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1  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.

2  SENATOR MADIGAN—RESIGNATION FROM DEMOCRATIC LABOUR PARTY—STATEMENT BY LEAVE
Senator Madigan, by leave, made a statement informing the Senate of his resignation from the Democratic Labour Party and his new status as an independent senator for Victoria.

Leave refused: Senator Madigan sought leave to table documents.
An objection was raised and leave was not granted.

3  DEFENCE LEGISLATION AMENDMENT (PARLIAMENTARY APPROVAL OF OVERSEAS SERVICE) BILL 2014
Order of the day read for the adjourned debate on the motion of Senator Ludlam—That this bill be now read a second time.

Debate resumed.
Question put.
The Senate divided—

AYES, 12

Senators—

Di Natale  Ludlam  Rice  Whish-Wilson
Hanson-Young  Milne  Stiewert (Teller)  Wright
Leyonhjelm  Rhiannon  Waters  Xenophon

NOES, 54

Senators—

Abetz  Conroy  Macdonald  Polley
Back  Cormann  Madigan  Reynolds
Bernardi  Dastyari  Marshall  Ronaldson
Bilyk  Day  McEwen (Teller)  Ruston
Birmingham  Edwards  McGrath  Scullion
Brandis  Faulkner  McKenzie  Seselja
Brown  Fifield  McLucas  Singh
Bullock  Gallagher  Moore  Sinodinos
Bushby  Ketter  Muir  Smith
Cameron  Lambie  O'Neill  Sterle
Canavan  Lazarus  O'Sullivan  Urquhart
Carr  Lines  Parry  Wang
Cash  Ludwig  Payne
Colbeck  Lundy  Peris

Question negatived.

Time expired: The time for general business orders of the day for the consideration of bills reached the limit of 2 hours 20 minutes.

4  POLITICS—DEMOCRATIC LABOUR PARTY—DOCUMENTS
Senator Madigan, by leave, tabled the following documents:

Politics—Democratic Labour Party—Copies of emails from Dr Rachel Carling-Jenkins.
5 Petition

The following petition, lodged with the Clerk by Senator Waters, was received:

From 3 614 petitioners, requesting that the Senate support legislation to ban sea dumping in the Great Barrier Reef World Heritage Area.

6 Notices

Senator Hanson-Young: To move on the next day of sitting—that the Senate requests that the Minister representing the Minister for Immigration and Border Protection provide the chamber with an update on the events that led to Iranian refugee, Mr Hamid Kehazaei, being on life support. (general business notice of motion no. 427)

Contingent notices of motion: Senator Day gave contingent notices of motion as follows—

No. 1—To move (contingent on the President presenting a report of the Auditor-General on any day or notifying the Senate that such a report had been presented under standing order 166)—That so much of the standing orders be suspended as would prevent the senator moving a motion to take note of the report and any senator speaking to it for not more than 10 minutes, with the total time for the debate not to exceed 60 minutes.

No. 2—To move (contingent on the Senate on any day concluding its consideration of any item of business and prior to the Senate proceeding to the consideration of another item of business)—That so much of the standing orders be suspended as would prevent the senator moving a motion relating to the conduct of the business of the Senate or to provide for the consideration of any matter.

No. 3—To move (contingent on the Senate proceeding to the consideration of government documents)—That so much of the standing orders relating to the consideration of government documents be suspended as would prevent the senator moving a motion relating to the order in which the documents are called on by the President.

No. 4—To move (contingent on a minister moving a motion that a bill be considered an urgent bill)—That so much of standing order 142 be suspended as would prevent debate taking place on the motion.

No. 5—To move (contingent on a minister moving a motion to specify time to be allotted to the consideration of a bill, or any stage of a bill)—That so much of standing order 142 be suspended as would prevent the motion being debated without limitation of time and each senator speaking for the time allotted by standing orders.

No. 6—To move (contingent on the chair declaring that the time allotted for the consideration of a bill, or any stage of a bill, has expired)—That so much of standing order 142 be suspended as would prevent further consideration of the bill, or the stage of the bill, without limitation of time or for a specified period.

No. 7—To move (contingent on the moving of a motion to debate a matter of urgency under standing order 75)—That so much of the standing orders be suspended as would prevent a senator moving an amendment to the motion.

