THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 41

THURSDAY, 10 JULY 2014

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

PRIVILEGES—STANDING COMMITTEE—STATEMENT BY PRESIDENT—PROPOSED REFERENCE
The President made a statement relating to a matter of privilege raised by Senator Xenophon concerning the possible imposition of a penalty by the taking of disciplinary action, either on a witness before the Rural and Regional Affairs and Transport References Committee or on a person providing information to the committee, in connection with its inquiry into aviation accident investigations.

The President informed the Senate that, pursuant to the procedures provided by standing order 81 and resolutions of the Senate of 25 February 1988, he had determined that a motion relating to the matter may have precedence of all other business on the day for which the notice is given.

Document: The President tabled the following document:

Privileges—Standing Committee—Proposed reference—Letter from Senator Xenophon to the President, dated 26 June 2014.

Notice of motion: Senator Xenophon gave a notice of motion as follows: To move on the next day of sitting—That the following matter be referred to the Standing Committee of Privileges for inquiry and report:

In the context of an inquiry by the Rural and Regional Affairs and Transport References Committee into aviation accident investigations:

(a) whether disciplinary action was taken against either a witness before the committee or a person providing information to the committee; and

(b) if so, whether any contempt was committed in respect of those matters.

ENVIRONMENT—AUSTRALIAN RENEWABLE ENERGY AGENCY—STATEMENT BY LEAVE
Senator Madigan, by leave, made a statement clarifying comments he had made during the adjournment debate on 9 July 2014 concerning the Australian Renewable Energy Agency.
declaration of urgency: The Assistant Minister for Social Services (Senator Fifield) declared the following bills to be urgent bills:

Clean Energy Legislation (Carbon Tax Repeal) Bill 2013 [No. 2]
True-up Shortfall Levy (General) (Carbon Tax Repeal) Bill 2013 [No. 2]
True-up Shortfall Levy (Excise) (Carbon Tax Repeal) Bill 2013 [No. 2]
Customs Tariff Amendment (Carbon Tax Repeal) Bill 2013 [No. 2]
Excise Tariff Amendment (Carbon Tax Repeal) Bill 2013 [No. 2]
Ozone Protection and Synthetic Greenhouse Gas (Import Levy) Amendment (Carbon Tax Repeal) Bill 2013 [No. 2]
Ozone Protection and Synthetic Greenhouse Gas (Import Levy) (Transitional Provisions) Bill 2013 [No. 2]
Ozone Protection and Synthetic Greenhouse Gas (Manufacture Levy) Amendment (Carbon Tax Repeal) Bill 2013 [No. 2]

and moved—that these bills be considered urgent bills.

Statements by leave: The Leader of the Opposition in the Senate (Senator Wong), the Minister for Employment (Senator Abetz), the Leader of the Australian Greens (Senator Milne) and Senator Xenophon, by leave, made statements relating to the matter.

Question put.
The Senate divided—

AYES, 35

Senators—

Abetz  
Back  
Bernardi  
Birmingham  
Bushby (Teller)  
Canavan  
Cash  
Colbeck  
Cormann  
Day  
Edwards  
Fawcett  
Fieravanti-Wells  
Fifield  
Heffernan  
Lambie  
Lazarus  
Leyonhjelm  
Macdonald  
Mason  
McGrath  
McKenzie  
Muir  
Nash  
O’Sullivan  
Parry  
Payne  
Reynolds  
Ruston  
Ryan  
Seselja  
Sinodinos  
Smith  
Wang  
Williams
Question agreed to.

**Allotment of time:** Senator Fifield moved—That the time allotted for consideration of the remaining stages of these bills be until 11.50 am today.

**Closure:** Senator Fifield moved—That the question be now put.

Question—That the question be now put—put.

The Senate divided—

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Question agreed to.

Question—That the motion for the allotment of time be agreed to—put.
The Senate divided—

**AYES, 35**

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Question agreed to.

Order of the day read for the further consideration of the bills in committee of the whole.

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*In the committee*

Consideration resumed of the bills—and of the amendment moved by Senator Singh in respect of the Clean Energy Legislation (Carbon Tax Repeal) Bill 2013 [No. 2]:

Schedule 1, page 4 (line 1) to page 70 (line 21), omit the Schedule, substitute:

**Schedule 1—Amendments**

*Australian National Registry of Emissions Units Act 2011*

1. **Subsection 66F(2) (paragraph (b) of the definition of prescribed amount for the financial year in which the compliance deadline occurs)**

   Omit “31 July 2014”, substitute “31 October 2014”.

2. **Subsection 66F(2) (paragraph (c) of the definition of prescribed amount for the financial year in which the compliance deadline occurs)**

   Repeal the paragraph.

