THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 130

MONDAY, 26 NOVEMBER 2018

Contents

1 Meeting of Senate ................................................................. 4215
2 Documents............................................................................. 4215
3 Committees—Leave to meet during sittings ................................ 4218
4 High Court of Australia—Judgment—Power of committees to summon
   witnesses—Document................................................................ 4219
5 Ministry and ministerial arrangements—Document..................... 4219
6 Senator Anning—Statement by leave........................................ 4219
7 Privileges—Standing Committee—172nd report ....................... 4219
8 Private senators’ bills—Consideration ..................................... 4219
9 Administration—Gretals Australia Pty Ltd—Grant—Order for production
   of documents—Explanation and document .............................. 4219
10 Parliamentary Joint Committee on the Australia Fund Bill 2018........ 4220
11 Great Australian Bight Environment Protection Bill 2016 ............. 4220
12 Aged Care Quality and Safety Commission Bill 2018
   Aged Care Quality and Safety Commission (Consequential Amendments
   and Transitional Provisions) Bill 2018 ...................................... 4220
13 Aboriginal Land Rights (Northern Territory) Amendment Bill 2017 .... 4223
14 Questions ............................................................................. 4224
15 Motions to take note of answers ............................................. 4224
16 Notices .................................................................................. 4224
17 Leave of absence .................................................................... 4229
18 Postponements ...................................................................... 4230
19 Committees—Extensions of time to report ................................. 4230
20 Western Australian flag—65th anniversary of current design ....... 4230
21 Marriage Amendment (Definition and Religious Freedoms) Bill 2017—
   First anniversary of introduction............................................. 4231
22 United States of America—Tree of Life Synagogue attack ............ 4231
23 Universal Children’s Day ....................................................... 4231
24 Climate change and energy policy ........................................... 4232
25 Renewable energy .................................................................. 4233
26 Misconduct in the Banking, Superannuation and Financial Services
   Industry—Royal Commission—Publication of submissions ......... 4234
Financial sector entities—Tax information—Order for production of documents........................................................................................................ 4235
Notice of motion withdrawn .................................................................................................................................................................................. 4236
Australian Greens............................................................................................................................................................................................ 4236
Australian Defence Force volunteers and veterans—Support services .......... 4237
Misconduct by Bank Agents and Associates—Proposed select committee...... 4237
Carbon pricing.............................................................................................................................................................................................. 4239
Australian aid policy .................................................................................................................................................................................. 4239
Radical Islam............................................................................................................................................................................................... 4240
Plebiscite (Allowing Australians to Decide Who Comes Here) Bill 2018....... 4241
Fire and Emergency Service Overseas Medal................................................................. 4241
Coal-fired power .......................................................................................................................................................................................... 4242
Cattle farming—Comments by Australian Greens candidate........................... 4243
Discussion of matter of public importance—Economy ........................................ 4244
Documents—Consideration............................................................................................. 4244
Senator McKim—Visa application—Correspondence—Order for production of documents—Documents........................................................................... 4244
Centrelink—Serco pilot program—Review by KPMG—Order for production of documents—Documents......................................................................................... 4244
Great Barrier Reef Marine Park—Cruise ship pollution—Order for production of documents—Documents................................................................................................. 4245
Tourism Australia—Publication of contracts—Answer to question—Document ...................................................................................................... 4245
My Health Records Amendment (Strengthening Privacy) Bill 2018 ................. 4245
National anti-corruption commission ............................................................................. 4245
Legal and Constitutional Affairs References Committee—Report—Discrimination by faith-based educational institutions..................................... 4245
Environment and Communications Legislation Committee—Report—Copyright Amendment (Online Infringement) Bill 2018 ...................... 4245
Aboriginal Land Rights (Northern Territory) Amendment Bill 2017 ................. 4246
Defence Amendment (Call Out of the Australian Defence Force) Bill 2018 .... 4246
Adjournment............................................................................................................................................................................................. 4247
Attendance............................................................................................................................................................................................................. 4247
1 Meeting of Senate
The Senate met at 10 am. The President (Senator the Honourable Scott Ryan) 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]

Document presented by the President
1. Parliamentary Service Commissioner—Report for 2017-18, including report of the Parliamentary Service Merit Protection Commissioner. [Certified 20 November 2018]

Documents in response to an order for the production of documents
2. Indigenous Advancement Strategy—Grant applications—Order of 13 November 2018—Letter to the President of the Senate from the Minister for Indigenous Affairs (Senator Scullion), dated 21 November 2018, responding to the order, and attachments. [Received 22 November 2018]

Auditor-General’s report for 2018-19
3. No. 12—Performance audit—Strategies for addressing the impacts of declining demand for Australian circulating coins: Royal Australian Mint. [Received 20 November 2018]

Government documents
   Migration Act 1958—Section 486O—Assessment of detention arrangements—
8. Northern Land Council—Report for 2017-18. [Received 21 November 2018]
9. Torres Strait Regional Authority (TSRA)—Report for 2017-18. [Received 21 November 2018]

Committee reports presented out of sitting
The following reports and documents were presented and authorised for publication on the dates indicated pursuant to standing order 38(7)(a):

11. National Broadband Network—Joint Standing Committee—2nd report of the 45th Parliament—The rollout of the NBN in rural and regional areas, dated November 2018, Hansard record of proceedings, additional information and submissions. [Received 19 November 2018]
12. Treaties—Joint Standing Committee—183rd report—Aspects of the Peru-Australia Free Trade Agreement revisited, dated November 2018. [Received 21 November 2018]
References initiated by the Selection of Bills Committee

   Corrigendum. [Received 19 November 2018]


15. Environment and Communications Legislation Committee—Treasury Laws Amendment (Improving the Energy Efficiency of Rental Properties) Bill 2018—Progress report, dated 16 November 2018. [Received 19 November 2018]

The Clerk tabled the following documents pursuant to statute:

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

*Aboriginal and Torres Strait Islander Heritage Protection Act 1984*—Aboriginal and Torres Strait Islander Heritage Protection (Bellwood Sacred Site) Emergency Declaration 2018 [F2018L01579].


*Civil Aviation Act 1988*—Civil Aviation Safety Regulations 1998—
   Centre Wing to Outboard Wing Attachment Joints—AD/PZL/5 Amdt 3 [F2018L01589].
   Part 66 Manual of Standards Amendment Instrument 2018 (No. 2) [F2018L01577].
   Repeal of Airworthiness Directive AD/TPE 331/37—CASA ADCX 016/18 [F2018L01574].

Commissioner of Taxation—Public Rulings—
   Class Rulings—
      Addendum—CR 2017/68.
   Product Rulings—
      Addendum—PR 2018/2.
   Taxation Ruling—Addendum—TR 2006/3.

Defence Act 1903—Section 58H—


Salaries – Australian Army Band Corps – Amendment—Defence Force Remuneration Tribunal Determination No. 10 of 2018.


Fisheries Management Act 1991—Heard Island and McDonald Islands Fishery Management Plan 2002—Heard Island and McDonald Islands Fishery (Total Allowable Catch) Determination 2018 [F2018L01586].

Food Standards Australia New Zealand Act 1991—

Food Standards (Application A1137 – Polysorbate 20 as a Food Additive) Variation [F2018L01595].

Food Standards (Proposal P1048 – Code Revision (2018)) Variation [F2018L01594].


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

Migration Act 1958—Migration Regulations 1994—

Migration (LIN 18/077: Supporting Innovation in South Australia Event for Class GG, Subclass 408 (Temporary Activity) Visa) Instrument 2018—LIN 18/077 [F2018L01581].


Public Governance, Performance and Accountability Act 2013—


PGPA Act Determination (Comcover Special Account 2018) [F2018L01587].

PGPA Act Determination (SDO Special Account 2018) [F2018L01585].
Variation in rights of a corporate Commonwealth entity as a member of a company—Cardihab Pty Ltd—25 September 2018.

Radiocommunications Act 1992—
Radiocommunications Licence Conditions (PTS Licence) Amendment Determination 2018 (No. 1) [F2018L01584].


The following document was tabled by the Clerk pursuant to the order of the Senate of 25 March 1999, as amended:

Australian Competition and Consumer Commission—Report to the Australian Senate on anti-competitive and other practices by health insurers and providers in relation to private health insurance for the period 1 July 2017 to 30 June 2018.

3 Committees—Leave to meet during sittings

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

Community Affairs References Committee—private meeting otherwise than in accordance with standing order 33(1) today, from 4.30 pm, for the committee’s inquiry into mental health services in rural and remote Australia.

