2013

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 5

TUESDAY, 3 DECEMBER 2013

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1 MEETING OF SENATE
The Senate met at 12.30 pm. The President (Senator the Honourable John Hogg) took the chair, read prayers and made an acknowledgement of country.

2 GOVERNMENT DOCUMENTS
The following documents were tabled:
Australia Business Arts Foundation Ltd (Creative Partnerships Australia)—Financial statements for 2012-13.
Defence Housing Australia (DHA)—Statement of corporate intent 2013 to 2014.
Snowy Hydro Limited—Financial report for the period 1 July 2012 to 29 June 2013.
Treaties—List of multilateral treaties under negotiation, consideration or review by the Australian Government as at 31 October 2013.
Wheat Exports Australia—Report for the period 1 July 2012 to 31 December 2012 [Final report].

3 DAYS OF MEETING

The Assistant Minister for Social Services (Senator Fifield), pursuant to notice, moved government business notice of motion no. 1—That the days of meeting of the Senate for 2014 be as follows:

**Autumn sittings:**
- Tuesday, 11 February to Thursday, 13 February
- Monday, 3 March to Thursday, 6 March
- Monday, 17 March to Thursday, 20 March
- Monday, 24 March to Thursday, 27 March

**Budget sittings:**
- Tuesday, 13 May to Thursday, 15 May

**Winter sittings:**
- Monday, 16 June to Thursday, 19 June
- Monday, 23 June to Thursday, 26 June
- Monday, 7 July to Thursday, 10 July
- Monday, 14 July to Thursday, 17 July

**Spring sittings:**
- Tuesday, 26 August to Thursday, 28 August
- Monday, 1 September to Thursday, 4 September
- Monday, 22 September to Thursday, 25 September
- Tuesday, 30 September to Thursday, 2 October

**Spring sittings (2):**
- Monday, 27 October to Thursday, 30 October

**Spring sittings (3):**
- Monday, 24 November to Thursday, 27 November
- Monday, 1 December to Thursday, 4 December.

Senator Siewert moved the following amendment:
Omit all words after “Thursday, 26 June”, substitute:

**Spring sittings:**
- Tuesday, 19 August to Thursday, 21 August
- Monday, 25 August to Thursday, 28 August
- Monday, 8 September to Thursday, 11 September
- Monday, 15 September to Thursday, 18 September
Spring sittings (2):
Monday, 13 October to Thursday, 16 October
Monday, 3 November to Thursday, 6 November
Monday, 10 November to Thursday, 13 November
Monday, 24 November to Thursday, 27 November
Monday, 1 December to Thursday, 4 December.

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

4 Routine of Business—Variation—First Speech
The Assistant Minister for Social Services (Senator Fifield), pursuant to notice, moved government business notice of motion no. 2—That consideration of the business before the Senate on Wednesday, 4 December 2013, be interrupted at approximately 5 pm, but not so as to interrupt a senator speaking, to enable Senator O’Neill to make her first speech without any question before the chair.

Question put and passed.

5 Women—White Ribbon Day
The Assistant Minister for Social Services (Senator Fifield), at the request of the Assistant Minister for Immigration and Border Protection (Senator Cash), also on behalf of Senators Moore and Rhiannon, and pursuant to notice, moved government business notice of motion no. 3—That the Senate—

(a) notes:
   (i) that 25 November is observed as White Ribbon Day,
   (ii) that White Ribbon Day aims to reduce and prevent violence against women and raise awareness of the issue in all Australian communities,
   (iii) that the White Ribbon organisation is the world’s largest male-led movement to end men’s violence against women, and
   (iv) the Coalition’s commitment to increase funding to the White Ribbon campaign by $1 million over 4 years; and

(b) acknowledges:
   (i) that partner violence is the most common type of violence against women, affecting 30 per cent of women worldwide,
   (ii) that women are most at risk of violence in the home and from men they know, and young women are at greater risk of violence than older women,
   (iii) that, in the past year, between 5 and 10 per cent of Australian women experienced at least one incident of physical and/or sexual violence by a man, and
   (iv) the men and the members and senators that swear the White Ribbon Oath: ‘I swear never to commit, excuse or remain silent about violence against women’.