3. **Subsection 66F(4) (paragraph (b) of the definition of prescribed amount for the financial year in which the compliance deadline occurs)**

   Omit “31 July 2014”, substitute “31 October 2014”.


4 Subsection 66F(4) (paragraph (c) of the definition of prescribed amount for the financial year in which the compliance deadline occurs)

Repeal the paragraph.

**Clean Energy Act 2011**

5 Section 4

Omit “, 1 July 2013 and 1 July 2014”, substitute “and 1 July 2013”.

6 Section 4

Before “1 July 2015”, insert “1 July 2014,”.

7 Section 5 (definition of fixed charge year)

Repeal the definition, substitute:

*fixed charge year* means:

(a) the eligible financial year beginning on 1 July 2012; or

(b) the eligible financial year beginning on 1 July 2013.

For the purposes of paragraph (b), the months of July, August and September 2014 are taken to be part of the financial year beginning on 1 July 2013.

8 Section 5 (definition of flexible charge year)

Repeal the definition, substitute:

*flexible charge year* means:

(a) the eligible financial year beginning on 1 July 2014; or

(b) a later eligible financial year.

For the purposes of paragraph (a), the months of October, November and December 2014, and January, February, March, April, May and June 2015, are taken to be the financial year beginning on 1 July 2014.

9 After paragraph 14(2)(b)

Insert:

(ba) if the regulations declare the carbon pollution cap, and the carbon pollution cap number, for the flexible charge year beginning on 1 July 2014—must have regard to any report that:

(i) was given to the Minister by the Climate Change Authority under section 60 of the *Climate Change Authority Act 2011*; and

(ii) dealt with the carbon pollution cap for that year; and

10 At the end of subsection 15(1)

Add “(other than regulations that declare the carbon pollution cap, and the carbon pollution cap number, for the flexible charge year beginning on 1 July 2014)”.
No. 41—10 July 2014

11 After section 15

Insert:

15A When regulations must be tabled—2014-15 flexible charge year

Scope

(1) This section applies to regulations that declare the carbon pollution cap, and the carbon pollution cap number, for the flexible charge year beginning on 1 July 2014.

When regulations must be tabled

(2) The Minister must take all reasonable steps to ensure that the regulations are tabled in each House of the Parliament under section 38 of the Legislative Instruments Act 2003 not later than 31 August 2014.

(3) The regulations must not be made, or tabled in a House of the Parliament, after 31 August 2014.

Reasons must be tabled

(4) If, on a particular day (the tabling day), a copy of the regulations is tabled in a House of the Parliament under section 38 of the Legislative Instruments Act 2003, the Minister must:

(a) cause to be tabled in that House a written statement setting out the Minister’s reasons for making the recommendation to the Governor-General about the regulations; and

(b) do so on, or as soon as practicable after, the tabling day.

12 Section 16 (at the end of the heading)

Add “—later flexible charge years”.

13 Subsections 16(1) and (2)

Omit “31 May 2014”, substitute “30 November 2014”.

14 Subsection 16(3)

Omit “of May that is 14 months before the start of a particular flexible charge year beginning on or after 1 July 2016, no regulations made for the purposes of section 14”, substitute “of November that is 8 months before the start of a particular flexible charge year beginning on or after 1 July 2016, no regulations to which section 15 applies”.

15 Subsection 16(3)

Omit “that May”, substitute “that November”.

16 Subsection 16(4)

Omit “the May”, substitute “the November”.

17 Section 17 (heading)


18 Subsection 17(1)

Omit “1 July 2015”, substitute “1 July 2014”.

19 **Subsection 17(2) (formula)**
Repeal the formula, substitute:

Total emissions numbers for the eligible financial year beginning on 1 July 2012 = 25,000,000

20 **Subsection 18(1)**
Omit “1 July 2016”, substitute “1 July 2015”.

21 **Section 93**
Before “1 July 2015”, insert “1 July 2014,”.

22 **Subsection 100(1)**
After “following table”, insert “(other than an exempt item)”.

23 **Subsection 100(1) (table items 5 and 6)**
Repeal the items.

24 **Subsection 100(1) (table items 7, 8 and 9)**
Repeal the items, substitute:

<table>
<thead>
<tr>
<th></th>
<th>The period:</th>
<th>the eligible financial year beginning on 1 July</th>
<th>the amount prescribed by regulations for the purposes of this table item</th>
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<tr>
<td>7</td>
<td>(a) beginning at the emissions number publication time of the person for the eligible financial year beginning on 1 July 2014; and</td>
<td>1</td>
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<td>(b) ending at the end of 1 February 2016.</td>
<td>(a)</td>
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<td>8</td>
<td>(a) beginning at the emissions number publication time of the person for the eligible financial year beginning on 1 July 2015; and</td>
<td>1</td>
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<td>(b) ending at the end of 1 February 2017.</td>
<td>(a)</td>
<td>1.07625; or</td>
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<td>(b) if another number is specified in the regulations—that other number</td>
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</table>
The period:
(a) beginning at the emissions number publication time of the person for the eligible financial year beginning on 1 July 2016; and
(b) ending at the end of 1 February 2018.

