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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.

DOCUMENTS

The following documents were tabled by the Clerk pursuant to statute:

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


Civil Aviation Act 1988—

Civil Aviation Regulations 1988—Determination — meteorological minima for landing or taking-off at aerodrome—CASA 270/14 [F2014L01579].

Civil Aviation Safety Regulations 1998—Wing Forward Spar Carry-Through Structure—

AD/BEECH 33/37 Amdt 1 [F2014L01574].
AD/BEECH 35/63 Amdt 1 [F2014L01575].
AD/BEECH 36/37 Amdt 1 [F2014L01576].

Commissioner of Taxation—Public Rulings—


Self Managed Superannuation Funds Determination SMSFD 2014/1.


Higher Education Support Act 2003—

Higher Education Provider Approval—No. 5 of 2014 [F2014L01578].

VET Provider Approval—No. 66 of 2014 [F2014L01577].

COMMITTEE—LEAVE TO MEET DURING SITTING

A committee was authorised to meet during the sitting of the Senate, as follows:

Australia Fund Establishment—Joint Select Committee—Monday, 1 December 2014—private briefing, from 11 am; private meeting otherwise than in accordance with standing order 33(1), from 11.30 am; and public meeting, from 11.45 am.

ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION AMENDMENT BILL 2014

Order of the day read for the adjourned debate on the motion of Senator Ludwig—That this bill be now read a second time.
Debate resumed.
On the motion of Senator O’Neill the debate was adjourned till the next day of sitting.

5 FAIR TRADE (AUSTRALIAN STANDARDS) BILL 2013
Order of the day read for the adjourned debate on the motion of Senator Madigan—That this bill be now read a second time.
Debate resumed.
Time expired: The time for general business orders of the day for the consideration of bills reached the limit of 2 hours 20 minutes.
Debate adjourned till the next day of sitting, Senator Ketter in continuation.

6 RACIAL DISCRIMINATION AMENDMENT BILL 2014—EXPLANATORY MEMORANDUM

7 HEALTH—ASBESTOS—MR FLUFFY INSULATION—DOCUMENT
Senator Seselja, by leave and also on behalf of Senator Lundy, tabled the following document:

Health—Asbestos—Mr Fluffy insulation—Fluffy Owners and Residents’ Action Group—Hope in grief: Confronting Mr Fluffy’s toxic legacy in Canberra and Queanbeyan—First group impact statement, dated October 2014.

8 NOTICES
Senators Smith and Singh: To move on the next day of sitting—That the Senate—
(a) notes that:
   (i) 1 December 2014 is World AIDS Day,
   (ii) the aim of World AIDS Day is to:
       (A) encourage all Australians to be aware of HIV,
       (B) take action to reduce the transmission of HIV by promoting safe sex practices, and
       (C) ensure that people living with HIV can participate fully in the life of the community, free from stigma and discrimination,
   (iii) in July 2014, Australia hosted the AIDS 2014 conference in Melbourne which highlighted that it was possible to end HIV globally by focusing on evidence-based programs, such as increasing access to HIV testing and treatment, improving treatment options and implementing prevention tools like harm reduction, and
   (iv) while much has been achieved, the challenge to combat HIV/AIDS remains, with new HIV infection rates in Australia being at their highest in 20 years; and
(b) recognises:
   (i) Australia’s resolve to work with governments, the business community and civil society across the region to reach the goals that the international community has set – zero new infections, zero AIDS-related deaths and zero discrimination,
   (ii) the work of current and previous Australian governments in the development of national strategies to address HIV infection, and
(iii) the release on 7 July 2014 of the 7th National HIV Strategy and its commitment to working towards achieving the virtual elimination of HIV transmission in Australia by 2020, reducing the morbidity and mortality caused by HIV, and minimising the personal and social impact of HIV. (general business notice of motion no. 549)

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

(a) notes that:

(i) the Youth Connections program has assisted hundreds of disengaged young people to reconnect to education, training or employment,

(ii) funding to the program has been cut by the Federal Government, and will officially end on 31 December 2014,

(iii) the Government has not allocated any funds to any similar or replacement program,