Question put and passed.
6 CLEAN ENERGY FINANCE CORPORATION (ABOLITION) BILL 2013
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.
Senator Pratt moved the following amendment:
   At the end of the motion, add “but the Senate expresses concern over the impact that the abolition of the Clean Energy Finance Corporation will have on investment in renewable energy projects”.
Debate ensued.
At 2 pm: Debate was interrupted while Senator Urquhart was speaking.

7 QUESTIONS
Questions without notice were answered.

8 MOTIONS TO TAKE NOTE OF ANSWERS
Senator Carr moved—That the Senate take note of the answers given by the Minister for Human Services (Senator Payne) and the Minister for Employment (Senator Abetz) to questions without notice asked by Senators Carr and Dastyari and the Leader of the Opposition in the Senate (Senator Wong) today relating to schools funding.
Debate ensued.
Question put and passed.
Senator Whish-Wilson moved—That the Senate take note of the answer given by the Assistant Minister for Immigration and Border Protection (Senator Cash) to a question without notice asked by Senator Whish-Wilson today relating to efforts to prevent illegal whaling.
Question put and passed.

9 PETITIONS
The following 2 petitions, lodged with the Clerk by the senators indicated, were received:
   Senator Parry, from 5 159 petitioners, requesting that the Senate set aside the report of the Defence Honours and Awards Appeals Tribunal and reconsider the acts of valour demonstrated by nominated Australians.
   Senator Siewert, from 168 petitioners, requesting that the Senate initiate a Royal Commission into the use of pesticides, related illnesses and environmental harm.

Document: Senator Kroger, by leave, tabled the following document:
   Defence—Defence honours and awards—Petitioning document from 6 008 signatories relating to acts of valour demonstrated by nominated Australians.
10 Notices

Notices of motion:

Senator Xenophon: To move on the next day of sitting—That the resolution of appointment of the Joint Standing Committee on Electoral Matters be amended to provide for participating membership, as follows:

After paragraph (3), insert:

(3A) participating members may be appointed to the committee on the nomination in the House of Representatives, of the Government or Opposition Whips or any minority group or independent Member, and, in the Senate, of the Leader of the Government or Opposition, or any minority group or independent Senator, and such participating member:

(a) shall be taken to be a member of the committee for the purposes of forming a quorum if a majority of members of the committee are not present; and

(b) may participate in hearings of evidence and deliberations of the committee and have all rights of a committee member except that a participating member may not vote on any question before the committee. (general business notice of motion no. 41)

Senator Carr: To move on the next day of sitting—That the provisions of the Tax Laws Amendment (Research and Development) Bill 2013 be referred to the Economics References Committee for inquiry and report by 17 March 2014.

Senator Whish-Wilson: To move on the next day of sitting—That there be laid on the table by the Minister representing the Minister for Trade and Investment, the final text of the Trans-Pacific Partnership plurilateral free trade agreement well before it is signed. (general business notice of motion no. 42)

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

(a) notes that 2013 is the 80th anniversary of Holodomor, an enforced famine in Ukraine caused by the deliberate actions of Stalin’s Communist Government of the Union of Soviet Socialist Republics [USSR];

(b) recalls that it is estimated up to 7 million Ukrainians starved to death as a result of Stalin’s policies between 1932 and 1933 alone;

(c) condemns:

(i) these acts aimed at destroying the national, cultural, religious and democratic aspirations of the Ukrainian people, and

(ii) all similar acts during the 20th century as the ultimate manifestations of racial, ethnic or religious hatred and violence;

(d) honours the memory of those who lost their lives during Holodomor;

(e) resolves to annually mark Holodomor on or about the international ‘Holodomor Remembrance Day’, being 24 November;

(f) joins the Ukrainian Australian community and the international community in commemorating this tragic milestone; and

(g) recognises the importance of remembering and learning from such dark chapters in human history to ensure that such crimes against humanity are not allowed to be repeated. (general business notice of motion no. 43)
Senator Madigan: To move on the next day of sitting—That—

(a) the inquiry into the Fair Trade (Workers’ Rights) Bill 2013 of the Foreign Affairs, Defence and Trade Legislation Committee of the 43rd Parliament be re-referred for inquiry with the same terms of reference, granting the current committee access to all inquiry submissions and documents of the preceding committee; and

(b) the committee report to the Senate by 4 March 2014.