The period:
(a) beginning at the emissions number publication time of the person for the eligible financial year beginning on 1 July 2017; and
(b) ending at the end of 1 February 2019.

The amount obtained by multiplying the per unit charge applicable under item 8 by:
(a) 1.07625; or
(b) if another number is specified in the regulations—that other number

25 Subsection 100(1) (note)
Omit “Note”, substitute “Note 1”.

26 At the end of subsection 100(1) (after the note)
Add:
Note 2: For exempt item, see subsections (13A), (13B) and (13C).

27 Subsection 100(2)
Omit “item 7, 8 or 9”, substitute “item 7, 8, 9 or 10”.

28 Subsection 100(3) (heading)
Omit “items 1, 3 and 5”, substitute “items 1 and 3”.

29 Subsection 100(3)
Omit “item 1, 3 or 5”, substitute “item 1 or 3”.

30 Subsection 100(4) (heading)
Omit “6, 7, 8 and 9”, substitute “7, 8, 9 and 10”.
31 Subsection 100(4)
Omit “item 2, 4, 6, 7, 8 or 9”, substitute “item 2, 4, 7, 8, 9 or 10”.

32 Subsection 100(6)
After “subsection (1)”, insert “(other than an exempt item)”.

33 At the end of subsection 100(6)
Add:

Note: For exempt item, see subsections (13A), (13B) and (13C).

34 Before paragraph 100(9)(a)
Insert:

(aa) the eligible financial year beginning on 1 July 2014;

35 After subsection 100(13)
Insert:

Exempt item

(13A) The regulations may declare that item 8 of the table in subsection (1) is an exempt item for the purposes of this section.

(13B) The regulations may declare that item 9 of the table in subsection (1) is an exempt item for the purposes of this section.

(13C) The regulations may declare that item 10 of the table in subsection (1) is an exempt item for the purposes of this section.

36 Subsection 100(14)
Omit “31 May 2014”, substitute “31 August 2014”.

37 Subsection 100(15)
Repeal the subsection.

38 Before subsection 101(1A)
Insert:

(1AA) Subsection (1) does not apply to carbon units with the vintage year beginning on 1 July 2014 that are issued as a result of auctions that are conducted by the Regulator during the financial year beginning on 1 July 2013.

(1AB) The Regulator must ensure that not more than 40 million carbon units with the vintage year beginning on 1 July 2014 are issued as a result of auctions that were conducted by the Regulator during the financial year beginning on 1 July 2013 if there are no regulations in effect that declare the carbon pollution cap, and the carbon pollution cap number, for the vintage year.

39 At the end of subsection 111(3)
Add “However, for the eligible financial year beginning on 1 July 2014, the charge for the issue of a carbon unit may not be more than $25.40.”.

40 Subsection 121
Omit “first 5 flexible charge years”, substitute “first 6 flexible charge years”.
41 Subsection 123A(3)
Omit “1 July 2015”, substitute “1 July 2014”.

42 Subparagraph 123A(6)(a)(i)
Omit “1 July 2015”, substitute “1 July 2014”.

43 Subparagraphs 123A(6)(b)(i) and (ii)
Repeal the subparagraphs, substitute:

(i) if the eligible financial year begins on 1 July 2014—6.25%; or
(ii) if the eligible financial year begins on 1 July 2015, 1 July 2016, 1 July 2017, 1 July 2018 or 1 July 2019—12.5%; or
(iii) if the eligible financial year begins on or after 1 July 2020, and the regulations do not specify a percentage for that year—12.5%; or
(iv) if the eligible financial year begins on or after 1 July 2020, and the regulations specify a percentage for that year—that percentage; and

44 Subsection 123A(7)
Omit “(6)(b)(ii)”, substitute “(6)(b)(iv)”.

45 Subparagraphs 133(7)(a)(i) and (7A)(a)(i)
Omit “1 July 2015”, substitute “1 July 2014”.

46 Subparagraph 133(7A)(a)(ii)
Omit “4”, substitute “5”.

47 Subparagraph 133(7E)(a)(i)
Omit “1 July 2015”, substitute “1 July 2014”.

48 Subparagraph 133(7E)(a)(ii)
Omit “4”, substitute “5”.

49 Subparagraph 133(7F)(a)(i)
Omit “1 July 2015”, substitute “1 July 2014”.

50 Section 160
Omit “each of the next 3 financial years”, substitute “the financial year beginning on 1 July 2014”.

51 Subsection 161(2)
Omit all the words from and including “On each” to and including “the following formula”, substitute “On 1 September in the eligible financial year beginning on 1 July 2013, the Regulator must issue a number of free carbon units equal to the number worked out using the following formula”.