(iv) this will be the first time in 20 years that there is no federally-funded program to assist young people to re-engage with pathways to future work and education, and

(v) young people across Australia, especially those who are disadvantaged, will miss out on vital support provided by the Youth Connections program; and

(b) calls on the Government to reinstate the funding for this effective and necessary program. (general business notice of motion no. 550)

Senator Siewert: To move on the next day of sitting—That there be laid on the table by the Minister representing the Minister for Social Services, no later than 5 pm on Wednesday, 3 December 2014, the report into income management in the Northern Territory, Evaluating new income management in the Northern Territory, final report. (general business notice of motion no. 551)

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

(a) notes:

(i) that the report of the expert panel on a declared commercial fishing activity, Final (Small Pelagic Fishery) Declaration 2012, has been released,

(ii) that the report found a super trawler would negatively impact on protected species such as seals, dolphins and sea birds, and

(iii) the statement by the Prime Minister (Mr Abbott) on 4 March 2014 that ‘the super trawler is banned from Australian waters…it was banned with the support of members on this side of the House. It was banned; it will stay banned’; and

(b) calls on the Government to introduce legislation banning super trawlers from Australian waters. (general business notice of motion no. 552)

Senator O’Sullivan: To move on the next day of sitting—That the Senate recognises that a profitable and strong mining sector is essential to government being able to further fund and develop Australia’s agricultural interests, especially in relation to infrastructure. (general business notice of motion no. 553)
Senator Ludwig: To move on the next day of sitting—That there be laid on the table by the Minister representing the Treasurer (Senator Cormann), by 3.30 pm on Wednesday, 3 December 2014, any documents held in relation to the contents of a letter dated 6 February 2014 from the Honourable Warren Truss MP to the Honourable Scott Emerson MP (QLD ref:MC73750/Federal ref:05543-2013) which details the Australian Government’s commitment to the Ipswich Motorway, Darra to Rocklea, project of $279 million. (general business notice of motion no. 554)


The Chair of the Foreign Affairs, Defence and Trade References Committee (Senator Gallacher): To move on the next day of sitting—That the following matter be referred to the Foreign Affairs, Defence and Trade References Committee for inquiry and report by 18 June 2015:

The Commonwealth’s treaty-making process, particularly in light of the growing number of bilateral and multilateral trade agreements Australian governments have entered into or are currently negotiating, including:

(a) the role of the Parliament and the Executive in negotiating, approving and reviewing treaties;
(b) the role of parliamentary committees in reviewing and reporting on proposed treaty action and implementation;
(c) the role of other consultative bodies including the Commonwealth-State-Territory Standing Committee on Treaties and the Treaties Council;
(d) development of the national interest analysis and related materials currently presented to Parliament;
(e) the scope for independent assessment and analysis of treaties before ratification;
(f) the scope for government, stakeholder and independent review of treaties after implementation;
(g) the current processes for public and stakeholder consultation and opportunities for greater openness, transparency and accountability in negotiating treaties; and
(h) related matters.

Senator Di Natale: To move on the next day of sitting—That the following matter be referred to the Community Affairs References Committee for inquiry and report by 28 April 2015:

The details of Australia’s bid to host the 2022 FIFA World Cup, and in particular:
(a) the use of public funds;
(b) the tactics adopted;
(c) the individuals involved;
(d) the allegations of corruption contained in Mr Michael Garcia’s report to the Fédération Internationale de Football Association (FIFA); and
(e) other matters pertaining to potentially inappropriate behaviour in relation to the bid.
The Chair of the Selection of Bills Committee (Senator Bushby) tabled the following report:

**SELECTION OF BILLS COMMITTEE**

**REPORT NO. 15 OF 2014**

1. The committee met in private session on Wednesday, 26 November 2014 at 7.35 pm.

2. The committee resolved to recommend—that—
   (a) contingent upon their introduction in the House of Representatives, the **provisions** of the Biosecurity Bill 2014, the Biosecurity (Consequential Amendments and Transitional Provisions) Bill 2014, the Quarantine Charges (Imposition—Customs) Amendment Bill 2014, the Quarantine Charges (Imposition—Excise) Amendment Bill 2014 and the Quarantine Charges (Imposition—General) Amendment Bill 2014 be **referred immediately** to the Rural and Regional Affairs and Transport Legislation Committee for inquiry and report by 17 March 2015;