Corporations and Financial Services—Joint Statutory Committee—
private meetings otherwise than in accordance with standing order 33(1) today and on Thursday, 6 December 2018.
public meeting today, from 7 pm, to take evidence for the committee’s inquiry into the Franchising Code of Conduct and Oil Code of Conduct.

Environment and Communications References Committee—private meeting otherwise than in accordance with standing order 33(1) today, from 1.50 pm, for the committee’s inquiry into gaming micro-transactions.

Foreign Affairs, Defence and Trade References Committee—public meeting today, from 10.15 am, to take evidence for the committee’s inquiry into the United Nations Sustainable Development Goals.

Intelligence and Security—Joint Statutory Committee—
public meeting today, from 10.30 am.
private briefing on Thursday, 29 November 2018, from 4 pm.

Migration—Joint Standing Committee—private meetings otherwise than in accordance with standing order 33(1), followed by public meetings, from 10 am, on Wednesday, 28 November and Wednesday, 5 December 2018.
4 High Court of Australia—Judgment—Power of committees to summon witnesses—Document
The President tabled the following document:


5 Ministry and ministerial arrangements—Document
The Leader of the Government in the Senate (Senator Cormann) tabled a document showing all members of the Morrison Ministry and ministerial representation, dated 26 November 2018.

Statement by leave: Senator Cormann, by leave, made a statement relating to the matter.

6 Senator Anning—Statement by leave
Senator Anning, by leave, informed the Senate that he no longer represents Katter’s Australia Party in the Senate, of his status as an independent senator for Queensland and of his designation as a whip for the purposes of standing order 24A, relating to the Selection of Bills Committee.

7 Privileges—Standing Committee—172nd report
The Chair of the Standing Committee of Privileges (Senator Collins) tabled the following report:

Privileges—Standing Committee—172nd report—Disposition of material seized under warrant, dated November 2018.

Senator Collins, by leave, moved—That the report be adopted.

Question put and passed.

Accordingly the Senate adopted the committee’s findings that the claim of privilege be upheld, and the documents be withheld from the AFP investigation and provided to Senator Pratt.

Senator Collins, by leave, moved—That the Senate take note of the report.

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

8 Private senators’ bills—Consideration
The Minister for Finance and the Public Service (Senator Cormann) moved—That the following general business orders of the day be considered today at the time for private senators’ bills:

No. 97 Parliamentary Joint Committee on the Australia Fund Bill 2018
No. 34 Great Australian Bight Environment Protection Bill 2016.

Question put and passed.

9 Administration—Gretals Australia Pty Ltd—Grant—Order for production of documents—Explanation and document
Senator Carr, by leave, asked for an explanation of the Government’s failure to comply with an order for the production of documents of 14 November 2018 concerning the award of government funding to Gretals Australia Pty Ltd (see entry no. 26, 14 November 2018).
Document: The Minister for Finance and the Public Service (Senator Cormann) tabled the following document:
Gretals Australia Pty Ltd—Grant—Order of 14 November 2018—Letter to the President of the Senate from the Minister for Finance and the Public Service (Senator Cormann), dated 23 November 2018, responding to the order.

Senator Carr, by leave, moved—That the Senate take note of the document.
Debate ensued.
Question put and passed.

10 Parliamentary Joint Committee on the Australia Fund Bill 2018
Order of the day read for the adjourned debate on the motion of Senator Burston—That this bill be now read a second time.
Debate resumed.
Leave refused: Senator O’Neill sought leave to continue her remarks. An objection was raised and leave was not granted.
Debate continued.
Debate adjourned till the next day of sitting, Senator Macdonald in continuation.

11 Great Australian Bight Environment Protection Bill 2016
Order of the day read for the adjourned debate on the motion of Senator Hanson-Young—That this bill be now read a second time.
Debate resumed.
At 12.20 pm: Debate was interrupted while Senator Pratt was speaking.

12 Aged Care Quality and Safety Commission Bill 2018
Aged Care Quality and Safety Commission (Consequential Amendments and Transitional Provisions) Bill 2018
Order of the day read for the adjourned debate on the motion of the Minister for Resources and Northern Australia (Senator Canavan)—That these bills be now read a second time.
Debate resumed.
Senator Griff moved the following amendment:
At the end of the motion, add “but the Senate calls on aged care providers to publish on their websites details of any sanctions imposed on the provider and any notices of non-compliance issued against the provider as soon as possible after the sanction is imposed or the notification is made”.
Debate ensued.
Question—That the amendment be agreed to—put and negatived.
Main question put and passed.
Bills read a second time.
The Senate resolved itself into committee for the consideration of the bills.

In the committee
Bills taken together and as a whole by leave.
Explanatory memoranda: The Assistant Minister for Treasury and Finance (Senator Seselja) tabled the following documents:

Aged Care Quality and Safety Commission Bill 2018—
Addendum to the explanatory memorandum relating to the bill.
Supplementary explanatory memoranda [2] relating to the government amendments to be moved to the bill.

Senator Seselja moved the following amendments together by leave:

**Aged Care Quality and Safety Commission Bill 2018:**

No. 1—Clause 17, page 12 (line 3), after “consumers”, insert “and their representatives”.

No. 2—Clause 17, page 12 (line 7), after “consumers”, insert “and the representatives of those consumers”.

No. 3—Clause 23, page 16 (after line 32), after subclause (1), insert:

(1A) However, the Commissioner must not charge:

(a) an aged care consumer, or their representative, fees for services provided by the Commissioner in performing the consumer engagement functions; or

(b) a complainant fees for services provided by the Commissioner in performing the complaints functions.

No. 4—Page 22 (after line 18), at the end of Part 4, add:

**35A Chief Clinical Advisor**

The Commissioner must, in writing, appoint a person who is a member of the staff of the Commission, or a consultant engaged under section 35, as the Chief Clinical Advisor to assist the Commissioner in the performance of the Commissioner’s functions.

No. 5—Clause 41, page 25 (line 21), omit paragraph (3)(c), substitute:

(c) issues affecting aged care consumers or their representatives;

No. 6—Clause 59, page 36 (line 7), after “places”, insert “(if any)”.

No. 7—Clause 59, page 36 (after line 7), after paragraph (1)(b), insert:

(ba) if the service is a home care service—the number of care recipients provided with care through the service;

No. 8—Page 36 (after line 26), at the end of Division 3, add:

**59A Information about Commonwealth-funded aged care service may be made publicly available**

(1) The Commissioner may make publicly available the following information about a Commonwealth-funded aged care service:

(a) the name and address of the service;
(b) the number of persons who are recipients of the service;
(c) the services provided by the service;
(d) the facilities and activities available to persons who are recipients of the service;
(e) the name of the service provider of the service;
(f) information about the variety and type of service provided by the service provider;
(g) information about the service provider’s performance in relation to the provider’s responsibilities under the funding agreement that relates to the service;
(h) any action taken, or intended to be taken, under this Act or the rules to protect the welfare of persons who are recipients of the service, and the reasons for that action;
(i) any other information of a kind specified in the rules for the purposes of this paragraph.

(2) Information disclosed under subsection (1) must not include personal information.

No. 9—Page 52 (after line 14), after clause 76, insert:

76A Review of operation of this Act and the rules

(1) The Minister must cause an independent review of the operation of this Act and the rules to be conducted within 6 months after the fifth anniversary of the commencement of this Act.

(2) The persons who conduct the review must give the Minister a written report of the review.

(3) The Minister must cause a copy of the report to be tabled in each House of the Parliament within 15 sitting days of that House after the report is given to the Minister.

Debate ensued.

Senator Siewert moved the following amendment to Senator Seselja’s proposed amendment no. 8:

After paragraph 59A(1)(d), insert:
(da) the number of staff, and the skill mix of staff, providing direct care to persons who are recipients of the service;

Debate ensued.

Question—That Senator Siewert’s amendment to Senator Seselja’s proposed amendment no. 8 be agreed to—put.