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

(1) That estimates hearings by legislation committees for 2014 be scheduled as follows:

**2013-14 additional estimates:**
- Monday, 24 February and Tuesday, 25 February (Group A)
- Wednesday, 26 February and Thursday, 27 February (Group B)

**2014-15 Budget estimates:**
- Monday, 26 May to Thursday, 29 May, and, if required, Friday, 30 May (Group A)
- Monday, 2 June to Thursday, 5 June, and, if required, Friday, 6 June (Group B)
- Monday, 20 October and Tuesday, 21 October (supplementary hearings—Group A)
- Wednesday, 22 October and Thursday, 23 October (supplementary hearings—Group B).

(2) That pursuant to the order of the Senate of 26 August 2008, cross portfolio estimates hearings on Indigenous matters be scheduled for Friday, 28 February, Friday, 30 May and Friday, 24 October.

(3) That the committees consider the proposed expenditure in accordance with the allocation of departments and agencies to committees agreed to by the Senate.

(4) That committees meet in the following groups:

**Group A:**
- Environment and Communications
- Finance and Public Administration
- Legal and Constitutional Affairs
- Rural and Regional Affairs and Transport

**Group B:**
- Community Affairs
- Economics
- Education and Employment
- Foreign Affairs, Defence and Trade

(5) That the committees report to the Senate on the following dates:

(a) Tuesday, 18 March 2014 in respect of the 2013-14 additional estimates; and

(b) Tuesday, 24 June 2014 in respect of the 2014-15 Budget estimates.
Senator Cameron: To move on the next day of sitting—

(1) That the following matter be referred to the Education and Employment References Committee for inquiry and report by the last sitting day in March 2014:

The Government’s approach to re-establishing the Australian Building and Construction Commission through the Building and Construction Industry (Improving Productivity) Bill 2013 and related bills, with particular reference to:

(a) the potential impact of the re-establishment of the Australian Building and Construction Commission on the building and construction industry;

(b) the need or otherwise for a specialist industrial regulator in the building and construction industry;

(c) the potential impact of the bills on productivity in the building and construction industry;

(d) whether the bills are consistent with Australia’s obligations under international law;

(e) the potential impact of the bills on employees, employers, employer bodies, trade and labour councils, unions and union members;

(f) the extreme and heavy-handed proposed powers of the Australian Building and Construction Commission, including coercive powers, conduct of compulsory interviews, and imprisonment for those who do not co-operate;

(g) the provisions of the bills relating to requirements to provide information to the Australian Building and Construction Commission during interviews including provisions that interviewees have no right to silence;

(h) the provisions of the bills that introduce the law of conspiracy into the industrial regulation of the building and construction industry;

(i) whether the provisions of the bills relating to occupational health and safety in the building and construction industry are adequate to protect the health and safety of employees and contractors in the industry; and

(j) any other related matter.

(2) That for the avoidance of doubt, standing order 115(3) applies to the consideration of the Building and Construction Industry (Improving Productivity) Bill 2013 and any related bills.

Notice of motion withdrawn: Senator Moore, at the request of the Leader of the Opposition in the Senate (Senator Wong), withdrew business of the Senate notice of motion no. 1 standing in the name of Senator Wong for today, proposing a reference to the Education and Employment References Committee.