No. 8—To move (contingent on the President proceeding to the placing of business on any day)—That so much of the standing orders be suspended as would prevent the senator moving a motion relating to the order of business on the Notice Paper.
No. 9—To move (contingent on a minister at question time on any day asking that further questions be placed on notice)—That so much of the standing orders be suspended as would prevent the senator moving a motion that, at question time on any day, questions may be put to ministers until 28 questions, including supplementary questions, have been asked and answered.

No. 10—To move (contingent on any senator being refused leave to make a statement to the Senate)—That so much of the standing orders be suspended as would prevent that senator making that statement.

No. 11—To move (contingent on any senator being refused leave to table a document in the Senate)—That so much of the standing orders be suspended as would prevent the senator moving that the document be tabled.

7 **SELECTION OF BILLS—STANDING COMMITTEE—REPORT NO. 11 OF 2014**

The Chair of the Selection of Bills Committee (Senator Bushby) tabled the following report:

**SELECTION OF BILLS COMMITTEE**

**REPORT NO. 11 OF 2014**

1. The committee met in private session on Wednesday, 3 September 2014 at 7.16 pm.

2. The committee resolved to recommend—That—
   (a) the Corporations Amendment (Streamlining of Future of Financial Advice) Bill 2014 be referred immediately to the Economics Legislation Committee but was unable to reach agreement on a reporting date;
   (b) contingent upon their introduction in the House of Representatives, the provisions of the Customs Amendment (Korea-Australia Free Trade Agreement Implementation) Bill 2014 and the Customs Tariff Amendment (Korea-Australia Free Trade Agreement Implementation) Bill 2014 be referred immediately to the Legal and Constitutional Affairs Legislation Committee but was unable to reach agreement on a reporting date;
   (c) contingent upon its introduction in the House of Representatives, the provisions of the Fair Entitlements Guarantee Amendment Bill 2014 be referred immediately to the Education and Employment Legislation Committee for inquiry and report by 24 September 2014; and
   (d) the provisions of the Higher Education and Research Reform Amendment Bill 2014 be referred immediately to the Education and Employment Legislation Committee but was unable to reach agreement on a reporting date.

3. The committee resolved to recommend—that the following bills not be referred to committees:
   Corporations Amendment (Financial Advice) Bill 2014
   Minerals Resource Rent Tax Repeal and Other Measures Bill 2014.

The committee recommends accordingly.

4. The committee deferred consideration of the following bills to its next meeting:
   Infrastructure Australia Amendment (Cost Benefit Analysis and Other Measures) Bill 2014
Marine Safety (Domestic Commercial Vessel) National Law Amendment Bill 2014
Mining Subsidies Legislation Amendment (Raising Revenue) Bill 2014
Motor Vehicle Standards (Cheaper Transport) Bill 2014.

David Bushby
Chair
4 September 2014.

Senator Bushby moved—that the report be adopted.

Senator Moore moved the following amendment:

At the end of the motion, add, “and, in respect of:

(a) the Corporations Amendment (Streamlining of Future of Financial Advice) Bill 2014, the Economics Legislation Committee report by 30 September 2014;

(b) the Customs Amendment (Korea-Australia Free Trade Agreement Implementation) Bill 2014 and the Customs Tariff Amendment (Korea-Australia Free Trade Agreement Implementation) Bill 2014, the Legal and Constitutional Affairs Legislation Committee report by 2 October 2014; and

(c) the Higher Education and Research Reform Amendment Bill 2014, the Education and Employment Legislation Committee report by 28 October 2014”.

Debate ensued.

The Assistant Minister for Social Services (Senator Fifield) moved the following amendment to Senator Moore’s proposed amendment:

Paragraph (c), omit “28 October 2014”, substitute “22 September 2014”.

Debate ensued.

Question—that Senator Fifield’s amendment to Senator Moore’s amendment be agreed to—put.

The Senate divided—

AYES, 26

Senators—

Back
Bernardi
Birmingham
Brandis
Bushby (Teller)
Canavan
Cash
Colbeck
Cormann
Edwards
Fawcett
Fifield
Heffernan
Macdonald
McGrath
McKenzie
Nash
O’Sullivan
Payne
Reynolds
Ruston
Scullion
Seselja
Sinodinos
Smith
No. 52—4 September 2014

NOES, 34

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Question negatived.

Question—That the amendment be agreed to—put and passed.

Main question, as amended, put and passed.

8 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. 3 Competition and Consumer Amendment (Industry Code Penalties) Bill 2014
No. 4 Military Rehabilitation and Compensation Amendment Bill 2014
International Tax Agreements 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. 422 standing in the name of the Leader of the Australian Greens (Senator Milne) relating to bank levies; and

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

Question put and passed.