The committee divided—

AYES, 13

Senators—
Burston
Di Natale
Faruqi
Griff
Hanson-Young
Hinch
McKim
Rice
Siewert*
Steele-John
Storer
Waters
Whish-Wilson

NOES, 36

Senators—
Abetz
Anning
Bernardi
Birmingham
Bushby
Cameron
Colbeck
Dodson
Duniam
Farrell
Fawcett
Fierravanti-Wells
Gallacher
Georgiou
Gichuhi
Hume
Kitching
Leyonhjelm
Macdonald
McCarty
McGrath
Molan
Moore
O’Neill
Payne
Polley
Pratt

* Tellers

Question negativated.
Debate continued.
The question was divided at the request of Senator Griff—
Question—That amendments nos 1 to 3 and 5 to 9 be agreed to—put and passed.
Question—That amendment no. 4 be agreed to—put and passed.
Senator Siewert moved the following amendments together by leave:

**Aged Care Quality and Safety Commission Bill 2018:**

Clause 5, page 2 (line 21), after “enhance the”, insert “human rights.”.
Clause 59, page 36 (after line 10), after paragraph (1)(d), insert:
  (da) the number of staff, and the skill mix of staff, providing direct care to care recipients receiving care through the service;

Debate ensued.
Question—That the amendments be agreed to—put and negatived.
Senator Griff moved the following amendment:

**Aged Care Quality and Safety Commission Bill 2018:**

Page 22 (after line 18), at the end of Part 4, add:

35A **Chief Clinical Advisor**

  (1) The Commissioner must, in writing, appoint a person who is a member of the staff of the Commission, or a consultant engaged under section 35, as the Chief Clinical Advisor to assist the Commissioner in the performance of the Commissioner’s functions.

  (2) The Commissioner must not appoint a person under subsection (1) unless the person:

  (a) is a geriatrician; or
  (b) is a general practitioner experienced in aged care; or
  (c) has the appropriate clinical skills and experience to fulfil the person’s duties as the Chief Clinical Advisor.

Debate ensued.
Question—That the amendment be agreed to—put and negatived.


The Aged Care Quality and Safety Commission Bill 2018 reported with amendments and the Aged Care Quality and Safety Commission (Consequential Amendments and Transitional Provisions) Bill 2018 reported without amendment.

On the motion of the Assistant Minister for Agriculture and Water Resources (Senator Colbeck) the report from the committee was adopted and the bills read a third time.

13 **Aboriginal Land Rights (Northern Territory) Amendment Bill 2017**

Order of the day read for the adjourned debate on the motion—That this bill be now read a second time.

Debate resumed.

*At 2 pm*: Debate was interrupted while Senator Dodson was speaking.
14 Questions
Questions without notice were answered.

15 Motions to take note of answers
Senator Carr moved—That the Senate take note of the answers given by ministers to questions without notice asked by Opposition senators today.
Debate ensued.
Question put and passed.
The Leader of the Australian Greens (Senator Di Natale) moved—That the Senate take note of the answer given by the Minister for Finance and the Public Service (Senator Cormann) to a question without notice asked by Senator Di Natale today relating to a national anti-corruption commission.
Question put and passed.

16 Notices
Senator Carr: To move on the next day of sitting—That there be laid on the table by the Minister representing the Minister for Industry, Science and Technology, by 9.30 am on 29 November 2018, all documents regarding the application, and decision to award, and withdrawal of funding to Gretals Australia Pty Ltd for ‘Combating resistance: novel and natural compounds for use in animal health’ under the Global Connections Fund Bridging Grants, announced in August 2017. (general business notice of motion no. 1229)

Senator Griff: To move on the next day of sitting—That the Senate—
(a) notes that:
   (i) according to research published by the Australian Centre for Gambling Studies in 2015, it was estimated that 574,000 Australian adults regularly wagered on sports,
   (ii) 41% of all regular sports bettors – 234,000 adults – experienced one or more gambling problems in 2015,
   (iii) in a typical month, 46 cents in every dollar spent on sports betting by regular sports bettors came from a person with moderate to severe gambling problems who continue to gamble despite the dire impact it may have on their lives,
   (iv) Australians lose a combined $4.3 billion betting on sports and racing each year,
   (v) online wagering is the fastest-growing form of gambling, with 15% growth each year,
   (vi) the current patchwork approach to online sports betting regulation is failing consumers and requires a strong national approach, and
   (vii) the United Kingdom Gambling Commission, in 2018, introduced a social responsibility code as part of its licensing regime, which includes provisions to combat problem gambling – many of the same licensees are licensed in Australia, and Financial Counselling Australia is calling for the same provisions to be introduced in Australia; and
(b) calls on the Federal Government to:
   (i) introduce legislation to implement an Online Gambling Consumer Protection Framework, as a matter of urgency,
(ii) introduce legislation to establish a National Self-Exclusion register, as a matter of urgency,
(iii) within the Interactive Gambling Act 2001, include a positive duty on online gambling industry providers to ensure their services are provided responsibly, by way of a Social Responsibility Code akin to the United Kingdom provisions, and
(iv) appoint a National Online Wagering Regulator. (general business notice of motion no. 1230)

Senator Hanson-Young: To move on the next day of sitting—
(1) That the Senate notes that:
   (a) Menindee Lakes are the water source for irrigators, graziers, riparian land owners and communities in the lower Darling River valley;
   (b) Menindee Lakes are culturally imperative to Aboriginal people, including the Barkandji as native title owners;
   (c) water levels in Menindee Lakes have a direct financial relationship with property values and businesses in the lower Darling River valley;
   (d) Menindee Lakes were at full capacity in 2014 and late 2016;
   (e) releases from Menindee Lakes in the 2013-14 and 2016-17 water years by the Murray-Darling Basin Authority have emptied the Lakes twice in 3 years;
   (f) environmental water was released from Menindee Lakes in the 2016-17 water year; and
   (g) Menindee Lakes are currently at 7% storage capacity.

(2) That there be laid on the table by the Minister representing the Minister for Agriculture and Water Resources, by 30 November 2018, all documents and correspondence, including meeting minutes, relating to:
   (a) releases from Menindee Lakes between 1 May 2013 and 28 February 2014; and 1 December 2016 and 31 December 2017; and
   (b) environmental watering releases from Menindee Lakes between 1 December 2016 and 31 December 2017. (general business notice of motion no. 1231)

Senator McGrath: To move on the next day of sitting—That the Senate—
(1) notes the importance of the tourism industry to the Queensland economy, the key role that the North Queensland region plays in attracting tourists to the Sunshine State, and recognises the Liberal National Coalition Government’s $5 million tourism funding package to support areas adversely affected by Tropical Cyclone Debbie;
(2) notes with sympathy the tragic shark attack in North Queensland that took place on 5 November 2018, the third in the region since September;
(3) condemns the Queensland Labor Government’s bureaucratic indecisiveness that has resulted in yet another review but no real action, thus continuing to prioritise the lives of sharks over humans; and
calls on the Queensland Labor Government to immediately consider any and all means, including options such as drum lines, nets or a shark cull, so as to protect both human lives and the reputation of Queensland – and its beaches – as a safe tourist destination for families. (general business notice of motion no. 1232)

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

(a) notes with concern that the socialist-left Queensland Government has passed a bill to legalise late-term abortion, allowing for termination long after a developing child would be able to be born and live to adulthood; and

(b) condemns the Queensland Government for its new abortion laws, and calls on the Liberal-National Party Opposition to commit to repeal them when elected to office. (general business notice of motion no. 1233)

The Leader of the Australian Greens (Senator Di Natale): To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to establish the Australian Cannabis Agency, and for related purposes. Australian Cannabis Agency Bill 2018. (general business notice of motion no. 1234)

Senators Williams, McKenzie, Scullion and Canavan: To move on the next day of sitting—That the Senate—

(a) notes that:

(i) National Agriculture Day (AgDay) was celebrated on 21 November 2018,

(ii) the theme of the day was #GrowforGood, which highlights the positive contribution that farming and the agribusiness sector makes to Australia, putting food on our tables and clothing our families,

(iii) Australian farm production is forecast to be $60 billion for this financial year, with an aspiration for the farm sector to be a $100 billion industry by 2030, and

(iv) the food and fibre sector is the largest employer in most Australian rural and regional communities; and

(b) acknowledges that farming families are staunch, resilient and committed to growing the world’s best produce. (general business notice of motion no. 1235)

The Leader of Pauline Hanson’s One Nation (Senator Hanson): To move on the next day of sitting—That the Senate—

(a) acknowledges that:

(i) the Sentinelese people of the remote North Sentinel Islands are likely the last pre-Neolithic tribe in the world, and possess a unique culture and way of life that should be cherished and protected, and

(ii) even small levels of migration would have a devastating and irreversible effect on the beautiful and unique culture and way of life of the Sentinelese people; and

(b) supports the desire of the Sentinelese people to protect their culture and way of life through the enforcement of their strict zero-gross immigration policy. (general business notice of motion no. 1236)
Senator Faruqi: To move on the next day of sitting—That the Senate—

(a) notes that:
   (i) the Schooling Resource Standard (SRS) is an estimate of how much
total public funding a school needs to meet the educational needs of its
students, as recommended by the 2011 Gonski Review of Funding for
Schooling, and
   (ii) under current policy settings, 87% of public schools will still be
underfunded in 2023; and