   (b) the **provisions** of the Corporations Legislation Amendment (Deregulatory and Other Measures) Bill 2014 be **referred immediately** to the Economics Legislation Committee for inquiry and report by 11 February 2015; and

   (c) the **provisions** of the Export Finance and Insurance Corporation Amendment (Direct Lending and Other Measures) Bill 2014 be **referred immediately** to the Foreign Affairs, Defence and Trade Legislation Committee for inquiry and report by 11 February 2015.

3. The committee resolved to recommend—that the following bills **not** be referred to committees:
   Australian War Memorial Amendment Bill 2014
   Freedom to Marry Bill 2014
   Save Our Sharks Bill 2014
   Telecommunications (Interception and Access) Amendment (Data Retention) Bill 2014
   Treasury Legislation Amendment (Repeal Day) Bill 2014.

   The committee **recommends accordingly**.

4. The committee deferred consideration of the following bills to its next meeting:
   ACT Government Loan Bill 2014
   Australian Broadcasting Corporation Amendment (Local Content) Bill 2014
   Civil Law and Justice Legislation Amendment Bill 2014
   Corporations Amendment (Publish What You Pay) Bill 2014
   Fair Work Amendment (Bargaining Processes) Bill 2014
   Federal Courts Legislation Amendment Bill 2014
   Mining Subsidies Legislation Amendment (Raising Revenue) Bill 2014
   Motor Vehicle Standards (Cheaper Transport) Bill 2014
   Parliamentary Service Amendment Bill 2014
   Social Security and Other Legislation Amendment (Caring for Single Parents) Bill 2014.

David Bushby
Chair
27 November 2014.
Senator Bushby moved—that the report be adopted.
Question put and passed.

10 ORDER OF BUSINESS—REARRANGEMENT
The Assistant Minister for Social Services (Senator Fifield) moved—that—
(a) the following government business orders of the day be considered from 12.45 pm today:
No. 6 Customs Amendment (Japan-Australia Economic Partnership Agreement Implementation) Bill 2014
Customs Tariff Amendment (Japan-Australia Economic Partnership Agreement Implementation) Bill 2014
Australian War Memorial Amendment Bill 2014; and
(b) government business be called on after consideration of the bills listed in paragraph (a) and considered till not later than 2 pm today.
Question put and passed.
Senator Fifield moved—that the order of general business for consideration today be as follows:
(a) general business notice of motion no. 525 standing in the names of Senators Leyonhjelm and Day relating to government spending; and
(b) orders of the day relating to documents.
Question put and passed.

11 PRIVATE SENATORS’ BILLS—CONSIDERATION—ROUTINE OF BUSINESS—VARIATION
The Assistant Minister for Social Services (Senator Fifield), by leave, moved—that—
(a) subject to introduction, the general business order of the day relating to the Family Tax Benefit (Tighter Income Test) Bill 2014 be considered on Thursday, 4 December 2014 under the temporary order relating to the consideration of private senators’ bills for not more than 1 hour and 10 minutes; and
(b) government business be called on after consideration of the bill listed in paragraph (a) and considered for not more than 1 hour and 10 minutes.
Question put and passed.

12 POSTPONEMENTS
Business was postponed as follows:
Business of the Senate notice of motion 1 standing in the name of Senators Xenophon and Ruston for today, proposing a reference to the Environment and Communications Legislation Committee, postponed till 1 December 2014.
General business notices of motion nos 508, 519, 531 and 543 standing in the name of Senator O’Sullivan for today, postponed till 1 December 2014.
13 COMMITTEES—EXTENSIONS OF TIME TO REPORT

The following committees were granted extensions of time to report:

- Community Affairs Legislation Committee—Aboriginal and Torres Strait Islander Amendment (A Stronger Land Account) Bill 2014, extended to 4 March 2015.
- Rural and Regional Affairs and Transport References Committee—Current requirements for labelling of seafood and seafood products, extended to 18 December 2014.