52 Subsection 161(3) (formula)
Repeal the formula, substitute:

\[
\left[\frac{\text{Annual assistance factor specified in the certificate}}{\text{Total annual assistance factors for that eligible financial year}} \times 125,115,000 \right] - A - B
\]
53 Subsection 196(1AA) (heading)
Omit “11 months”, substitute “8 months”.

54 Subsection 196(1AA) (definition of number of units issued as the result of auctions)
Omit “11-month period”, substitute “8-month period”.

55 Subsection 196(1AA) (definition of total auction proceeds)
Omit “11-month period”, substitute “8-month period”.

56 Paragraph 196(1)(a)
Omit “May 2016”, substitute “May 2015”.

57 Paragraph 196(2)(a)
Omit “November 2015”, substitute “November 2014”.

58 Paragraph 196(3)(a)
Omit “1 July 2015”, substitute “1 July 2014”.

59 Subsection 196A(18) (paragraph (c) of the definition of designated 6-month period)
Omit “November 2015”, substitute “November 2014”.

60 Subsection 212(2) (paragraph (b) of the definition of prescribed amount for the financial year in which the compliance deadline occurs)
Omit “31 July 2014”, substitute “31 October 2014”.

61 Subsection 212(2) (paragraph (c) of the definition of prescribed amount for the financial year in which the compliance deadline occurs)
Repeal the paragraph.

62 Subsection 212(3) (paragraph (b) of the definition of prescribed amount for the financial year in which the compliance deadline occurs)
Omit “31 July 2014”, substitute “31 October 2014”.

63 Subsection 212(3) (paragraph (c) of the definition of prescribed amount for the financial year in which the compliance deadline occurs)
Repeal the paragraph.

64 Subsection 289(8)
Repeal the subsection, substitute:

Report

(8) The report of the first review must set out recommendations relating to the level of carbon pollution caps for each of the following flexible charge years:
(a) the eligible financial year beginning on 1 July 2015;
(b) the eligible financial year beginning on 1 July 2016;
(c) the eligible financial year beginning on 1 July 2017;
(d) the eligible financial year beginning on 1 July 2018;
(e) the eligible financial year beginning on 1 July 2019.
Debate resumed.

Question—That the amendment be agreed to—put.

The committee divided—

**AYES, 33**

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Question negatived.

Bills debated.

Question—That the bills stand as printed—divided, at the request of Senator Wong, in respect of Schedules 2 to 5 of the Clean Energy Legislation (Carbon Tax Repeal) Bill 2013 [No. 2].


Limitation of debate: The time allotted for the consideration of these bills expired.


The committee divided—

**AYES, 38**

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Schedules agreed to.
The amendments in respect of the Clean Energy Legislation (Carbon Tax Repeal) Bill 2013 [No. 2] circulated by the Palmer United Party were withdrawn by leave.
The following amendments in respect of the Clean Energy Legislation (Carbon Tax Repeal) Bill 2013 [No. 2] circulated by the Opposition were considered:

Title, page 1 (line 1), omit “repeal”, substitute “amend”.

Clause 2, page 1 (line 7) to page 2 (line 6), omit the clause, substitute:

2 Commencement

This Act commences on the day after this Act receives the Royal Assent.

Question—That the amendments be agreed to—put.

The committee divided—

AYES, 33

Senators—

Bilyk
Brown
Bullock
Cameron
Carr
Conroy
Dastyari
Di Natale
Faulkner
Gallacher
Hanson-Young
Ketter
Lines
Ludlam
Lundy
Marshall
McEwen (Teller)
McLucas
Milne
Moore
O’Neill
Peris
Polley
Rhiannon
Rice
Siewert
Singh
Sterle
Singh
Urquhart
Waters
Whish-Wilson
Wong
Wright

NOES, 39

Senators—

Abetz
Back
Bernardi
Birmingham
Bushby
Canavan
Cash
Cormann
Day
Edwards
Fawcett
Ferravanti-Wells
Fifield
Heffernan
Johnston
Lambie
Lazarus
Leyonhjelm
Macdonald
Madigan
Mason
McGrath
McKenzie
Muir
Nash
O’Sullivan
Payne
Reynolds
Ruston (Teller)
Ryan
Scullion
Seselja
Sinodinos
Smith
Wang
Williams
Xenophon

Question negatived.
Senator Milne asked that the question on Schedule 5 of the Clean Energy Legislation (Carbon Tax Repeal) Bill 2013 [No. 2] be put again.

Leave was granted for the question to be put again.