11 Postponement

The following item of business was postponed:

General business notice of motion no. 22 standing in the name of Senator Whish-Wilson for today, proposing an order for the production of documents by the Minister representing the Minister for Trade and Investment, postponed till 9 December 2013.
12 **FOREIGN AFFAIRS—GLOBAL FUND TO FIGHT AIDS, TB AND MALARIA**

Senator Rhiannon amended general business notice of motion no. 29 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

(a) notes that:

(i) Australia and other donors are due to announce their 3-year pledges to the Global Fund to fight AIDS, TB and Malaria at the replenishment meeting being held in Washington DC on the morning of 4 December 2013 (AEST),

(ii) the Global Fund is seeking a total of $15 billion to build on progress in bringing an end to AIDS, TB and malaria,

(iii) Australia should offer the strongest possible support to the Global Fund to continue an ambitious and successful program to fight AIDS, TB and malaria,

(iv) in addition, Australia’s contribution will support positive bilateral and multilateral relationships and will be seen as a measure of Australia’s standing in the international community,

(v) the Global Alliance for Vaccines and Immunisation (GAVI) is committed to saving children’s lives and is on track to immunise 500 million children by 2015, and

(vi) at the GAVI Pledging Conference in June 2011 the Australian Government increased Australia’s commitment from $60 million over 3 years to $200 million for the period 2011 to 2013, of which $52.5 million remains outstanding; and

(b) calls on the Federal Government to:

(i) commit at least $375 million to the Global Fund for the period 2014 to 2016, and

(ii) complete its current pledge and increase investments in GAVI to at least $75 million in both 2014 and 2015.

*Statement by leave*: The Assistant Minister for Social Services (Senator Fifield), by leave, made a statement relating to the motion.

Question put and passed.

13 **EDUCATION—SCHOOLS FUNDING**

Senator Wright, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 30—That the Senate—

(a) notes:

(i) needs-based funding, where money is distributed equitably according to need, is essential to ensuring all students can access high-quality education,

(ii) that disadvantage occurs in all sectors of schooling, but is concentrated in government schools,

(iii) the discredited SES funding model was responsible for increasing inequity, and

(iv) the Government made a clear pre-election commitment to maintain the reformed school funding model from 1 January 2014 for 4 years, with the same funding envelope; and
(b) recognises that, in reneging on its pre-election commitment, the Government will perpetuate and worsen the inequities at the heart of the schooling system, which needs-based funding reform had the only chance of reversing.

Statement by leave: The Assistant Minister for Social Services (Senator Fifield), by leave, made a statement relating to the motion.

Question put and passed.

14 RURAL AND REGIONAL AFFAIRS AND TRANSPORT REFERENCES COMMITTEE—LEAVE TO MEET DURING SITTINGS

Senator McEwen, 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. 34—That the Rural and Regional Affairs and Transport References Committee be authorised to meet during the sittings of the Senate for private briefings, as follows:

(a) on Monday, 9 December 2013, from 10 am; and
(b) on Tuesday, 10 December 2013, from 4 pm.

Question put and passed.

15 COMMUNICATIONS—NATIONAL BROADBAND NETWORK—STRATEGIC REVIEW—ORDER FOR PRODUCTION OF DOCUMENT

Senator Ludlam, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 35—That there be laid on the table by the Minister representing the Minister for Communications, no later than noon on Monday, 9 December 2013, the Strategic Review of the rollout of the National Broadband Network conducted by NBN Co and due to be provided to the Government on Monday, 2 December 2013.

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

Question put and passed.

16 HEALTH—WORLD AIDS DAY

Senator Pratt, also on behalf of Senator Smith, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 36—That the Senate—

(a) notes that 1 December 2013 is World AIDS Day;
(b) recognises that:

(i) more than 35 million people now live with HIV/AIDS worldwide, and almost 10 per cent of these are under the age of 15,
(ii) every day nearly 6 300 people contract HIV, nearly 262 every hour,
(iii) in Australia in 2012 there were 25 000 people living with HIV and 1 253 new diagnoses of HIV infection, a 10 per cent increase from previous years,
(iv) in 2012, 1.6 million people died from AIDS-related illnesses,
(v) in some communities HIV rates are as high as 40 per cent,
(vi) since the beginning of the epidemic in the 1980s, more than 75 million people have been infected with HIV and nearly 36 million have died of AIDS-related illnesses,
(vii) there are now outstanding antiviral treatments available to people living with HIV, and
(viii) although a lot of work has been done and many medical advances have been made, there is no cure and no vaccine, so a lot of research and work still needs to be done before we see the end of HIV;