9 POSTPONEMENTS

Senator Whish-Wilson, by leave, moved—That general business notice of motion no. 426 standing in his name for today, relating to the renewable energy industry in Tasmania, be postponed till the next day of sitting.

Question put and passed.

The following items of business were postponed:

Business of the Senate notice of motion no. 2 standing in the name of Senator Dastyari for today, proposing the disallowance of items 1 to 27 inclusive and item 30 of the Corporations Amendment (Streamlining Future of Financial Advice) Regulation 2014, postponed till 22 September 2014.

General business notice of motion no. 384 standing in the name of Senator Xenophon for today, proposing an order for the production of documents by the Attorney-General, postponed till 22 September 2014.
10 Economics References Committee—Reference

Senator Dastyari, pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 3—That the following matter be referred to the Economics References Committee for inquiry and report by the first sitting day in July 2015:

Implications of financial advice reforms, with particular reference to:
(a) the current level of consumer protections;
(b) the role of, and oversight by, regulatory agencies in preventing the provision of unethical and misleading financial advice;
(c) whether existing mechanisms are appropriate in any compensation process relating to unethical or misleading financial advice and instances where these mechanisms may have failed;
(d) mechanisms, including a centralised register, that would ensure financial planners found to have breached any law or professional standards in their employment are transparent, for both the sector and consumers;
(e) how financial services providers and companies have responded to misconduct in the industry;
(f) other regulatory or legislative reforms that would prevent misconduct; and
(g) any related matters.

Question put and passed.

11 Stop Dumping on the Great Barrier Reef Bill 2014

Senator Waters, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 423—That the following bill be introduced:

A Bill for an Act to amend the law relating to the Great Barrier Reef, and for related purposes.

Question put and passed.

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

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

Debate adjourned till the next day of sitting, Senator Waters in continuation.
12 **INDUSTRIAL RELATIONS—WORKERS’ ENTITLEMENTS**

Senator Rhiannon, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 420—That the Senate—

(a) notes:

(i) that 40 per cent of the Australian workforce is employed in insecure work,
(ii) there is an increase in jobs that have irregular work hours and pay, inferior rights and entitlements and no job security compared to fulltime work,
(iii) the growth of insecure work is primarily driven by employers trying to increase profits by avoiding costs such as paid leave, workers’ compensation, long service leave and superannuation, associated with fulltime work,
(iv) that although irregular working arrangements might suit some people, employees currently have little control over their working hours and arrangements, so ‘flexibility’ usually just means flexibility for the employer, and
(v) that unions play a key role in protecting workplace conditions of workers; and

(b) calls on the Government to:

(i) help give people a better work-life balance by giving them more control over their working hours and arrangements, strengthening rights and minimum standards for contractors, and securing improvements to the bargaining system,
(ii) ensure all workers have access to fair working conditions, such as annual leave, paid sick leave, overtime, penalty rates and long service leave, and
(iii) recognise the role of unions in securing better minimum standards through awards and legislation.

Question put.

The Senate divided—

AYES, 10

Senators—

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

13 **AUSTRALIA FUND ESTABLISHMENT—JOINT SELECT COMMITTEE—APPOINTMENT**

The Leader of the Palmer United Party in the Senate (Senator Lazarus), also on behalf of Senator O’Sullivan, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 425—

(1) That a joint select committee, to be known as the Joint Select Committee on the Australia Fund Establishment, be established to inquire into and report on:

The establishment of a fund to support rural and manufacturing industries, with particular reference to:

(a) the need for a fund to assist rural and manufacturing industries in crisis and support communities affected by natural disasters, including the following assistance:

(i) emergency or ongoing financial relief,

(ii) a loan to such a business,

(iii) act as a guarantor for all or part of a loan or proposed loan to such a business,

(iv) purchase all or part of an existing loan to such a business,

(v) capitalise or waive interest owed by such a business,

(vi) assume control of such a business for a particular period,

(vii) grant funds to an appropriate industry body, and

(viii) grant funds to such a business for the purpose of purchasing new technology to make it more economically viable and competitive or restructuring it; and

(b) whether:

(i) existing bankruptcy and insolvency laws should be modified or temporarily relaxed for businesses in times of crisis, and

(ii) any foreign bankruptcy or insolvency laws should be adopted as laws of the Commonwealth.