The committee divided—

AYES, 35

Senators—

Abetz
Back
Bernardi
Birmingham
Bushby
Canavan
Cash
Cormann
Day
Edwards
Fawcett
Fierravanti-Wells
Fifield
Heffernan
Johnston
Leyonhjelm
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O’Sullivan
Parry
Payne
Reynolds
Ranson

Senators—

Bilyk
Brown
Bullock
Cameron
Carr
Conroy
Dastyari
Di Natale
Faulkner
Gallacher
Hanson-Young
Ketter
Lambie
Lazarus
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Marshall
McEwen (Teller)
McLucas
Milne
Moore
Muir
O’Neill
Peris
Polley
Rhiannon
Rice
Siewert
Sterle
Urquhart
Wang
Waters
Whish-Wilson
Wong
Wright

Schedule negatived.


Question—That the Clean Energy Legislation (Carbon Tax Repeal) Bill 2013 [No. 2], as amended, and the remaining bills be agreed to—put.

The committee divided—

AYES, 35

Senators—

Abetz
Back
Bernardi
Birmingham
Bushby
Canavan
Cash
Cormann
Day
Edwards
Fawcett
Fierravanti-Wells
Fifield
Heffernan
Johnston
Leyonhjelm
Macdonald
Madigan
Mason
McGrath
McKenzie
Nash
O’Sullivan
Parry
Payne
Reynolds
Ranson
Ruston (Teller)
Ryan
Scullion
Seselja
Sinodinos
Smith
Williams
Xenophon
Question negatived.
Resolution to be reported.

The President resumed the chair and the Chair of Committees (Senator Marshall) reported that the committee had considered the bills, had agreed to amendments to the Clean Energy Legislation (Carbon Tax Repeal) Bill 2013 [No. 2] and had negatived the question that the Clean Energy Legislation (Carbon Tax Repeal) Bill 2013 [No. 2], as amended, and the remaining bills be agreed to.

Question—That the report from the committee be adopted—put.

The Senate divided—

**AYES, 37**

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**NOES, 35**

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Question agreed to.
5 **PETITIONS**

The following 2 petitions, lodged with the Clerk by the senators indicated, were received:

Senator Brown, from 225 petitioners, requesting that the Senate oppose the 2014-15 Budget measure linking the pension solely to the Consumer Price Index.

Senator Urquhart, from 1 897 petitioners, requesting that the Senate take action to keep Australia Post publicly owned.

__Document:__ Senator McEwen, by leave, tabled the following document:


6 **NOTICES**

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

(a) recognises:

(i) that research and development is critical for Australia’s prosperity, economic growth and social wellbeing,

(ii) that investment in, and application of, research and development can lift productivity in Australia, and

(iii) the need for continued research and development to meet the goal of increasing Australia’s productivity, economic growth and employment in the 21st century; and

(b) congratulates the Government for providing $139.5 million over 4 years to continue the Future Fellowships scheme for outstanding mid-career Australian researchers to:

(i) enable Australian researchers to conduct their research in Australia,

(ii) attract and retain the best Australian mid-career researchers, and

(iii) support research into areas of crucial national importance. *(general business notice of motion no. 338)*

Senator Leyonhjelm: To move on the next day of sitting—

No. 1—That the Primary Industries (Customs) Charges Amendment (2014 Measures No. 1) Regulation 2014, as contained in Select Legislative Instrument 2014 No. 54 and made under the Primary Industries (Customs) Charges Act 1999, be disallowed.

No. 2—That the Primary Industries (Excise) Levies Amendment (2014 Measures No. 1) Regulation 2014, as contained in Select Legislative Instrument 2014 No. 55 and made under the Primary Industries (Excise) Levies Act 1999, be disallowed.

No. 3—That the Primary Industries Levies and Charges Collection Amendment (Mushrooms) Regulation 2014, as contained in Select Legislative Instrument 2014 No. 56 and made under the Primary Industries Levies and Charges Collection Act 1991, be disallowed.
Senator Rice: To move on 1 September 2014—That the Fair Work Amendment (Protected Industrial Action) Regulation 2014, as contained in Select Legislative Instrument 2014 No. 95 and made under the Fair Work Act 2009, be disallowed.

The Parliamentary Secretary to the Minister for Education (Senator Ryan): To move on the next day of sitting—That consideration of the business before the Senate on Wednesday, 3 September 2014, be interrupted at approximately 5 pm, but not so as to interrupt a senator speaking, to enable Senator Day to make his first speech without any question before the chair.

Notice of motion withdrawn: The Chair of the Standing Committee on Regulations and Ordinances (Senator Williams), pursuant to notice of intention given on 9 July 2014, withdrew business of the Senate notice of motion no. 1 standing in his name for the next day of sitting for the disallowance of the Australian Jobs (Australian Industry Participation) Rule 2014, made under section 128 of the Australian Jobs Act 2013.