(b) calls on all parties to commit to 100% SRS funding for public schools. (general
business notice of motion no. 1237)

Senator Faruqi: To move on the next day of sitting—That the following documents be
laid on the table by the Minister representing the Minister for Agriculture and Water
Resources, no later than 9.50 pm on 3 December 2018:

(a) any draft versions of the ‘Review of the regulatory capability and culture of the
Department of Agriculture and Water Resources in the regulation of live animal
exports’ provided to the Department of Agriculture and Water Resources or the
Minister for Agriculture and Water Resources; and

(b) any correspondence between any or all of the following regarding this report or
draft versions of the report: the Minister for Agriculture and Water Resources,
the Department of Agriculture and Water Resources, and Mr Philip Moss, AM.
(general business notice of motion no. 1238)

The Chair of the Select Committee into the obesity epidemic in Australia (Senator
Di Natale): To move on the next day of sitting—That the time for the presentation of
the report of the Select Committee into the obesity epidemic in Australia be extended
to 4 December 2018. (general business notice of motion no. 1239)

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

(a) notes that:
   (i) 58% of Queensland is drought declared,
   (ii) the Adani Carmichael mine has applied to extract 12.5 billion litres of
water from the Suttor River every year, nearly as much as all other local
users combined,
   (iii) the China Stone coal mine, which is now one step closer to approval, is
expected to extract another 12.5 billion litres of water from the very
same river system,
   (iv) the Queensland Government has granted the Adani Carmichael mine an
unlimited groundwater extraction licence for 60 years,
   (v) it is expected that the China Stone mine will draw a similar volume of
groundwater as the Adani Carmichael mine,
   (vi) polling conducted by ReachTel shows that voters are concerned about
water extraction by Adani, and 70% agreed that the groundwater
extraction licence should be revoked to safeguard water for farmers, and
   (vii) the Queensland Coordinator-General has asked for MacMines’ China
Stone mine to provide extra revised groundwater impact assessment, as
well as an associated water licence before the mine could be approved; and
(b) calls on the Minister for the Environment to require MacMines Austasia to conduct a cumulative water environmental assessment for coal mines in the Galilee Basin before any decision is made whether to approve the China Stone coal mine project. (general business notice of motion no. 1240)

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

(a) notes that:

(i) since the last Senate sitting period, there have been 3 women killed by violence in Australia, bringing the total of women killed by violence to 63 in 2018, as reported by Counting Dead Women Australia from Destroy The Joint,

(ii) on average, one woman a week is murdered by her current or former partner,

(iii) 1 in 3 Australian women have experienced physical violence since the age of 15,

(iv) 1 in 5 Australian women has experienced sexual violence,

(v) 1 in 6 Australian women has experienced physical or sexual violence by a current or former partner,

(vi) 1 in 4 Australian women has experienced emotional abuse by a current or former partner,

(vii) Australian women are nearly three times more likely than men to experience violence from an intimate partner,

(viii) there is growing evidence that women with disabilities are more likely to experience violence,

(ix) Aboriginal and Torres Strait Islander women report experiencing violence in the previous 12 months at 3.1 times the rate of non-Indigenous women, and

(x) in 2014-15, Indigenous women were 32 times as likely to be hospitalised due to family violence as non-Indigenous women; and

(b) calls on the Federal Government to:

(i) recognise domestic violence against women as a national security crisis,

(ii) adequately fund frontline domestic violence and crisis housing services to ensure that all women seeking safety can access these services when and where they need them,

(iii) legislate for 10 days paid domestic violence leave, so that women do not have to choose between paying the bills and seeking safety, and

(iv) implement all 25 recommendations of the report of the Finance and Public Administration References Committee into domestic violence in Australia, tabled on 20 August 2015. (general business notice of motion no. 1241)

Senators Steele-John and Faruqi: To move on the next day of sitting—That the Senate—

(a) notes that:

(i) this Friday, 30 November 2018, students from the movement ‘School Strike 4 Climate Action’ will hold a national school strike, and

(ii) young people will live with the effects of climate change for the longest time and that, therefore, their voices and their concerns must be heard in the debate;
(b) commends all students across Australia for their commitment to action on climate change; and

(c) calls on the Federal Government to put in place a national climate and energy policy. (general business notice of motion no. 1242)

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

(a) acknowledges:

(i) the work that the Jacaranda Community Centre does through their Aboriginal Family Support and School Inclusion Program, including supporting First Nations families through early childhood development, care education and school readiness programs; providing support and referrals for external counselling and health services, such as alcohol and substance abuse assistance; supporting families in court, schools and hospitals; and undertaking outreach and home visits and liaising with local Elders, and

(ii) that the Jacaranda Community Centre’s Aboriginal Family Support and School Inclusion Program was funded under the Indigenous Advancement Strategy, managed by the Department of the Prime Minister and Cabinet since 2017;

(b) notes that:

(i) the Jacaranda Community Centre has run this program for over 9 years, under various funding arrangements and, most recently, under the Indigenous Advancement Strategy, employs First Nations people under the program, and is currently supporting over 50 First Nations children and their families,

(ii) on 21 November 2018, the Jacaranda Community Centre was given 5 weeks notice from the Department of the Prime Minister and Cabinet that their funding would not be continuing without providing justification and with no transition plan for the families currently being assisted and the First Nations peoples employed, and

(iii) the Federal Government approved grants of $150,000 to the Northern Territory Seafood Council, $170,000 to the Amateur Fishermen’s Association of the Northern Territory, and $165,000 to the Northern Territory Cattlemen’s Association out of the Indigenous Advancement Strategy funding; and

(c) calls on the Minister for Indigenous Affairs to reinstate funding for this important program. (general business notice of motion no. 1243)

Notices of motion withdrawn: Senator Urquhart, at the request of the respective senators, withdrew general business notices of motion as follows:

No. 1200, standing in the name of Senator Brown, relating to Tourism Australia.

No. 1216, standing in the name of Senator Kitching, relating to the Australian Greens candidate for Footscray.

17 Leave of absence

Senator Bushby, by leave, moved—That leave of absence be granted to Senators Martin, Paterson and Sinodinos from 26 November to 6 December 2018, for personal reasons.

Question put and passed.
Senator Urquhart, by leave, moved—That leave of absence be granted to the following senators for personal reasons:

(a) Senator Bilyk from 26 to 29 November 2018; and
(b) Senators Brown and Marshall for 26 and 27 November 2018.

Question put and passed.

18 Postponements

Business was postponed as follows:

General business notice of motion no. 1208 standing in the names of Senators Rice and Pratt for today, relating to equality for LGBTIQ+ Australians and their families, postponed till 5 December 2018.

General business notice of motion no. 1219 standing in the name of Senator Waters for today, proposing the introduction of the National Integrity Commission Bill 2018, postponed till 28 November 2018.

General business notice of motion no. 1227 standing in the name of Senator Patrick for today, proposing a temporary order relating to formal business, postponed till 3 December 2018.

19 Committees—Extensions of time to report

The following committees were granted extensions of time to report:


Environment and Communications References Committee—Australia’s faunal extinction crisis, extended to 29 May 2019.

Foreign Affairs, Defence and Trade Legislation Committee—Defence Amendment (Sovereign Naval Shipbuilding) Bill 2018, extended to the last sitting day in the first sitting week in February 2019.

Foreign Affairs, Defence and Trade References Committee—United Nations Sustainable Development Goals, extended to the last sitting day in February 2019.

20 Western Australian flag—65th anniversary of current design

Senator Dean Smith, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1206—That the Senate notes that:

(a) 3 November 2018 was the 65th anniversary of the Western Australian (WA) state flag, as it appears today;
(b) the original design of the state flag, which had the black swan facing the observer’s right, was adopted in 1870;
(c) apart from the design change made in 1953, the WA state flag is the oldest state flag; and
(d) the WA state flag continues to be a strong and enduring symbol for all Western Australians.

Question put and passed.
21 Marriage Amendment (Definition and Religious Freedoms) Bill 2017—First anniversary of introduction
Senator Dean Smith, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1217—That the Senate notes that—
(a) 15 November 2018 marks 12 months since the Marriage Amendment (Definition and Religious Freedoms) Bill 2017 was introduced into the Senate;
(b) the Marriage Amendment (Definition and Religious Freedoms) Bill 2017 passed the Senate on 29 November 2017, and the House of Representatives on 7 December 2017; and
(c) the Marriage Amendment (Definition and Religious Freedoms) Bill 2017 received royal assent on 8 December 2017.