(c) acknowledges that:
   (i) in July 2014, Melbourne will host the 20th International AIDS Conference (AIDS 2014),
   (ii) the conference will bring together 14 000 delegates from around 200 countries, which will be the largest medical conference ever held in Australia, and
   (iii) the conference will be chaired by Nobel Laureate, Professor Francoise Barre-Sinoussi, and Professor Sharon Lewin; and

(d) calls on the Parliament to:
   (i) continue Australia’s strong commitment to an enduring effective partnership between government, scientists and the community to meet the needs of people living with HIV,
   (ii) continue Australia’s strong commitment to medical health and research, and
   (iii) foster and cultivate Australia’s medical health and research community and researchers to ensure we stay at the forefront of all aspects of treatment, care and research in HIV.

Question put and passed.

17  **POKER MACHINE HARM REDUCTION ($1 BETS AND OTHER MEASURES) BILL 2012—RESTORATION TO NOTICE PAPER**

Senator Xenophon, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 39—

(1) That so much of standing orders be suspended as would prevent this resolution having effect.

(2) That the Poker Machine Harm Reduction ($1 Bets and Other Measures) Bill 2012 be restored to the Notice Paper and that consideration of the bill resume at the stage reached in the 43rd Parliament.

Question put and passed.

18  **FAIR TRADE (AUSTRALIAN STANDARDS) BILL 2013—RESTORATION TO NOTICE PAPER**

Senator Xenophon, at the request of Senator Madigan and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 37—

(1) That so much of standing orders be suspended as would prevent this resolution having effect.

(2) That the Fair Trade (Australian Standards) Bill 2013 be restored to the Notice Paper and that consideration of the bill resume at the stage reached in the 43rd Parliament.

Question put and passed.
19 SOCIAL ISSUES—INTERNATIONAL DAY OF PERSONS WITH DISABILITY

Senator Siewert, also on behalf of Senators Boyce and Moore and the Assistant Minister for Social Services (Senator Fifield), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 40—That the Senate—

(a) acknowledges that 3 December 2013 marks the 21st anniversary of the International Day of Persons with Disability;

(b) congratulates the following winners of the National Disability Awards;

(i) Ms Ann Procter (Duffy, Australian Capital Territory) and Mr John Moxon (Northmead, New South Wales), recipients of the Lesley Hall Award for Lifetime Achievement in Disability,

(ii) Mr Huy Nguyen (Victoria), recipient of the Emerging Leaders Award in Disability,

(iii) Western Desert Dialysis (Alice Springs, Northern Territory), recipient of the Excellence in Accessible Communities Award,

(iv) Penrith City Council (Penrith, New South Wales), recipient of the Excellence in Improving Social Participation Award,

(v) Mr Robert Pask (Bentleigh East, Victoria), recipient of the Excellence in Advocacy and Rights Promotion Award,

(vi) ABLE Employee Action Group and Westpac Group’s Diversity and Flexibility Team (National), recipient of the Excellence in Improving Employment Opportunities Award,

(vii) Hear for You (National), recipient of the Excellence in Improving Personal and Community Support Award,

(viii) Down Syndrome Victoria (Fitzroy, Victoria), recipient of the Excellence in Improving Education Outcomes Award,

(ix) Ms Susan Race (St Albans, Victoria), recipient of the Excellence in Improving Health and Wellbeing Outcomes Award,

(x) The Project, Network Ten (Victoria), recipient of the Yooralla Media Award of Distinction, and

(xi) Ms Lesley Hall, recipient of the Prime Minister’s Awards for Outstanding Achievement;

(c) joins with all Australians, including those with disability, in celebrating the many advances that have been made to improve the lives of those with disability and their families;

(d) acknowledges the important role that so many organisations and individuals play in supporting and advocating for people living with a disability; and

(e) acknowledges that much remains to be done to remove the barriers to employment, education and full community participation of people with disability.

Question put and passed.