7 ORDER OF BUSINESS—REARRANGEMENT
The Parliamentary Secretary to the Minister for Education (Senator Ryan), by leave, moved—that—

(a) government business order of the day no. 4 (Regulatory Powers (Standard Provisions) Bill 2014) be considered from 12.45 pm today; and

(b) government business be called on after consideration of the bill listed in paragraph (a) and considered till not later than 2 pm today.

Question put and passed.

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

(a) general business notice of motion no. 334 standing in the name of Senator Carr relating to higher education; and

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

Question put and passed.

8 PRIVATE SENATORS’ BILLS—CONSIDERATION
The Parliamentary Secretary to the Minister for Education (Senator Ryan) moved—that the following general business orders of the day be considered on Thursday, 17 July 2014 under the temporary order relating to the consideration of private senators’ bills:

No. 29 Environment Protection and Biodiversity Conservation Amendment Bill 2014.

No. 30 Privacy Amendment (Privacy Alerts) Bill 2014.

Question put and passed.

9 TREATIES—JOINT STANDING COMMITTEE—LEAVE TO MEET DURING SITTINGS
Senator Bushby, at the request of Senator Fawcett and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 328—that the Joint Standing Committee on Treaties be authorised to hold private meetings otherwise than in accordance with standing order 33(1), followed by public meetings, during the sittings of the Senate, from 11 am to 1 pm, as follows:

(a) Monday, 1 September 2014;

(b) Monday, 22 September 2014;
(c) Monday, 27 October 2014;
(d) Monday, 24 November 2014; and
(e) Monday, 1 December 2014.

Question put and passed.

10 RURAL AND REGIONAL AFFAIRS AND TRANSPORT REFERENCES COMMITTEE—EXTENSION OF TIME TO REPORT

Senator Bushby, at the request of the Chair of the Rural and Regional Affairs and Transport References Committee (Senator Sterle) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 329—That the time for the presentation of the report of the Rural and Regional Affairs and Transport References Committee on grass-fed cattle levies be extended to 23 September 2014.

Question put and passed.

11 MOTOR VEHICLE STANDARDS (CHEAPER TRANSPORT) BILL 2014

The Leader of the Australian Greens (Senator Milne), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 331—That the following bill be introduced:

A Bill for an Act to set carbon emissions standards for new passenger vehicles and light commercial vehicles, and for related purposes.

Question put and passed.

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

Question put and passed.

Bill read a first time.

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

Explanatory memorandum: Senator Milne, by leave, tabled an explanatory memorandum relating to the bill.

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

12 POSTPONEMENT

Senator Wright, by leave, moved—that general business notice of motion no. 332 standing in her name for today, relating to schools funding be postponed till 14 July 2014.

Question put and passed.
13 Administration—Australian Electoral Commission—Order for Production of Documents

Senator Rhiannon, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 330—That there be laid on the table by the Special Minister of State, no later than 15 July 2014:

(a) all correspondence and documents, whether written or in email form, from the Special Minister of State’s office and/or the Australian Electoral Commission (AEC) relevant to:

(i) the decision of the AEC to have Mr Michael Cordover declared a vexatious applicant, and

(ii) the assertion that Mr Matthew Landauer colluded with Mr Cordover to harass the AEC; and

(b) the source code of the software by which Senate vote counts are conducted.

Question put and passed.

14 Corporations Amendment (Streamlining Future of Financial Advice) Regulation 2014—Order for Production of Documents

Senator McEwen, at the request of Senator Dastyari and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 333—That there be laid on the table by the Minister for Finance, no later than 1.50 pm on Thursday, 10 July 2014, the Corporations Amendment (Streamlining Future of Financial Advice) Regulation 2014 (Select Legislative Instrument No. 102, 2014) and the associated explanatory statement.

Question put.

The Senate divided—

AYES, 33

Senators—

Bullock
Cameron
Carr
Collins
Dastyari
Dr Natale
Faulkner
Gallacher
Hanson-Young
Ketter
Lambie
Lines
Ludlam
Ludwig
Lundy
Madigan
McEwen (Teller)
McLaren
McLucas
Milne
Moore
Muir
O’Neill
Peris
Polley
Rhiannon
Rice
Singh
Urquhart
Waters
Whish-Wilson
Wright
Xenophon

NOES, 29

Senators—

Back
Bernardi
Bushby (Teller)
Canavan
Cash
Cormann
Day
Edwards
Fawcett
Fierrezavanti-Wells
Heffernan
Johnston
Leyonhjelm
Macdonald
Mason
McGrath
McKenzie
Nash
O’Sullivan
Payne
Reynolds
Ronaldson
Ruston
Ryan
Scullion
Seselja
Simondios
Smith
Williams

Question agreed to.
15 **REGULATORY POWERS (STANDARD PROVISIONS) BILL 2014**

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

Debate resumed.