14 LEAVE OF ABSENCE

Senator McEwen, by leave, moved—that leave of absence be granted to Senator Cameron for today, for personal reasons. Question put and passed.

Senator Bushby, by leave, moved—that leave of absence be granted to Senator Xenophon for today, for personal reasons. Question put and passed.

15 CORPORATIONS AMENDMENT (STREAMLINING FUTURE OF FINANCIAL ADVICE) REGULATION—DISALLOWANCE—RESCISSION

The Assistant Minister for Social Services (Senator Fifield), at the request of the Minister for Finance (Senator Cormann) and pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 1—That, for the purposes of paragraph 48(1)(a) of the Legislative Instruments Act 2003, the Senate:

(a) supports the making of regulations re-instating provisions the same in substance as the following provisions of Corporations Amendment (Streamlining Future of Financial Advice) Regulation 2014, as contained in Select Legislative Instrument 2014 No. 102: Schedule 1 Items 5 (Accountants’ certificate renewal period); 11 (Stamping fee provision); 12 to 17 (ASX24-related provisions); 27 (non-monetary education or training benefit not conflicted remuneration); and 28, 29 and 31 to 35 (Grandfathering arrangements); and

(b) rescinds its disallowance resolution of 19 November 2014 relating to the above regulation, to the extent necessary to permit the re-making of the aforementioned provisions in the regulations.

Question put and passed.

16 TRANSPORT—NEW SOUTH WALES—NEWCASTLE HEAVY RAIL LINE SERVICES

Senator Rhiannon, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 544—That the Senate—

(a) notes that:

(i) the New South Wales Government has decided to stop train services in Newcastle on Boxing Day 2014, with heavy rail services to Wickham, Civic and Newcastle stations scrapped,

(ii) the truncation of the rail line into Newcastle has been strongly opposed by the local community, and

(iii) the truncation will increase travel times for passengers travelling to and from Newcastle by up to 25 minutes and residents of the broader Hunter region will suffer as a direct rail connection into the heart of their regional centre is cut; and
(b) calls on:

(i) the New South Wales Government to reverse its decision to truncate the heavy rail line into Newcastle, and
(ii) the Federal Government to commit to investing in public transport infrastructure in regional Australia.

Question put and passed.

17 FAMILY TAX BENEFIT (TIGHTER INCOME TEST) BILL 2014

Senator Leyonhjelm, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 541—That the following bill be introduced:

A Bill for an Act to amend the A New Tax System (Family Assistance) Act 1999, and for related purposes.

Question put and passed.

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

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

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

18 AUSTRALIAN BROADCASTING CORPORATION AMENDMENT (LOCAL CONTENT) BILL 2014

Senator Madigan, at the request of Senator Xenophon and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 537—That the following bill be introduced:


Question put and passed.

Senator Madigan 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 Madigan moved—That this bill be now read a second time.
Explanatory memorandum: Senator Madigan, by leave, tabled an explanatory memorandum relating to the bill.

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

19 ENVIRONMENT—QUEENSLAND—GREAT BARRIER REEF

Senator Macdonald, also on behalf of Senators Williams and Bernardi, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 545—that the Senate—

(a) notes that:

(i) a Sea Shepherd environmental vessel recklessly discharged up to 500 litres of diesel into the pristine waters of Trinity Inlet at Cairns in October 2012,

(ii) the Sea Shepherd environmental organisation was:

(A) fined $15 000 in Cairns Court for the pollution offence in July 2014, and

(B) irresponsible for not taking sufficient care to prevent the discharge into the pristine waters and failed in its charter to protect and preserve marine life, and

(iii) the Australian arm of the organisation is chaired by former Greens leader, Dr Bob Brown; and

(b) calls on the Sea Shepherd organisation and its Chairman, Dr Brown, to apologise to the people of Queensland for the organisation’s wilful and reckless damage to the Great Barrier Reef.

Statements by leave: The Leader of the Australian Greens (Senator Milne) and Senator Macdonald, by leave, made statements relating to the motion.

Question put.