Question put and passed.

22 United States of America—Tree of Life Synagogue attack
Senator Dean Smith, also on behalf of Senator Griff, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1218—That the Senate—
(a) condemns the shocking attack on worshippers at the Tree of Life Synagogue in Pittsburgh, Pennsylvania on 27 October 2018;
(b) extends its sympathies to the families of those killed and injured and to the Jewish community in the United States, Australia and throughout the world; and
(c) praises the actions of the first responders who put duty before their own safety.

Question put and passed.

23 Universal Children’s Day
Senator Urquhart, at the request of Senator Singh and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1226—That the Senate—
(a) observes that 20 November 2018 is Universal Children’s Day, commemorating the UN General Assembly’s same-day adoption of the 1958 Declaration of the Rights of the Child, and the 1989 Convention on the Rights of the Child (‘Children’s Convention’);
(b) acknowledges the work of UNICEF Australia and other stakeholders involved in the Australian Child Rights Taskforce’s Children’s Report and its recommendations;
(c) notes:
   (i) that Australia’s Aboriginal and Torres Strait Islander children continue to experience disadvantage,
   (ii) the report and recommendations of the Royal Commission into the Protection and Detention of Children in the Northern Territory,
   (iii) that children in Australia face growing issues of intergenerational inequality,
   (iv) that no child under Australia’s care should suffer harm, and
   (v) that refugee children under Australia’s care have been languishing in indefinite detention on Nauru for over five years;
(d) invites the Morrison Government to take steps to improve Australia’s adherence to the Children’s Convention; and

(e) calls on the Morrison Government to accept New Zealand’s resettlement offer and get the children off Nauru.

Question put.

The Senate divided—

**AYES, 30**

<table>
<thead>
<tr>
<th>Senators</th>
<th>Carr</th>
<th>Ketter</th>
<th>Patrick</th>
<th>Steele-John</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Chisholm</td>
<td>Kitching</td>
<td>Polley</td>
<td>Sterle</td>
</tr>
<tr>
<td></td>
<td>Collins</td>
<td>Leyonhjelm</td>
<td>Pratt</td>
<td>Storer</td>
</tr>
<tr>
<td></td>
<td>Di Natale</td>
<td>McAllister</td>
<td>Rice</td>
<td>Urquhart*</td>
</tr>
<tr>
<td></td>
<td>Gallacher</td>
<td>McCarthy</td>
<td>Siewert</td>
<td>Waters</td>
</tr>
<tr>
<td></td>
<td>Griff</td>
<td>McKim</td>
<td>Singh</td>
<td>Watt</td>
</tr>
<tr>
<td></td>
<td>Hanson-Young</td>
<td>Moore</td>
<td>Smith, David</td>
<td>Whish-Wilson</td>
</tr>
<tr>
<td></td>
<td>Hinch</td>
<td>O’Neill</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**NOES, 25**

<table>
<thead>
<tr>
<th>Senators</th>
<th>Anning</th>
<th>Bernardi</th>
<th>Birmingham</th>
<th>Brockman</th>
<th>Bushby*</th>
<th>Cash</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Colbeck</td>
<td>Fieravanti-Wells</td>
<td>Fifield</td>
<td>Georgiou</td>
<td>Gichuhi</td>
<td>Hume</td>
</tr>
<tr>
<td></td>
<td>MacDonald</td>
<td>McGrath</td>
<td>McKenzie</td>
<td>Molan</td>
<td>O’Sullivan</td>
<td>Reynolds</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Tellers

Question agreed to.

24 **Climate change and energy policy**

Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1221—That the Senate—

(a) notes the Flinders University research published in *Nature’s Scientific Reports*, which shows that ‘climate change and human activity are dooming species at an unprecedented rate via a plethora of direct and indirect, often synergic, mechanisms’;

(b) notes that climate change is, without a doubt, the biggest threat to life on our planet; and

(c) calls on the Federal Government to develop and implement a serious climate and energy policy, with a plan to reduce carbon pollution and overhaul our environmental laws to protect life on earth.

*Statement by leave:* The Assistant Minister for International Development and the Pacific (Senator Ruston), by leave, made a statement relating to the motion.

Question put.
25 **Renewable energy**

Senator Storer, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1222—That the Senate—

(a) notes that:

(i) Australia is blessed with world-class renewable energy and energy storage resources,

(ii) the price of renewable energy continues to decline, setting new records year on year,

(iii) utility-scale wind and solar farms are the cheapest form of new-build electricity generation in Australia today,

(iv) Australia has the highest penetration of rooftop solar in the world, with close to two million households having installed solar systems to help them to reduce their power bills, and

(v) South Australia’s Honesdale Power Reserve, the world’s biggest grid connected lithium-ion battery, is showing how new technology can put downward pressure on electricity prices and allow for the successful integration of high levels of wind and solar energy; and

(b) agrees that renewable energy, coupled with energy storage technologies, can provide ‘fair dinkum power’ that is cheap, reliable and clean.

Statement by leave: The Assistant Minister for International Development and the Pacific (Senator Ruston), by leave, made a statement relating to the motion.

Question put.
The Senate divided—

**AYES, 29**

Senators—

<table>
<thead>
<tr>
<th>Name</th>
<th>Name</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carr</td>
<td>Ketter</td>
<td>Patrick</td>
</tr>
<tr>
<td>Chisholm</td>
<td>Kitching</td>
<td>Polley</td>
</tr>
<tr>
<td>Collins</td>
<td>McAllister</td>
<td>Pratt</td>
</tr>
<tr>
<td>Di Natale</td>
<td>McCarthy</td>
<td>Rice</td>
</tr>
<tr>
<td>Gallagher</td>
<td>McKim</td>
<td>Siewert</td>
</tr>
<tr>
<td>Griff</td>
<td>Moore</td>
<td>Singh</td>
</tr>
<tr>
<td>Hanson-Young</td>
<td>O’Neill</td>
<td>Smith, David</td>
</tr>
<tr>
<td>Hinch</td>
<td></td>
<td>Whish-Wilson</td>
</tr>
</tbody>
</table>

**NOES, 25**

Senators—

<table>
<thead>
<tr>
<th>Name</th>
<th>Name</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anning</td>
<td>Fierravanti-Wells</td>
<td>Macdonald</td>
</tr>
<tr>
<td>Bernardi</td>
<td>Fifield</td>
<td>McGrath</td>
</tr>
<tr>
<td>Birmingham</td>
<td>Georgiou</td>
<td>McKenzie</td>
</tr>
<tr>
<td>Brockman</td>
<td>Gichuhi</td>
<td>Molan</td>
</tr>
<tr>
<td>Bushby*</td>
<td>Hume</td>
<td>O’Sullivan</td>
</tr>
<tr>
<td>Canavan</td>
<td>Leyonhjelm</td>
<td>Reynolds</td>
</tr>
<tr>
<td>Colbeck</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Tellers

Question agreed to.

26 **Misconduct in the Banking, Superannuation and Financial Services Industry—Royal Commission—Publication of submissions**

Senator Anning amended general business notice of motion no. 1224 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—that the Senate requests the Financial Services Royal Commission to seek consent from each of the 10,000 people who have made submissions, and then where consent is granted, publish consented submissions on a public website (with the usual privacy considerations), so that the public will be able to check that the Royal Commission’s report in February 2019 will have dealt with all the issues raised by the public.

**Statement by leave:** The Assistant Minister for International Development and the Pacific (Senator Ruston), by leave, made a statement relating to the motion.

Question put.