20 EDUCATION AND EMPLOYMENT REFERENCES COMMITTEE—PROPOSED REFERENCE

Motion determined as not formal: Senator Moore, at the request of the Leader of the Opposition in the Senate (Senator Wong), asked that business of the Senate notice of motion no. 2 standing in the name of Senator Wong for today, proposing a reference to the Education and Employment References Committee, be taken as formal.

An objection was raised and the motion was not proceeded with as a formal motion.
21 IMMIGRATION—ASYLUM SEEKERS—MINISTERIAL BRIEFINGS AND CORRESPONDENCE—ORDER FOR PRODUCTION OF DOCUMENTS—FAILURE TO COMPLY

Senator Hanson-Young, also on behalf of Senator Carr, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 31—

That the Senate—

(a) notes:

(i) the failure of the Minister representing the Minister for Immigration and Border Protection (Senator Cash) to comply with the order of the Senate of 14 November 2013 by noon on 18 November 2013, and

(ii) that tabling publically available information such as transcripts and operational updates is a failure to comply with the order, and that tabling of other publically available information would still represent a failure to comply with this order;

(b) orders the Minister representing the Minister for Immigration and Border Protection (Senator Cash) to comply with the order by 5 pm on Wednesday, 4 December 2013; and

(c) does not accept the claims of public interest immunity made by the Minister in respect of the documents ordered by the Senate to be tabled, or the grounds for making these claims.

Statement by leave: The Assistant Minister for Immigration and Border Protection (Senator Cash), by leave, made a statement relating to the motion.

Question put.

The Senate divided—

AYES, 34

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NOES, 28

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Question agreed to.
22 ELECTORAL MATTERS—JOINT STANDING COMMITTEE—PROPOSED REFERENCE

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. 20—that the following matter be referred to the Joint Standing Committee on Electoral Matters for inquiry and report by 24 March 2014:

Different options for Senate voting, with particular reference to:

(a) the possible advantages and disadvantages of the following voting methods for both above-the-line and below-the-line voting:
   (i) optional preferential,
   (ii) partial preferential, and
   (iii) compulsory preferential; and

(b) other related matters.

Question put.

The Senate divided—

AYES, 9

Di Natale  
Hanson-Young  
Ludlam

Milne  
Rhiannon  
Waters  
Wish-Wilson

NOES, 47

Bilyk  
Boswell  
Boyce  
Brown

Bushby  
Cameron  
Cash  
Collins

McKenzie  
McLucas  
Moore  
Nash

Munro  
McEwen (Teller)  
Ryan  
Scullion

Seselja  
Seselja  
Smith  
Stanley

Stephens  
Thorpe  
Tillem  
Urquhart


23 ADMINISTRATION—POLITICAL DONATIONS

Senator Rhiannon, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 38—that the Senate—

(a) notes that:

(i) political donations for the 2013 federal election made on or after 1 July 2013 will not be made public until 1 February 2015,

(ii) political donations under $12 400 do not have to be disclosed by parties or candidates to the Australian Electoral Commission, and

(iii) this higher disclosure threshold level means the public is not aware of the details of a large number of political donations received by political parties; and

(b) further notes that:

(i) $12 400 is significantly higher than the current $5 000 disclosure threshold level, and

(ii) that this has not been the case in any recent state or federal election,

(c) urges all candidates, parties and individuals to provide full details of all political donations to the Australian Electoral Commission to ensure full public disclosure and democratic accountability.

Question negatived.
(b) calls for:
   (i) a donation disclosure threshold of $1 000,
   (ii) a ban on overseas donations,
   (iii) a $50 cap on anonymous donations,
   (iv) donations to different branches of a political party to be accumulated and treated as donations to the same party in order to stop political parties minimising their disclosure obligations by donation splitting,
   (v) 6-monthly disclosure of donations and political expenditure, and
   (vi) online disclosure of donations over $1 000 in the 3 months prior to an election or from when the election is called.

Question put.