The Senate divided—

AYES, 30

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Question negatived.

20 **FOREIGN AFFAIRS—JAPAN—WHALING**

Senator Whish-Wilson, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 539—That the Senate—

(a) notes the Japanese Government’s announcement that it plans to resume hunting whales in the Southern Ocean in 2015; and

(b) calls on:

(i) the Prime Minister (Mr Abbott) to directly raise with the Japanese Prime Minister (Mr Shinzō Abe) Australia’s objection to Japan’s plan to resume hunting in the Southern Ocean, and

(ii) the Australian Government to utilise international fora to stop the Japanese resuming hunting in the Southern Ocean.

*Statements by leave:* Senator Whish-Wilson and the Assistant Minister for Social Services (Senator Fifield), by leave, made statements relating to the motion.

Question put and passed.

21 **ENVIRONMENT—RESOURCE DEVELOPMENT—PROPOSED USE OF RADIOACTIVE MATERIAL**

Senator Waters, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 538—That the Senate—

(a) notes that:

(i) it has been reported that United States-based company, Halliburton, has been using radioactive isotope caesium-137 for coal seam gas drilling on behalf of AGL at Gloucester and on behalf of Santos in the Pilliga forest in New South Wales, and

(ii) community members and local landholders have been unaware of the use of radioactive material in their area; and

(b) calls on the Federal Government to ensure that the proposed use of radioactive material in resource development is specifically included in environmental impact statements and assessment documentation.

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

Question put and passed.
22 **ANIMAL WELFARE—ANIMAL TESTING OF COSMETIC PRODUCTS**

Senator Ruston, also on behalf of Senators Rhiannon and Singh, the Leader of the Palmer United Party in the Senate (Senator Lazarus) and Senators Wang, Xenophon, O’Sullivan and Muir, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 546—That the Senate—

(a) notes that:
(i) the majority of Australians believe the use of animal testing to evaluate safety of cosmetic products and ingredients is unnecessary, and
(ii) the regulatory framework in Australia for chemicals, including cosmetics, is complex; and

(b) urges the Government to aspire to eliminate unnecessary animal test methods to evaluate safety of cosmetic products and ingredients.

Question put and passed.

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

23 **REGULATOR OF MEDICINAL CANNABIS BILL 2014**

Senator Di Natale, also on behalf of Senators Leyonhjelm, Macdonald and Urquhart, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 547—That the following bill be introduced:

A Bill for an Act to establish the Regulator of Medicinal Cannabis, and for related purposes.

Question put and passed.

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

Question put and passed.

Bill read a first time.

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

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

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

24 **PRIMARY INDUSTRIES—AGRICULTURAL EXPORTS**

Senator Canavan, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 548—That the Senate—

(a) acknowledges:
(i) the importance of agricultural exports to Australia’s overall balance of payments position as well as the viability and economic health of individual farmers, agricultural communities and regional Australia,
(ii) that Australian agricultural producers are internationally-competitive and currently receive low levels of Government support in absolute terms, and also relative to agricultural producers in other countries, and
(iii) that the current high barriers to international agricultural trade and the high levels of protection to their domestic agricultural sectors imposed by many countries are distorting international trade and adversely impacting on Australia’s agricultural exporters; and

(b) noting the substantial benefits to Australian agricultural producers arising as a result of the Government’s successful conclusion of free trade agreements with Japan, Korea and China, calls on the Government to continue to seek greater openness and access for Australian agricultural producers in overseas markets through bilateral and multilateral fora.

Question put and passed.

25 SOCIAL ISSUES—HOUSING AND HOMELESSNESS INITIATIVES—ORDER FOR PRODUCTION OF DOCUMENTS

Senator Ludlam, also on behalf of Senator McLucas, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 542—

That the Senate—

(a) notes that:

(i) the Government’s 2014-15 Budget included cuts of $589.6 million from housing and homelessness initiatives, including axing the $44 million capital budget in the National Partnership Agreement for Homelessness (NPAH) used for shelters and housing for the homeless,

(ii) continued uncertainty over the future of the Government’s responsibility for housing places at least 3,400 highly specialised jobs across 180 initiatives providing services to 80,000 clients every year under the NPAH at risk, and

(iii) even at current levels of funding there are 100,000 people experiencing homelessness on any given night in Australia and another 225,000 Australian families on waiting lists for social housing; and

(b) orders that there be laid on the table, by the Minister representing the Minister for Social Services, no later than noon on Wednesday, 3 December 2014, statements to the Senate clarifying the Government’s commitment to:

(i) homelessness beyond June 2015, including progress on review and negotiations of the NPAH, and

(ii) affordable housing, including the future of the National Affordable Housing Agreement.