The Senate divided—

**AYES, 27**

Senators—

<table>
<thead>
<tr>
<th>Name</th>
<th>Name</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anning</td>
<td>Hanson-Young</td>
<td>O’Neill</td>
</tr>
<tr>
<td>Carr</td>
<td>Ketter</td>
<td>Polley</td>
</tr>
<tr>
<td>Chisholm</td>
<td>Kitching</td>
<td>Pratt</td>
</tr>
<tr>
<td>Collins</td>
<td>McAllister</td>
<td>Rice</td>
</tr>
<tr>
<td>Di Natale</td>
<td>McCarthy</td>
<td>Siewert</td>
</tr>
<tr>
<td>Gallagher</td>
<td>McKim</td>
<td>Singh</td>
</tr>
<tr>
<td>Georgiou</td>
<td>Moore</td>
<td>Smith, David</td>
</tr>
</tbody>
</table>

**NOES, 24**

Senators—

<table>
<thead>
<tr>
<th>Name</th>
<th>Name</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Birmingham</td>
<td>Fifield</td>
<td>McGrath</td>
</tr>
<tr>
<td>Brockman</td>
<td>Griff</td>
<td>McKenzie</td>
</tr>
<tr>
<td>Bushby*</td>
<td>Hinch</td>
<td>Molan</td>
</tr>
<tr>
<td>Canavan</td>
<td>Hume</td>
<td>Patrick</td>
</tr>
<tr>
<td>Colbeck</td>
<td>Leyonhjelm</td>
<td>Reynolds</td>
</tr>
<tr>
<td>Fierravanti-Wells</td>
<td>Macdonald</td>
<td>Ruston</td>
</tr>
</tbody>
</table>

* Tellers

Question agreed to.
27 Financial sector entities—Tax information—Order for production of documents

Senator Patrick amended general business notice of motion no. 1225 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—

(1) That the Senate notes that—

(a) on 16 October 2018, the Senate ordered the Commissioner of Taxation to provide information (company names) to the Economics Legislation Committee related to designated financial entities that have lodged a late, or not yet lodged a, corporate income tax return;

(b) on 5 November 2018, the Minister for Finance and the Public Service advanced a public interest immunity claim on the grounds that the disclosure of individual taxpayer information to the committee will harm the public interest by undermining public confidence in taxation laws and taxation administration;

(c) the Minister for Finance and the Public Service also claimed that the disclosure of this information will have a substantial adverse effect on the proper and efficient operations of the Australian Taxation Office;

(d) except in circumstances where the Parliament has explicitly carved out the ability for a House of Parliament to make inquiries, the secrecy provisions of legislation are subservient to the Constitution-derived inquiry powers of Senate;

(e) disclosing the names of financial entities that have not complied with tax laws does not undermine taxation laws and taxation administration, but rather may serve to encourage compliance with taxation laws; and

(f) Australia’s tax transparency laws oblige the Commissioner of Taxation to annually publish selected income tax information, including the company name, for certain taxpayers and this has not resulted in the purported harm.

(2) That the Senate affirms that:

(a) there are few circumstances in which a corporation can be of the view they are entitled to anonymity;

(b) the public interest balance lies in favour of the disclosure of companies in breach of taxation law; and

(c) the Senate does not accept the public interest immunity claim advanced by the Minister for Finance and the Public Service.

(3) That the Senate orders the Commissioner of Taxation to comply with the balance of the order agreed to by the Senate on 16 October 2018.

Statements by leave: The Assistant Minister for International Development and the Pacific (Senator Ruston) and Senator Patrick, by leave, made statements relating to the motion.

Question put.
The Senate divided—

AYES, 31

<table>
<thead>
<tr>
<th>Senators</th>
<th>Anning</th>
<th>Hanson-Young</th>
<th>O'Neill</th>
<th>Steele-John</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Bernardi</td>
<td>Hinch</td>
<td>Patrick</td>
<td>Sterle</td>
</tr>
<tr>
<td></td>
<td>Carr</td>
<td>Ketter</td>
<td>Polley</td>
<td>Storer</td>
</tr>
<tr>
<td></td>
<td>Chisholm</td>
<td>Kerching</td>
<td>Pratt</td>
<td>Urquhart*</td>
</tr>
<tr>
<td></td>
<td>Collins</td>
<td>McAllister</td>
<td>Rice</td>
<td>Waters</td>
</tr>
<tr>
<td></td>
<td>Di Natale</td>
<td>McCarthy</td>
<td>Stiwart</td>
<td>Watt</td>
</tr>
<tr>
<td></td>
<td>Gallacher</td>
<td>McKim</td>
<td>Singh</td>
<td>Whish-Wilson</td>
</tr>
<tr>
<td></td>
<td>Griff</td>
<td>Moore</td>
<td>Smith, David</td>
<td></td>
</tr>
</tbody>
</table>

NOES, 21

<table>
<thead>
<tr>
<th>Senators</th>
<th>Birmingham</th>
<th>Fifield</th>
<th>McGrath</th>
<th>Scullion</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Brockman</td>
<td>Gichuhi</td>
<td>McKenzie</td>
<td>Seselja</td>
</tr>
<tr>
<td></td>
<td>Busiby*</td>
<td>Hume</td>
<td>Molan</td>
<td>Smith, Dean</td>
</tr>
<tr>
<td></td>
<td>Canavan</td>
<td>Leyonhjelm</td>
<td>Reynolds</td>
<td>Stoker</td>
</tr>
<tr>
<td></td>
<td>Colbeck</td>
<td>Macdonald</td>
<td>Ruston</td>
<td>Williams</td>
</tr>
<tr>
<td></td>
<td>Fierravanti-Wells</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Tellers

Question agreed to.

28 Notice of motion withdrawn

Senator Anning withdrew general business notice of motion no. 1223 standing in his name for today, relating to the UN Compact on Refugees.

29 Australian Greens

Leave refused: Senator Bernardi, also on behalf of Senator O’Sullivan, sought leave to amend general business notice of motion no. 1212, relating to the Australian Greens. An objection was raised and leave was not granted.

Motion determined as not formal: Senator Bernardi requested that the motion be taken as formal. An objection was raised and the motion was not proceeded with as a formal motion.

Proposed suspension of standing orders: Senator Bernardi, at the request of Senator O’Sullivan and pursuant to contingent notice, moved—that so much of the standing orders be suspended as would prevent the motion being moved immediately and determined without amendment or debate.

Debate ensued.

Question put.

The Senate divided—

AYES, 6

<table>
<thead>
<tr>
<th>Senators</th>
<th>Anning</th>
<th>Georgiou</th>
<th>O’Sullivan</th>
<th>Williams</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Bernardi*</td>
<td>Leyonhjelm</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
30 **Australian Defence Force volunteers and veterans—Support services**

Senator Waters, also on behalf of Senator Whish-Wilson, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1220—That the Senate—

(a) notes:

(i) that Defence Force personnel and veterans put their lives and wellbeing at risk in service of our country,

(ii) the personal toll that Defence Force individuals and their families bear to support a military career, including often and regularly moving between cities and states, and

(iii) that the rates of suicide, mental ill-health and unemployment amongst Defence Force veterans are higher than the general population; and

(b) calls on the Federal Government to reconsider the decision to spend an additional $500 million on the Australian War Memorial, and to instead redirect this funding towards support services for Defence Force volunteers and veterans.

*Statements by leave:* The Assistant Minister for International Development and the Pacific (Senator Ruston) and Senator Chisholm, by leave, made statements relating to the motion.

The question was divided at the request of Senator Ruston—

**Question**—That paragraph (a) of the motion be agreed to—put and passed.

**Question**—That paragraph (b) of the motion be agreed to—put and negatived.

31 **Misconduct by Bank Agents and Associates—Proposed select committee**

Senator Anning, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1211—

(1) That a select committee, to be known as the Select Committee on Misconduct by Bank Agents and Associates, be established to inquire into and report upon:

(a) the actions of lawyers, receivers, liquidators, valuers, police, real estate agents, stock squad, trustees, and anyone else involved with banks and their dealings with bank customers;

(b) legal and regulatory frameworks that may allow impropriety by bank agents and their associates;

(c) the redress options available to bank customers;
(d) possible regulatory reforms to discourage misconduct by bank agents and associates; and
(e) any related matters.

(2) That the committee present its final report on or before the second sitting day in March 2019.

(3) That the committee consist of six senators, two nominated by the Leader of the Government in the Senate, two nominated by the Leader of the Opposition in the Senate, one nominated by minority groups, and Senator Anning.

(4) That:
   (a) participating members may be appointed to the committee on the nomination of the Leader of the Government in the Senate, the Leader of the Opposition in the Senate or any minority party or independent senator;
   (b) participating members may participate in hearings of evidence and deliberations of the committee, and have all the rights of members of the committee, but may not vote on any questions before the committee; and
   (c) a participating member shall be taken to be a member of the committee for the purpose of forming a quorum of the committee if a majority of members of the committee is not present.

(5) That the committee may proceed to the dispatch of business notwithstanding that not all members have been duly nominated and appointed and notwithstanding any vacancy.

(6) That Senator Anning be appointed as chair of the committee, and the committee elect a member as deputy chair.

(7) That the deputy chair shall act as chair when the chair is absent from a meeting of the committee or the position of chair is temporarily vacant.

(8) That the chair, or the deputy chair when acting as chair, may appoint another member of the committee to act as chair during the temporary absence of both the chair and deputy chair at a meeting of the committee.

(9) That, in the event of an equally divided vote, the chair, or the deputy chair when acting as chair, have a casting vote.