The Senate divided—

AYS, 9

Senators—

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

NOES, 48

Senators—

Bernardi  Edwards  Lines  Peris
Bilyk  Eggleston  Ludwig  Polley
Botwell  Farrell  Lundy  Pratt
Boyce  Faulkner  Macdonald  Ronaldson
Brown  Fastett  Madigan  Ruston
Busby  Ferravanti-Wells  McEwen  Ryan
Cameron  Fifield  McKenzie  Seselja
Carr  Furner  McLucas  Smith
Cash  Gallacher  Moore  Stephens
Colbeck  Heffernan  Nash  Thorp
Collins  Johnston  O’Neill  Tillem
Dastyari  Kroger  Parry  Urquhart (Teller)

Question negatived.

24 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—EDUCATION—SCHOOLS FUNDING

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

The Government’s failure to honour its pre-election commitment to maintain the Better Schools funding model.

The proposal was supported by four senators and the matter was discussed.
Senator Kroger, at the request of the Chair of the Education and Employment Legislation Committee (Senator McKenzie), tabled the following document:


Document ordered to be printed on the motion of Senator Kroger.

The following document was tabled by the Clerk:


The following document was tabled pursuant to the order of the Senate of 30 May 1996, as amended:

Indexed lists of departmental and agency files for the period 1 January to 30 June 2013—Statement of compliance—Australian Taxation Office.

The Acting Deputy President (Senator Fawcett) informed the Senate that the President had received letters nominating senators to be members of committees.

The Minister for Human Services (Senator Payne), by leave, moved—That senators be discharged from and appointed to committees as follows:

National Broadband Network—Select Committee—
Appointed—Participating member: Senator Whish-Wilson

National Disability Insurance Scheme—Joint Standing Committee—
Appointed—Senator Siewert.

Question put and passed.

Messages from the House of Representatives were reported transmitting for the concurrence of the Senate the following bills:

Message no. 30, dated 2 December 2013—A Bill for an Act relating to the establishment of the Australian Grape and Wine Authority, and for other purposes.

Message no. 29, dated 2 December 2013—A Bill for an Act to amend the Primary Industries (Customs) Charges Act 1999, and for related purposes.
No. 5—3 December 2013

Message no. 28, dated 2 December 2013—A Bill for an Act to amend the Primary Industries (Excise) Levies Act 1999, and for related purposes.
The Minister for Human Services (Senator Payne) moved—that these bills may proceed without formalities, may be taken together and be now read a first time.
Question put and passed.
Bills read a first time.
Senator Payne moved—that these bills be now read a second time.
On the motion of Senator Payne the debate was adjourned till the next day of sitting.

30 EDUCA TION AND EMPLOYMENT REFERENCES COMMITTEE—PROPOSED REFERENCE

Senator Moore, at the request of the Leader of the Opposition in the Senate (Senator Wong) and pursuant to notice, moved business of the Senate notice of motion no. 2—
(1) That the following matter be referred to the Education and Employment References Committee for inquiry and report by the last sitting day in March 2014:
   The provisions of the Fair Work (Registered Organisations) Amendment Bill 2013, with particular reference to:
   (a) the potential impact of the amendments to interfere with the ongoing operation of registered organisations in Australia; and
   (b) the potential of the amendments to impede the ability of employees of registered organisations to carry out their duties.
(2) That for the avoidance of doubt, standing order 115(3) applies to the consideration of the Fair Work (Registered Organisations) Amendment Bill 2013 and any related bills.
Debate ensued.
At 6.50 pm: Debate was interrupted while Senator Kroger was speaking.

31 GOVERNMENT DOCUMENTS—CONSIDERATION

The following government documents tabled earlier today (see entry no. 2) were considered:


The following general business order of the day relating to government documents was considered:

Gene Technology Regulator—Quarterly report for the period 1 April to 30 June 2013. Motion to take note of document moved by Senator Kroger. Debate adjourned till Thursday at general business, Senator Kroger in continuation.

General business orders of the day nos 96, 97 and 99 relating to government documents were called on but no motion was moved.

32 ADJOURNMENT

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

Debate ensued.

The Senate adjourned at 9.46 pm till Wednesday, 4 December 2013 at 9.30 am.

33 ATTENDANCE

Present, all senators except Senators Back* and Bishop* (* on leave).

ROSEMARY LAING
Clerk of the Senate

Printed by authority of the Senate