Question put and passed.

26 TRADE—CHINA-AUSTRALIA FREE TRADE AGREEMENT—PROPOSED ORDER FOR PRODUCTION OF DOCUMENT

Leave refused: Senator Whish-Wilson sought leave to amend general business notice of motion no. 540, proposing an order for production of documents by the Minister representing the Minister for Trade and Investment.

An objection was raised and leave was not granted.

27 PARLIAMENTARY SERVICE AMENDMENT BILL 2014

A message from the House of Representatives was reported transmitting for the concurrence of the Senate the following bill:

The President moved—That this bill may proceed without formalities and be now read a first time.
Question put and passed.
Bill read a first time.
The President moved—That this bill be now read a second time.

Consideration of legislation: Pursuant to order, the debate was adjourned and the resumption of the debate made an order of the day for the first day in the next period of sittings, 9 February 2015.

The Assistant Minister for Social Services (Senator Fifield) moved—That the bill be listed on the Notice Paper as a government business order of the day.
Question put and passed.

28 CUSTOMS AMENDMENT BILL 2014
SAFETY, REHABILITATION AND COMPENSATION LEGISLATION AMENDMENT BILL 2014

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

Message no. 278, dated 26 November 2014—A Bill for an Act to amend the Customs Act 1901, and for related purposes.
Message no. 275, dated 26 November 2014—A Bill for an Act to amend the Safety, Rehabilitation and Compensation Act 1988, and for other purposes.

The Assistant Minister for Social Services (Senator Fifield) 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 Fifield moved—That these bills be now read a second time.
On the motion of Senator Fifield the debate was adjourned till the next day of sitting.

Consideration of legislation: Senator Fifield moved—That the bills be listed on the Notice Paper as separate orders of the day.
Question put and passed.

29 EXPORT FINANCE AND INSURANCE CORPORATION AMENDMENT (DIRECT LENDING AND OTHER MEASURES) BILL 2014

A message from the House of Representatives was reported transmitting for the concurrence of the Senate the following bill:


The Assistant Minister for Social Services (Senator Fifield) 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 Fifield moved—That this bill be now read a second time.
Consideration of legislation: Pursuant to order, the debate was adjourned and the resumption of the debate made an order of the day for the day fixed for the Foreign Affairs, Defence and Trade Legislation Committee to report on the bill, 11 February 2015.

30 Higher Education and Research Reform Amendment Bill 2014
Order of the day read for the adjourned debate on the motion of the Minister for Veterans’ Affairs (Senator Ronaldson)—That this bill be now read a second time.
Debate resumed.
At 12.45 pm: Debate was interrupted while Senator Di Natale was speaking.

31 Customs Amendment (Japan–Australia Economic Partnership Agreement Implementation) Bill 2014
Customs Tariff Amendment (Japan–Australia Economic Partnership Agreement Implementation) Bill 2014
Order of the day read for the adjourned debate on the motion of the Minister for Finance (Senator Cormann)—That these bills be now read a second time.
Debate resumed.
The Leader of the Opposition in the Senate (Senator Wong) moved the following amendment in respect of the Customs Amendment (Japan–Australia Economic Partnership Agreement Implementation) Bill 2014:

At the end of the motion, add ―but the Senate calls on the Government to:
(a) not agree to any inclusion of investor state dispute settlement provisions in the Japan–Australia Economic Partnership Agreement;
(b) enact policies to ensure that Australian workers benefit from jobs growth created under the Japan–Australia Economic Partnership Agreement; and
(c) utilise the review mechanisms in the Japan–Australia Economic Partnership Agreement to seek further market access gains, especially in agriculture‖.