Question put and passed.

Bill read a second time.

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

On the motion of the Parliamentary Secretary to the Minister for Education (Senator Ryan) the bill was read a third time.

16 **CLIMATE CHANGE AUTHORITY (ABOLITION) BILL 2013 [No. 2]**

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

Debate resumed.

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

17 **QUESTIONS**

Questions without notice were answered.

18 **MOTIONS TO TAKE NOTE OF ANSWERS**

Senator Urquhart moved—That the Senate take note of the answers given by the Minister for Veterans’ Affairs (Senator Ronaldson), the Minister for Finance (Senator Cormann) and the Assistant Minister for Social Services (Senator Fifield) to questions without notice asked by Opposition senators today.

Debate ensued.

Senator McEwen, pursuant to standing order 168, moved—That the document quoted by Senator Dastyari be tabled.

Question put.

The Senate divided—

**AYES, 34**

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Document: Senator Dastyari tabled the following document:


Question—That the Senate take note of the answers—put and passed.

Senator Siewert moved—That the Senate take note of the answer given by the Minister for Employment (Senator Abetz) to a question without notice asked by Senator Siewert today relating to youth unemployment.

Question put and passed.

19 **National Capital and External Territories—Joint Standing Committee—Government Response—Allocation of Land to Diplomatic Missions in the ACT**

The Assistant Minister for Immigration and Border Protection (Senator Cash) tabled the following document:


20 **National Capital and External Territories—Joint Standing Committee—Government Response—Provision of Amenity within the Parliamentary Triangle**

The Assistant Minister for Immigration and Border Protection (Senator Cash) tabled the following document:

21 **DEFENCE—AIR WARFARE DESTROYER PROJECT—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENTS**

The Assistant Minister for Immigration and Border Protection (Senator Cash) tabled the following documents:

- Defence—Air Warfare Destroyer project—Letter to the President of the Senate from the Minister for Defence (Senator Johnston), dated 10 July 2014, responding to the order of the Senate of 9 July 2014 and raising public interest immunity claims and attachments.

22 **CORPORATIONS AMENDMENT (STREAMLINING FUTURE OF FINANCIAL ADVICE) REGULATION 2014—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENT**

The Assistant Minister for Immigration and Border Protection (Senator Cash) tabled the following document:

- Corporations Amendment (Streamlining Future of Financial Advice) Regulation 2014—Letter to the President of the Senate from the Minister for Finance (Senator Cormann), dated 10 July 2014, responding to the order of the Senate agreed to earlier today (see entry no. 14).

23 **COMMUNITY AFFAIRS LEGISLATION COMMITTEE—ADDITIONAL INFORMATION—ESTIMATES**

Senator Bushby, at the request of the Chair of the Community Affairs Legislation Committee (Senator Seselja), tabled the following documents:

- Additional estimates 2013-2014—Community Affairs Legislation Committee—
  - Additional information received between—
    - 12 May and 26 June 2014—Health portfolio.
    - 13 May and 26 June 2014—Department of Human Services.
      Social Services portfolio.

24 **DOCUMENTS**

The following documents were tabled by the Clerk:


25 **COMMITTEE MEMBERSHIP**

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

The Assistant Minister for Immigration and Border Protection (Senator Cash), by leave, moved—That senators be discharged from and appointed to committees as follows:

- **Environment and Communications References Committee**—
  - Appointed—
    - Substitute member: Senator Siewert to replace Senator Waters for the committee’s inquiry into the National Landcare Program
    - Participating member: Senator Waters

- **Foreign Affairs, Defence and Trade References Committee**—
  - Appointed—Participating member: Senator Lambie.

Question put and passed.
26 EDUCATION—HIGHER EDUCATION FUNDING

Senator Carr, pursuant to notice, moved general business notice of motion no. 334—That the Senate condemns the Abbott Government’s vicious cuts to higher education and the devastating impact they will have on regional students, families and universities.

Debate ensued.

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

27 GOVERNMENT DOCUMENTS—ORDERS OF THE DAY—CONSIDERATION

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


Productivity Commission—Report No. 63—Safeguards inquiry into the import of processed tomato products. Motion of Senator McKenzie to take note of document debated. On the motion of Senator Ruston the debate was adjourned till Thursday at general business.

Productivity Commission—Report No. 64—Safeguards inquiry into the import of processed fruit products. Motion of Senator McKenzie to take note of document called on. On the motion of Senator Ruston the debate was adjourned till Thursday at general business.


Australian Customs and Border Protection Service—Report for 2012-13. Motion of Senator Macdonald to take note of document debated and agreed to.


Climate Change Authority—Report for 2012-13. Motion to take note of document called on. On the motion of Senator Bilyk the debate was adjourned till Thursday at general business.