(10) That the committee have power to appoint subcommittees consisting of 3 or more of its members, and to refer to any such subcommittee any of the matters which the committee is empowered to examine.

(11) That the committee and any subcommittee have power to send for and examine persons and documents, to move from place to place, to sit in public or in private, notwithstanding any prorogation of the Parliament or dissolution of the House of Representatives, and have leave to report from time to time its proceedings, the evidence taken and such interim recommendations as it may deem fit.

(12) That 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 President of the Senate.

(13) That 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.
Statements by leave: The Assistant Minister for International Development and the Pacific (Senator Ruston) and Senator Chisholm, by leave, made statements relating to the motion.

Question put and negatived.

32 Carbon pricing

Motion determined as not formal: The Leader of the Australian Greens (Senator Di Natale) requested that general business notice of motion no. 1214 standing in his name for today, relating to carbon pricing, be taken as formal. An objection was raised and the motion was not proceeded with as a formal motion.

33 Australian aid policy

The Leader of the Australian Greens (Senator Di Natale), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1215—That the Senate—

(a) affirms that the best way to support our Pacific neighbours is through genuine aid and development funding and meaningful action on climate change;

(b) notes with deep concern that our aid budget is at the lowest levels it has ever been as a proportion of Gross National Income (GNI);

(c) is further concerned that both the Liberal and Labor parties have joined the debt-trap diplomacy bandwagon, and that Overseas Development Assistance loans often do not support good development outcomes and are at odds with Australia’s aid policy; and

(d) as Prime Minister Morrison prepares to attend the APEC Leaders’ Summit in Port Moresby on 17 and 18 November 2018, calls on the Government to unequivocally support Australia’s grant-based aid program and commit to reaching an aid budget of 0.7% of GNI by 2030, as per our international commitments.

Question put.
The Senate divided—

AYES, 10

Senators—

Di Natale McKim Siewert* Waters
Griff Patrick Steele-John Whish-Wilson
Hanson-Young Rice

NOES, 32

Senators—

Anning Collins Leyonhjelm Reynolds
Bernardi Fieravanti-Wells Macdonald Ruston
Brockman Fifield McCarthy Smith, David
Bushby Gallacher Molan Smith, Dean
Canavan Hume O’Neill Sterle
Carr Keneally O’Sullivan Urquhart*
Chisholm Ketter Polley Watt
Colbeck Kitching Pratt Williams

* Tellers

Question negatived. The Leader of Derryn Hinch’s Justice Party (Senator Hinch), by leave, recorded his vote for the noes.
34 Radical Islam

Motion determined as not formal: Senator O’Sullivan requested that general business notice of motion no. 1209 standing in his name for today, relating to radical Islam, be taken as formal. An objection was raised and the motion was not proceeded with as a formal motion.

Suspension of standing orders: Senator O’Sullivan, pursuant to contingent notice, moved—that so much of the standing orders be suspended as would prevent the motion being moved immediately and determined without amendment or debate.

Debate ensued.

Question put and passed.

Senator O’Sullivan moved—That the Senate—

(a) notes that:

(i) multiple Australian Islamic terrorists, including the Bourke Street terrorist, ISIS suicide bombers and would-be domestic terrorists, have links to the Hume Islamic Youth Centre,

(ii) ABC’s 4 Corners journalist and executive producer, Ms Sally Neighbour, writing for The Australian in 2006, stated that Hume Islamic Youth Centre Emir Mohammed Omran is a leader of ‘...the fundamentalist Ahlus Sunnah Wal Jamaah Association – now regarded as the most radical Islamic group in Australia’,

(iii) in the 2006 article, which reported on a meeting between Sheik Mohammed Omran and Abu Bakar Bashir, head of the terrorist group Jemaah Islamiyah, which was responsible for the 2002 Bali bombings, Ms Neighbour describes Sheik Omran as ‘...well-connected in international Salafist circles. A Jordanian-born migrant to Australia, his friends included the British-based al-Qaeda luminary Abu Qatada, whom Omran hosted in Australia in 1994. Interviews with Osama bin Laden and Abu Qatada were among the items featured in the online magazine Nida’ul Islam (Call to Islam), published by Omran’s acolytes in the Islamic Youth Movement and read widely in Australia’,

(iv) despite repeated cases of radicalised Islamists attending the Hume Islamic Youth Centre, Sheik Omran this week criticised calls for imams to increase actions to combat extremism – with counterclaims that his greatest power was only to call triple 0 when confronted with a threat – and instead accused Australia’s police and security agencies of complacency over the movements of the Bourke Street Islamic terrorist, and

(v) Sheik Omran, who is regarded as arguably Australia’s most senior Salafist cleric, would face significant punishment and hardship if he was to make comparable criticism of Jordanian security agencies, where it is a criminal offence to criticise the king and government officials; and

(b) calls on the Senate to:

(i) condemn radical Islam, whether in speech or deed,

(ii) call on the Islamic community in Australia to continue to condemn radical Islam in speech and deed, and reaffirm its commitment to working alongside Australian security agencies to address radicalisation in all its forms, and
(iii) call on Sheik Mohammed Omran to publically retract his criticism of police and intelligence services and denounce all radical Islamic speech and jihadism.

Question put.
The Senate divided—

AYES, 26

Senators—

Anning
Bernardi
Birmingham
Brockman
Bushby*
Canavan
Colbeck

Fawcett
Ferravanti-Wells
Fifield
Georgiou
Hanson
Hinch
Hume

Leyonhjelm
Macdonald
McGrath
McKenzie
Molan
O’Sullivan

Reynolds
Ruston
Scullion
Seselja
Smith, Dean
Williams

Ruston
Scullion
Seselja
Smith, Dean
Williams


NOES, 28

Senators—

Carr
Chisholm
Collins
Di Natale
Gallacher
Griff
Hanson-Young

Keneally
Ketter*
Kitching
McAllister
McCarthy
McKim
Moore

O’Neill
Patrick
Polley
Pratt
Rice
Siewert
Singh

Steele-John
Storer
Urquhart
Waters
Whish-Wilson

Smith, David

* Tellers

Question negatived.

35 Plebiscite (Allowing Australians to Decide Who Comes Here) Bill 2018

Senator Anning, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1207—That the following bill be introduced:

A Bill for an Act to provide for a plebiscite at the next general election in relation to migration to Australia, and for related purposes.

Question put and passed.

Senator Anning presented the bill and moved—That this bill may proceed without formalities and be now read a first time.

Question put and negatived.

Leave refused: Senators Anning and O’Neill sought leave to make statements relating to the motion. Objections were raised and leave was not granted.

36 Fire and Emergency Service Overseas Medal

The Leader of Derryn Hinch’s Justice Party (Senator Hinch), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1210—That the Senate—

(a) notes that:

(i) Australia’s fire and emergency (F&E) personnel have a long and proud record of serving overseas, assisting local efforts during times of need,

(ii) this service has included 17 deployments over the course of 20 years – most recently, a contingent of 140 service men and women who fought deadly fires in California in September this year,
(iii) currently, within Australia’s honours system, there are specific honours for police, military personnel and humanitarian groups that provide emergency assistance overseas, but not one specifically designated for F&E personnel,

(iv) this has had the effect of forcing F&E personnel to apply for recognition for their service under the Humanitarian Overseas Service Medal (HOSM) – an honour intended for humanitarian groups, and

(v) F&E personnel are entitled to have their service recognised with a medal struck especially for them; and

(b) calls on the Federal Government to create a new Fire and Emergency Service Overseas Medal to recognise F&E personnel who serve overseas during times of crisis.

Statement by leave: The Assistant Minister for International Development and the Pacific (Senator Ruston), by leave, made a statement relating to the motion.

Question put and passed.

37 Coal-fired power

Senator Williams, also on behalf of Senator O’Sullivan, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1213—That the Senate notes that:

(a) throughout the world, 2,440 coal-fired power stations with a capacity of at least 30 megawatts continue to provide a reliable source of energy;

(b) a further 270 coal-fired power stations of similar capacity are under construction;

(c) in its latest World Energy Outlook, the International Energy Agency (the Agency) estimates the growth in demand for coal in the Asia Pacific will increase by 492 million tonnes of coal equivalent by 2040;

(d) the Agency has forecast Australia’s net exports of coal will grow by around 20% to around 430 million tonnes of coal equivalent by 2040;

(e) the Agency notes that, in Australia, in order to expand export volumes in the future, new basins and new transport infrastructure would need to be developed, including railway connections between new mines in the Galilee Basin in Queensland, such as Adani’s Carmichael mine, and export ports; and

(f) the production and export of Australian high quality coal is good for jobs in regional Australia and the broader economy.