(2) That the committee deliver its final report on or before 30 June 2015.
(3) That the committee consist of 10 members, 3 members of the House of Representatives to be nominated by the Government Whip or Whips, 2 members of the House of Representatives to be nominated by the Opposition Whip or Whips, 1 member of the House of Representatives to be nominated by any minority group or independent member, 2 senators to be nominated by the Leader of the Government in the Senate, 1 senator to be nominated by the Leader of the Opposition in the Senate, and 1 senator to be nominated by any minority group or independent Senator.

(4) That:

(a) participating members may be appointed to the committee on the nomination of the Leader of the Government, the Leader of the Opposition in the Senate, or any minority group or independent senator;

(b) participating members 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

(c) participating members may participate in hearings of evidence and deliberations of the committee and have all rights of a committee member, but may not vote on any questions before the committee.

(5) That every nomination of a member of the committee be notified in writing to the President of the Senate and the Speaker of the House of Representatives.

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

(7) That the members of the committee hold office as a joint select committee until presentation of the committee’s final report or until the House of Representatives is dissolved or expires by effluxion of time, whichever is the earlier.

(8) That the committee elect a Government member as its chair.

(9) That the committee elect a non-Government member as its deputy chair who shall act as chair of the committee at any time when the chair is not present at a meeting of the committee.

(10) That at any time when the chair and deputy chair are not present at a meeting of the committee the members shall elect another member to act as chair at that meeting.

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

(12) That 5 members of the committee constitute a quorum of the committee provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.

(13) That the committee have power to appoint subcommittees consisting of 3 or more of its members, and that each subcommittee shall have at least 1 Government member of either House and one non-Government member of either House.

(14) That the committee have power to refer to any subcommittee any matter which the committee is empowered to examine.
(15) That the committee appoint the chair of each subcommittee who shall have a casting vote only, and at any time when the chair of a subcommittee is not present at a meeting of the subcommittee, the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting.

(16) That 2 members of a subcommittee constitute a quorum of that subcommittee, provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.

(17) That members of the committee who are not members of a subcommittee may participate in the proceedings of that subcommittee but shall not vote, move any motion or be counted for the purpose of a quorum.

(18) That the committee or any subcommittee have power to call for witnesses to attend and for documents to be produced.

(19) That the committee or any subcommittee may conduct proceedings at any place it sees fit and sit in public or in private.

(20) That the committee or any subcommittee have power to adjourn from time to time and to sit during any adjournment of the Senate and the House of Representatives.

(21) That the committee may report from time to time.

(22) That the committee be provided with all necessary staff, facilities and resources and be empowered to appoint persons with specialist knowledge for the purposes of the committee with the approval of the President of the Senate and the Speaker of the House of Representatives.

(23) That the committee be empowered to publish from day to day such documents and evidence as may be ordered by it, and a daily Hansard be published of such proceedings as take place in public.

(24) That the provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.

(25) That a message be sent to the House of Representatives seeking its concurrence in this resolution.

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

Question put and passed.

14 Environment—Climate Change—G20 Summit in Brisbane

Senator Singh, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 424—That the Senate—

(a) notes that:

(i) climate change has been on the G20 agenda at the most recent leaders’ meetings in France, Mexico and Russia, and

(ii) former Australians of the Year, Sir Gustav Nossal, Ms Fiona Stanley and Nobel Laureate Mr Peter Doherty have signed an open letter to the Prime Minister (Mr Abbott) calling for climate change to be included on the G20 agenda because current climate trends, driven by global warming, threaten the basis of future economic prosperity, regional political stability and human health; and
(b) calls on the Prime Minister to put climate change on the agenda for the upcoming G20 Summit in Brisbane as one of the key financial and environmental risks currently threatening global economic prosperity.

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

Question put and passed.

15 TRADE AND INVESTMENT GROWTH—JOINT SELECT COMMITTEE—APPOINTMENT

Senator Smith, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 421—

(1) That a joint select committee, to be known as the Joint Select Committee on Trade and Investment Growth, be established to inquire into and report on any measures to further boost Australia’s trade and investment performance, including, but not limited to, barriers to trade; reduction of red tape and structural challenges and opportunities for the Australian community.

(2) That the committee deliver its final report and recommendations on or before 31 August 2015.