Productivity Commission—Report No. 68—Safeguards inquiry into the import of processed tomato products. Motion of Senator Bushby to take note of document called on. On the motion of Senator Ruston the debate was adjourned till Thursday at general business.


Workplace Gender Equality Agency (formerly Equal Opportunity for Women in the Workplace Agency)—Report for 2012-13. Motion of Senator Moore to take note of document called on. On the motion of Senator Bilyk the debate was adjourned till Thursday at general business.

Productivity Commission—Report No. 65—Mineral and energy resource exploration. Motion of Senator Gallacher to take note of document agreed to.

*Paid Parental Leave Act 2010*—Paid Parental Leave Scheme—Review report by the Department of Social Services. Motion of Senator McEwen to take note of document called on. On the motion of Senator Bilyk the debate was adjourned till Thursday at general business.

Independent National Security Legislation Monitor—Report for the period 1 July 2013 to 28 March 2014. Motion of Senator McEwen to take note of document called on. On the motion of Senator Bilyk the debate was adjourned till Thursday at general business.

Defence Abuse Response Taskforce—Report on abuse at HMAS *Leeuwin*. Motion of Senator McEwen to take note of document agreed to.

Defence Abuse Response Taskforce—Sixth interim report to the Attorney-General and Minister for Defence. Motion of Senator McEwen to take note of document called on. On the motion of Senator Bilyk the debate was adjourned till Thursday at general business.


Orders of the day nos 18 and 19 relating to government documents were called on but no motion was moved.

*General business concluded.*

### 28 Committee Reports and Government Responses—Orders of the Day—Consideration

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

- **School Funding**—Select Committee—Equity and excellence in Australian schools—Report. Motion of the chair of the committee (Senator Collins) to take note of report called on. On the motion of Senator Moore the debate was adjourned till the next day of sitting.
- **Environment and Communications References Committee**—Environmental offsets—Report. Motion of Senator Bilyk to take note of report agreed to.
- **Economics References Committee**—Performance of the Australian Securities and Investments Commission—Report. Motion of the chair of the committee to take note of report called on. On the motion of Senator McEwen the debate was adjourned till the next day of sitting.
- **Abbott Government’s Commission of Audit**—Select Committee—Final report. Motion of the chair of the committee (Senator Di Natale) to take note of report agreed to.
Education and Employment Legislation Committee—Fair Work Amendment Bill 2014 [Provisions]—Report. Motion of Senator McEwen to take note of report called on. On the motion of Senator Moore the debate was adjourned till the next day of sitting.

Economics References Committee—Performance of the Australian Securities and Investments Commission—Interim report. Motion of Senator McEwen to take note of report agreed to.

Education and Employment References Committee—Technical and further education system in Australia—Report. Motion of Senator Bilyk to take note of report called on. On the motion of Senator Moore the debate was adjourned till the next day of sitting.

Electoral Matters—Joint Standing Committee—Conduct of the 2013 federal election: Senate voting practices—Interim report. Motion of Senator Faulkner to take note of report agreed to.

Abbott Government’s Commission of Audit—Select Committee—Second interim report. Motion of Senator McEwen to take note of report agreed to.

National Broadband Network—Select Committee—Interim report. Motion of Senator McEwen to take note of report agreed to.

Rural and Regional Affairs and Transport References Committee—Qantas’ future as a strong national carrier supporting jobs in Australia—Report. Motion of the chair of the committee (Senator Sterle) to take note of report agreed to.

Foreign Affairs, Defence and Trade References Committee—Australia’s overseas aid and development assistance program—Report. Motion of the chair of the committee to take note of report called on. On the motion of Senator Moore the debate was adjourned till the next day of sitting.

Education and Employment References Committee—Government’s approach to re-establishing the Australian Building and Construction Commission—Report. Motion of the chair of the committee (Senator Lines) to take note of report called on. On the motion of Senator Moore the debate was adjourned till the next day of sitting.

Order of the day no. 1 relating to committee reports and government responses was called on but no motion was moved.

29 AUDITOR-GENERAL’S REPORTS—ORDERS OF THE DAY—CONSIDERATION

The following order of the day relating to reports of the Auditor-General was considered:

Auditor-General—Audit report no. 52 of 2013-14—Performance audit—Multi-role helicopter program: Department of Defence; Defence Materiel Organisation. Motion to take note of document moved by Senator Fawcett. Debate adjourned till the next day of sitting, Senator Fawcett in continuation.

Orders of the day nos 1, 3 and 4 relating to reports of the Auditor-General were called on but no motion was moved.

30 ADJOURNMENT

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

The Senate adjourned at 7.06 pm till Monday, 14 July 2014 at 10 am.
31 ATTENDANCE

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

ROSEMARY LAING
Clerk of the Senate