Question put.

The Senate divided—

AYES, 28

<table>
<thead>
<tr>
<th>Senators</th>
<th>Anning</th>
<th>Bernardi</th>
<th>Brockman</th>
<th>Bushby*</th>
<th>Canavan</th>
<th>Cash</th>
<th>Colbeck</th>
<th>Duniam</th>
<th>Fawcett</th>
<th>Fierravanti-Wells</th>
<th>Georgiou</th>
<th>Griff</th>
<th>Hinch</th>
<th>Hume</th>
<th>Leyonhjelm</th>
<th>Macdonald</th>
<th>MacKenzie</th>
<th>Molan</th>
<th>O’Sullivan</th>
<th>Patrick</th>
<th>Reynolds</th>
<th>Ruston</th>
<th>Scullion</th>
<th>Seselja</th>
<th>Stoker</th>
<th>Williams</th>
</tr>
</thead>
</table>
38 Cattle farming—Comments by Australian Greens candidate

Senator Williams, also on behalf of Senators O’Sullivan and Bernardi, 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) the National Farmers’ Federation states that one Australian farmer produces enough food to feed 600 people, including 450 people overseas,

(ii) there are over 300,000 people directly employed in Australian agriculture, and

(iii) the gross value of Australian farm production in 2016-17 was $60 billion;

(b) further notes that:

(i) the Australian Greens endorsed candidate for the Federal seat of Page, Mr Daniel Reid, posted on Facebook ‘Cattle don’t belong on this land and the cost of supporting them through drought is extreme’, and

(ii) Mr Reid’s Facebook post also included the statement ‘In Australia there are 26 million cattle that eat as much as 669 million kangaroos’; and

(c) calls on the Australian Greens to clarify whether they support farmers or kangaroos loose in the top paddock.

Statements by leave: Senators Chisholm and Rice, by leave, made statements relating to the motion.

Question put.
The Senate divided—

AYES, 29

Senators—

Anning
Bernardi
Brockman
Bushby*
Canavan
Cash
Colbeck
Duniam
Fawcett
Fierravanti-Wells
Georgiou
Gichuhí
Griff
Hinch
Hume
Leyonhjelm
Macdonald
McGeath
McKenzie
Molan
O’Sullivan
Patrick
Reynolds
Ruston
Scullion
Seselja
Stoker
Storer
Williams

NOES, 26

Senators—

Carr
Chisholm
Collins
Di Natale
Gallacher
Hanson-Young
Keneally
Ketter*
Kitching
McAllister
McCarthy
McKim
Moore
O’Neill
Polley
Pratt
Rice
Siewert
Singh
Smith, David
Steele-John
Storer
Urquhart
Waters
Watt
Whish-Wilson

*Tellers
39 Discussion of matter of public importance—Economy
The Acting Deputy President (Senator Brockman) informed the Senate that the following matter of public importance submitted by Senator McAllister under standing order 75 had been selected for discussion today:

Building an economy that works for all, including making millionaires and multinationals pay their fair share; closing loopholes used by the top end of town; and giving tax breaks to workers, not big business.

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

40 Documents—Consideration
Documents tabled earlier today (see entry no. 2) were considered as follows:

Motion to take note of document no. 2 moved by Senator Siewert. Consideration to resume on Thursday at general business.

Motion to take note of documents nos 4, 5, 9 and 10 moved by Senator Urquhart. Consideration to resume on Thursday at general business.

41 Senator McKim—Visa application—Correspondence—Order for production of documents—Documents
The Assistant Minister for International Development and the Pacific (Senator Ruston) tabled the following documents:

Senator McKim—Visa application—Correspondence—Order of 13 November 2018—Letter to the President of the Senate from the Minister for Foreign Affairs (Senator Payne) responding to the order, and attachments.

42 Centrelink—Serco pilot program—Review by KPMG—Order for production of documents—Documents
The Assistant Minister for International Development and the Pacific (Senator Ruston) tabled the following documents:

Centrelink—Serco pilot program—Review by KPMG—Order of 14 November 2018—Letter to the President of the Senate from the Minister for Communications and the Arts (Senator Fifield), dated 26 November 2018, and attachment as follows—

Letter to the President of the Senate from the Minister for Human Services and Digital Transformation (Mr Keenan), responding to the order and raising a public interest immunity claim.

Senator Siewert moved—That the Senate take note of the documents.
Debate adjourned till the next day of sitting, Senator Siewert in continuation.
43 **Great Barrier Reef Marine Park—Cruise ship pollution—Order for production of documents—Documents**

The Assistant Minister for International Development and the Pacific (Senator Ruston) tabled the following documents:

Great Barrier Reef Marine Park—Cruise ship pollution—Order of 14 November 2018—Letter from the Minister for Regional Services, Sport, Local Government and Decentralisation (Senator McKenzie) to the Clerk of the Senate (Mr Pye) responding to the order, and attachments.

44 **Tourism Australia—Publication of contracts—Answer to question—Document**

The Assistant Minister for International Development and the Pacific (Senator Ruston) tabled the following document:

Tourism Australia—Publication of contracts—Answer to question—Letter to the President of the Senate from the Minister for Finance and the Public Service (Senator Cormann), dated 23 November 2018, providing information concerning a question without notice asked by Senator Farrell on 12 November 2018.

45 **My Health Records Amendment (Strengthening Privacy) Bill 2018**

A message from the House of Representatives was reported agreeing to the amendments made by the Senate to the following bill:


46 **National anti-corruption commission**

A message from the House of Representatives was reported as follows:

Message no. 510, dated 26 November 2018—Agreeing to the Senate resolution relating to the establishment of a national anti-corruption commission (see entry no. 23, 13 November 2018).

47 **Legal and Constitutional Affairs References Committee—Report—Discrimination by faith-based educational institutions**

Pursuant to order, the Chair of the Legal and Constitutional Affairs References Committee (Senator Pratt) tabled the following report and documents:

Legal and Constitutional Affairs References Committee—Legislative exemptions that allow faith-based educational institutions to discriminate against students, teachers and staff—Report, dated November 2018, Hansard record of proceedings, documents presented to the committee, additional information and submissions.

Senator Pratt, by leave, moved—That the Senate take note of the report.

Debate ensued.

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

48 **Environment and Communications Legislation Committee—Report—Copyright Amendment (Online Infringement) Bill 2018**

Pursuant to order, the Chair of the Environment and Communications Legislation Committee (Senator Duniam) tabled the following report and documents:

Aboriginal Land Rights (Northern Territory) Amendment Bill 2017

Order of the day read for the adjourned debate on the motion—That this bill be now read a second time.

Debate resumed.

Question put and passed.

Bill read a second time.

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

In the committee

Bill taken as a whole by leave.

Explanatory memorandum: The Minister for International Development and the Pacific (Senator Ruston) tabled a supplementary explanatory memorandum relating to the government amendments to be moved to the bill.

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

Clause 2, page 2 (table item 3, column 1), omit “Schedule 2”, substitute “Schedules 2 and 3”.

Page 6 (after line 10), at the end of the bill, add:

Schedule 3—Anthony Lagoon

Aboriginal Land Rights (Northern Territory) Act 1976

1 Part 4 of Schedule 1 (before the item relating to Bauhinia Downs)

Insert:

ANTHONY LAGOON

All that land in the Northern Territory comprising the whole of Northern Territory Portion 5010 delineated on Survey Plan S96/303 lodged with the Surveyor-General, Darwin, and containing an area of approximately 603.5 hectares.

Bill, as amended, agreed to and reported with amendments.

On the motion of Senator Ruston the report from the committee was adopted and the bill read a third time.

Defence Amendment (Call Out of the Australian Defence Force) Bill 2018

Order of the day read for the adjourned debate on the motion of the Assistant Minister for International Development and the Pacific (Senator Ruston)—That this bill be now read a second time.

Debate resumed.

Senator McKim moved the following amendment:

At the end of the motion, add “but the Senate is of the opinion that:

(a) call out orders should be disallowable instruments, so that they are subject to scrutiny by the Parliament; and

(b) the Parliament should sit within six days of any call out order being made”.
Debate ensued.

At 9.50 pm: Debate was interrupted while the Assistant Minister for Home Affairs (Senator Reynolds) was speaking.

51 **Adjournment**

The Acting Deputy President (Senator O’Sullivan) proposed the question—That the Senate do now adjourn.

Debate ensued.

The Senate adjourned at 10.20 pm till Tuesday, 27 November 2018 at midday.

52 **Attendance**


**Richard Pye**

Clerk of the Senate