(3) That the committee consist of 10 members, 3 members of the House of Representatives to be nominated by the Government Whip or Whips, 2 members of the House of Representatives to be nominated by the Opposition Whip or Whips, 1 member of the House of Representatives to be nominated by any minority group or independent member, 2 senators to be nominated by the Leader of the Government in the Senate, 1 senator to be nominated by the Leader of the Opposition in the Senate, and 1 senator to be nominated by any minority group or independent Senator.

(4) That:

(a) participating members may be appointed to the committee on the nomination in the:

(i) House of Representatives, of the Government or Opposition Whip or Whips, or any minority group or independent member, and

(ii) Senate, of the Leader of the Government or Opposition, or any minority group or independent senator;

(b) participating members 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

(c) participating members 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 questions before the committee.

(5) That every nomination of a member of the committee be notified in writing to the President of the Senate and the Speaker of the House of Representatives.

(6) That the members of the committee hold office as a joint select committee until presentation of the committee’s final report or until the House of Representatives is dissolved or expires by effluxion of time, whichever is the earlier.

(7) That the committee elect a Government member as its chair.
(8) That the committee elect a non-Government member as its deputy chair who shall act as chair of the committee at any time when the chair is not present at a meeting of the committee.

(9) That at any time when the chair and deputy chair are not present at a meeting of the committee the members shall elect another member to act as chair at that meeting.

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

(11) That 5 members of the committee constitute a quorum of the committee provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.

(12) That the committee have power to appoint subcommittees consisting of 3 or more of its members, and that each subcommittee shall have at least 1 Government member of either House and one non-Government member of either House.

(13) That the committee have power to refer to any subcommittee any matter which the committee is empowered to examine.

(14) That the committee appoint the chair of each subcommittee who shall have a casting vote only, and at any time when the chair of a subcommittee is not present at a meeting of the subcommittee, the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting.

(15) That 2 members of a subcommittee constitute a quorum of that subcommittee, provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.

(16) That members of the committee who are not members of a subcommittee may participate in the proceedings of that subcommittee but shall not vote, move any motion or be counted for the purpose of a quorum.

(17) That the committee or any subcommittee have power to call for witnesses to attend and for documents to be produced.

(18) That the committee or any subcommittee may conduct proceedings at any place it sees fit and sit in public or in private.

(19) That the committee or any subcommittee have power to adjourn from time to time and to sit during any adjournment of the Senate and the House of Representatives.

(20) That the committee may report from time to time.

(21) That the committee be provided with all necessary staff, facilities and resources and be empowered to appoint persons with specialist knowledge for the purposes of the committee with the approval of the President of the Senate and the Speaker of the House of Representatives.

(22) That the committee be empowered to publish from day to day such documents and evidence as may be ordered by it, and a daily Hansard be published of such proceedings as take place in public.

(23) That the provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.

(24) That a message be sent to the House of Representatives seeking its concurrence in this resolution.

Question put and passed.
16 RURAL AND REGIONAL AFFAIRS AND TRANSPORT REFERENCES COMMITTEE—REFERENCE
Senator O’Sullivan, also on behalf of Senator Williams, pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 4—that the following matter be referred to the Rural and Regional Affairs and Transport References Committee for inquiry and report by 27 November 2014:
Current and future arrangements for the marketing of Australian sugar, including:
(a) the impact of proposed changes on the local sugar industry, including the effect on grower economic interest sugar;
(b) equitable access to essential infrastructure;
(c) foreign ownership levels in the industry and the potential to impact on the interests of the Australian sugar industry;
(d) whether there is an emerging need for formal powers under Commonwealth competition and consumer laws, in particular, whether there are adequate protections for grower-producers against market imbalances; and
(e) any related matters.
Question put and passed.

17 IMMIGRATION—ASYLUM SEEKERS FROM IRAQ AND SYRIA
Motion determined as not formal: Senator Hanson-Young requested that general business notice of motion no. 416 standing in her name for today, relating to asylum seekers from Iraq and Syria, be taken as formal.
An objection was raised and the motion was not proceeded with as a formal motion.

