board—Report for 2013-14. [Received 15 October 2014]

Women—Services for victims of domestic and family violence—Letter to the President of the Senate from the New South Wales Minister for Family and Community Services (Ms Upton), dated 28 September 2014, responding to the resolution of the Senate of 28 August 2014, and attachment.

Order for production of document—Documents: The following documents received on 20 October 2014 were tabled:

Law and justice—Data retention—Discussion paper—Letter to the President of the Senate from the Attorney-General (Senator Brandis), dated 20 October 2014, responding to the order of the Senate of 2 October 2014, and attachment.

3 COMMITTEE REPORTS PRESENTED SINCE LAST SITTING OF SENATE

The following reports and document were presented and authorised for publication on the dates indicated pursuant to standing order 38(7)(a):

Intelligence and Security—Joint Statutory Committee—Counter-Terrorism Legislation Amendment (Foreign Fighters) Bill 2014—Advisory report, dated October 2014. [Received 17 October 2014]

Legal and Constitutional Affairs Legislation Committee—

Counter-Terrorism Legislation Amendment (Foreign Fighters) Bill 2014—Report, dated October 2014. [Received 17 October 2014]

Exposure draft of the Medical Services (Dying with Dignity) Bill 2014—Interim report, dated 21 October 2014. [Received 22 October 2014]

Scrutiny of Bills—Standing Committee—Counter-Terrorism Legislation Amendment (Foreign Fighters) Bill 2014—Alert Digest, dated 13 October 2014. [Received 13 October 2014]

Report, dated 23 October 2014. [Received 23 October 2014]

4 DEATH OF FORMER PRIME MINISTER THE HONOURABLE EDWARD GOUGH WHITLAM, AC, QC

The President informed the Senate of the death, on 21 October 2014, of the Honourable Edward Gough Whitlam, AC, QC, a member of the House of Representatives for the division of Werriwa, from 1952 to 1978, and Prime Minister of Australia from 1972 to 1975.

The Leader of the Government in the Senate (Senator Abetz), by leave, moved—That the Senate records its deep regret at the death, on 21 October 2014, of the Honourable Edward Gough Whitlam, AC, QC, former Member for Werriwa and Prime Minister of Australia, places on record its appreciation of his long and highly distinguished service to the nation and tenders its profound sympathy to his family in their bereavement.

The motion was supported and all senators present stood in silence—Question passed.
NOTICES

Senator Fawcett: To move on the next day of sitting—That the Joint Standing Committee on Foreign Affairs, Defence and Trade be authorised to hold public meetings during the sittings of the Senate, as follows:

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

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

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

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

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

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

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

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

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

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

(k) Thursday, 4 December 2014, from 10 am to noon, to take evidence for the committee’s inquiry into human rights issues confronting women and girls in the Indian Ocean – Asia Pacific region. (general business notice of motion no. 478)

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

(a) notes that Mr Zainullah Naseri, a Hazara man and the first Afghan forcibly removed by the Australian Government, was tortured by the Taliban on his return;

(b) agrees that the security situation in Afghanistan is deteriorating and remains extremely dangerous for Hazaras; and

(c) calls on the Government to:

(i) issue a moratorium on the forced return of asylum seekers back to Afghanistan, and
(ii) send a contingent of officials to Afghanistan to investigate the security situation there and in the Hazara region of Ghazni and report to Parliament on their return. (general business notice of motion no. 479)

The Assistant Minister for Social Services (Senator Fifield): To move on the next day of sitting—That the government business order of the day relating to the Social Services and Other Legislation Amendment (2014 Budget Measures No. 1) Bill 2014 and the Social Services and Other Legislation Amendment (2014 Budget Measures No. 2) Bill 2014 be discharged from the Notice Paper.

The Minister for Employment (Senator Abetz): To move on the next day of sitting—That the days of meeting of the Senate for 2015 be as follows:

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

**Budget sittings:**
- Tuesday, 12 May to Thursday, 14 May

**Winter sittings:**
- Monday, 15 June to Thursday, 18 June
- Monday, 22 June to Thursday, 25 June

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

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

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

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 require reporting of certain payments to governments in relation to resource extraction activities, and for related purposes. **Corporations Amendment (Publish What You Pay) Bill 2014.** (general business notice of motion no. 480)

The Leader of the Australian Greens (Senator Milne): To move on the next day of sitting—That there be laid on the table by the Minister representing the Treasurer (Senator Cormann), no later than noon on 24 November 2014, a copy of the Future Fund’s analysis of risks posed by climate impacts and ‘unburnable carbon’ to its portfolio, through the Asset Owners Disclosure Project 2014 survey. (general business notice of motion no. 481)
The Chair of the Foreign Affairs, Defence and Trade References Committee (Senator Gallacher): To move on the next day of sitting—That the following matter be referred to the Foreign Affairs, Defence and Trade References Committee for inquiry and report by the last sitting day in June 2015:

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

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

The Minister Assisting the Prime Minister for Women (Senator Cash): To move on the next day of sitting—That the Senate—

(a) notes that:

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

(b) acknowledges the Government’s:

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

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

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

The Assistant Minister for Social Services (Senator Fifield): To move on the next day of sitting—That—

(a) on Tuesday, 28 October 2014:

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

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

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

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

(b) on Wednesday, 29 October 2014:

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

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

Senator O’Sullivan: To move on the next day of sitting—That the Senate acknowledges the massive economic benefits delivered to this nation by the black coal industry and the importance it has for the employment fortunes of miners and other professionals in this nation, noting that Australia should maintain a diverse and sensible energy mix. (general business notice of motion no. 482)

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

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

(b) calls on the Government to rule out any push to integrate Australia’s biosecurity operations into the new Australian Border Force Agency. (general business notice of motion no. 483)

6 ADJOURNMENT AS MARK OF RESPECT

The Leader of the Government in the Senate (Senator Abetz) moved—That, as a mark of respect to the memory of the late the Honourable Edward Gough Whitlam, AC, QC, the Senate do now adjourn.

The Senate adjourned at 3.43 pm till Tuesday, 28 October 2014 at 12.30 pm.
7 ATTENDANCE

Present, all senators except Senators Birmingham, Cormann, Johnston, Leyonhjelm*, Ludwig* and Xenophon* (*on leave).

ROSEMARY LAING
Clerk of the Senate