Debate ensued.
Question—That the amendment be agreed to—put and passed.
Main question, as amended, put and passed.
Bills read a second time.
No amendments to the bills were circulated and no senator required that they be considered in committee.
On the motion of the Parliamentary Secretary to the Minister for Education (Senator Ryan) the bills were read a third time.

32 Australian War Memorial Amendment Bill 2014
A message from the House of Representatives was reported transmitting for the concurrence of the Senate the following bill:

The Parliamentary Secretary to the Minister for Education (Senator Ryan) 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 Ryan moved—That this bill be now read a second time.
Debate ensued.
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 Minister for Veterans’ Affairs (Senator Ronaldson) the bill was
read a third time.

At 2 pm—

33 **QUESTIONS**

Questions without notice were answered.

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**Document**: The Minister for Employment (Senator Abetz) tabled the following
document:

Industrial relations—Volunteer Fire Brigades Victoria—Copy of an open letter
from the Volunteer Fire Brigades Victoria to the people of Victoria.

Further questions without notice were answered.

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34 **IMMIGRATION—ASYLUM SEEKERS—TRANSFIELD SERVICES INVESTIGATION
REPORT—ORDER FOR PRODUCTION OF DOCUMENT—DOCUMENT**

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

Immigration—Asylum seekers—Transfield Services investigation report—Letter
to the President of the Senate from the Assistant Minister for Immigration and
Border Protection (Senator Cash), dated 27 November 2014, responding to the
order of the Senate of 24 November 2014.

35 **MOTIONS TO TAKE NOTE OF ANSWERS**

Senator Gallacher 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.

Senator Di Natale moved—That the Senate take note of the answer given by the
Assistant Minister for Health (Senator Nash) to a question without notice asked by
Senator Di Natale today relating to co-payments for medical services.
Question put and passed.
36 COMMITTEE REPORTS AND GOVERNMENT RESPONSES—TABLEING AND CONSIDERATION PURSUANT TO STANDING ORDER 62(4)

Senator Bushby, at the request of the chairs of the respective committees, tabled the following documents:

- Budget estimates 2014-15 (Supplementary)—
  - Community Affairs Legislation Committee—Additional information received between 30 October and 27 November 2014—
    - Health portfolio.
    - Social Services portfolio.
  - Education and Employment Legislation Committee—Additional information—
    - Education portfolio.
    - Employment portfolio.
  - Foreign Affairs, Defence and Trade Legislation Committee—Additional information received between 14 and 26 November 2014—Defence portfolio.

The Parliamentary Secretary to the Minister for the Environment (Senator Birmingham) tabled the following document:


37 ESTIMATES OF PROPOSED EXPENDITURE FOR 2014-15 IN RELATION TO THE ACT GOVERNMENT LOAN BILL 2014—DOCUMENT

The Parliamentary Secretary to the Minister for the Environment (Senator Birmingham) tabled the following document:


38 ENVIRONMENT—QUEENSLAND—ABBOT POINT—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENTS

The Parliamentary Secretary to the Minister for the Environment (Senator Birmingham) tabled the following documents:

- Environment—Queensland—Abbot Point—Letters from—
  - Minister for Finance (Senator Cormann) to the President of the Senate, dated 27 November 2014, responding to the order of the Senate of 25 November 2014.
  - Assistant Secretary, Queensland and Sea Dumping Assessment Branch (Ms Callister) to the Minister for Economic Development Queensland (Mr Seeney) [2], dated 5 November 2014, and attachments.
39 **COMMITTEE MEMBERSHIP**

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

The Parliamentary Secretary to the Minister for the Environment (Senator Birmingham), by leave, moved—That senators be discharged from and appointed to committees as follows:

**Abbott Government’s Budget Cuts—Select Committee**—

Appointed—

Substitute member: Senator Ruston to replace Senator Canavan on 12 December 2014

Participating members:
- Senators Back, Bernardi, Bushby, Edwards, Fawcett, Heffernan, Macdonald, McKenzie, O’Sullivan, Reynolds, Ruston, Seselja and Williams
- Senator Canavan on 12 December 2014

**Trade and Investment Growth—Joint Select Committee**—

Discharged—Senator Lazarus

Appointed—Senator Wang

**Wind Turbines—Select Committee**—

Appointed—

Senators Back, Canavan, Day, Leyonhjelm and Madigan


Question put and passed.

40 **GOVERNOR-GENERAL’S MESSAGES—ASSENT TO LAWS**

Messages from His Excellency the Governor-General were reported, informing the Senate that he had assented to the following laws:


26 November 2014—Messages Nos—

59—

*Australian Education Amendment Act 2014* (Act No. 120, 2014)

60—

*Social Services and Other Legislation Amendment (2014 Budget Measures No. 6) Act 2014* (Act No. 122, 2014)

General business was called on.

41 **FINANCE—GOVERNMENT SPENDING**

Senator Leyonhjelm, also on behalf of Senator Day, pursuant to notice, moved general business notice of motion no. 525—That the Senate acknowledges that it has a responsibility to propose and discuss options to cut government spending.

Debate ensued.
At 6 pm: Debate was interrupted while Senator Carr was speaking.

42 DOCUMENTS—ORDERS OF THE DAY—CONSIDERATION

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


Department of Education—Report for 2013-14, including the report of Tuition Protection Service. Motion to take note of document moved by Senator Bilyk. Debate adjourned till Thursday at general business, Senator Bilyk in continuation.


National Health Funding Pool—Report for 2013-14, including financial statements for state and territory State Pool Accounts. Motion to take note of document moved by Senator Bilyk. Debate adjourned till Thursday at general business, Senator Bilyk in continuation.


Orders of the day nos 8 and 9 relating to documents were called on but no motion was moved.

General business concluded.

43 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:

   Australia’s Food Processing Sector—Select Committee—Report—Inquiry into Australia’s food processing sector—Government response. Motion of Senator O’Sullivan to take note of document debated and agreed to.

   Treaties—Joint Standing Committee—145th report—Treaties tabled on 26 August and 2 September 2014. Motion of Senator Fawcett to take note of report agreed to.
Corporations and Financial Services—Joint Statutory Committee—Statutory oversight of the Australian Securities and Investment Commission, the Takeovers Panel and the corporations legislation—Report no. 1 of 44th Parliament. Motion of the chair of the committee (Senator Fawcett) to take note of report agreed to.

Legal and Constitutional Affairs Legislation Committee—Exposure draft of the Medical Services (Dying with Dignity) Bill 2014—Report. Motion of the chair of the committee (Senator Macdonald) to take note of report agreed to.


Environment and Communications References Committee—Report—Tasmanian Wilderness World Heritage Area—Government response. Motion of Senator Bilyk to take note of document agreed to.

Education, Employment and Workplace Relations References Committee—Report—Higher education and skills training to support agriculture and agribusiness in Australia—Government response. Motion of Senator Carr to take note of document agreed to.

Environment and Communications Legislation Committee—Performance, importance and role of Australia Post in Australian communities and its operations in relation to licensed post offices—Final report. Motion of the chair of the committee (Senator Ruston) to take note of report agreed to.


Economics References Committee—Future of Australia’s naval shipbuilding industry: Tender process for the navy’s new supply ships (part 1)—Report. Motion of the chair of the committee (Senator Dastyari) to take note of report agreed to.

National Broadband Network—Select Committee—Interim report—Government response. Motion of Senator Ludlam to take note of document agreed to.

Community Affairs References Committee—Out-of-pocket costs in Australian healthcare—Interim and final reports. Motion of Senator Di Natale to take note of reports agreed to.

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 agreed to.

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 agreed to.

44 ADJOURNMENT

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

Debate ensued.
Declaration of interest: Senator McGrath declared an interest in relation to the matter under discussion.

Debate continued.
The Senate adjourned at 8.30 pm till Monday, 1 December 2014 at 10 am.

45 ATTENDANCE
Present, all senators except Senators Cameron*, Mason* and Xenophon* (*on leave).

ROSEMARY LAING
Clerk of the Senate

Printed by authority of the Senate