18 SPORT—SPORTS FUNDING
Senator McKenzie, also on behalf of Senators Smith and Lundy, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 419—that the Senate—
(a) congratulates our team of more than 400 athletes who represented Australia in the 2014 Commonwealth Games in Glasgow and for their success;
(b) notes:
   (i) the Commonwealth Games is a major sporting occasion which brings together people from all over the world who share a connection through the Commonwealth of Nations, and
   (ii) the Australian Government’s funding support to help our athletes achieve their dreams in representing their country, and in helping to build sporting infrastructure for the 2018 Commonwealth Games to be hosted by Australia at the Gold Coast; and
(c) recognises:
   (i) that investment in sporting infrastructure greatly benefits grassroots sporting groups, and helps to promote sport to all Australians, and
   (ii) the impact of sport goes beyond national pride; it is a significant contributor to preventive health, while delivering social, environmental and economic benefits.
Question put and passed.
19 **EDUCATION AND EMPLOYMENT REFERENCES COMMITTEE—PROPOSED REFERENCE**

Senator Rhiannon, also on behalf of Senator Madigan, pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 1—

That the following matter be referred to the Education and Employment References Committee for inquiry and report by 24 November 2014:

The creation of a nationwide portable workplace entitlement scheme for long service leave and any other appropriate entitlements, taking into account:

(a) the number of Australian workers in insecure work;
(b) increased workplace mobility and increasingly precarious working conditions; and
(c) other related matters.

Question put.

The Senate divided—

**AYES, 13**

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Question negatived.

**After 12.45 pm—**

20 **COMPETITION AND CONSUMER AMENDMENT (INDUSTRY CODE PENALTIES) 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.

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 the Environment (Senator Birmingham) the bill was read a third time.
21 **MILITARY REHABILITATION AND COMPENSATION AMENDMENT BILL 2014**

Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary to the Minister for Social Services (Senator Fierravanti-Wells)—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 the Environment (Senator Birmingham) the bill was read a third time.

22 **INTERNATIONAL TAX AGREEMENTS AMENDMENT BILL 2014**

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

*Message no. 217, dated 2 September 2014—A Bill for an Act to amend the law relating to taxation, and for related purposes.*

The Parliamentary Secretary to the Minister for the Environment (Senator Birmingham) 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 Birmingham 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 Senator Birmingham the bill was read a third time.

23 **ENERGY EFFICIENCY OPPORTUNITIES (REPEAL) BILL 2014**

Order of the day read for the adjourned debate on the motion of the Minister for Indigenous Affairs (Senator Scullion)—That this bill be now read a second time.

Debate resumed.

Question put.
The Senate divided—

AYES, 55

Senators—

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Senators—

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Question agreed to.
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 the Environment (Senator Birmingham) the bill was read a third time.

24 QUESTIONS

Questions without notice were answered.

25 MOTIONS TO TAKE NOTE OF ANSWERS

Senator McLucas 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 Ludlam 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 Ludlam today relating to uranium exports to India.

Question put and passed.
26 **IMMIGRATION—ASYLUM SEEKERS—DOCUMENT**
The Deputy President (Senator Marshall) tabled the following document:

Immigration—Asylum seekers—Letter to the President of the Senate from the Minister for Immigration and Border Protection (Mr Morrison), dated 22 August 2014, responding to the resolution of the Senate of 14 July 2014.

27 **DEPARTMENT OF THE SENATE—REGISTER OF SENATE SENIOR EXECUTIVE OFFICERS’ INTERESTS—DOCUMENT**
The Deputy President (Senator Marshall) tabled the following document:

Department of the Senate—Register of Senate senior executive officers’ interests incorporating statements of registrable interests and notifications of alterations of interests of Senate senior executive officers lodged between 1 July and 31 August 2014, dated September 2014.

28 **LEAVE OF ABSENCE**
Senator McEwen, by leave, moved—That leave of absence be granted to Senator Wong for today, for personal reasons.

Question put and passed.

29 **LAW AND JUSTICE—DATA RETENTION—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENTS**
The Parliamentary Secretary to the Minister for Agriculture (Senator Colbeck) tabled the following documents:

Law and justice—Data retention—Letter to the President of the Senate from the Attorney-General (Senator Brandis), dated 3 September 2014, responding to the order of the Senate of 27 August 2014, and attachment.

30 **NORTHERN AUSTRALIA—JOINT SELECT COMMITTEE—REPORT**
Pursuant to order, Senator Macdonald, on behalf of the Joint Select Committee on Northern Australia, tabled the following report and documents:

Northern Australia—Joint Select Committee—Pivot north: Inquiry into the development of northern Australia—Final report, dated September 2014 and minutes of proceedings.

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

Debate ensued.

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

31 **DOCUMENTS**
The following documents were tabled by the Clerk:

[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.]


Commissioner of Taxation—Public Rulings—
Class Rulings—
Notice of Withdrawal—CR 2013/2.
Product Rulings—
   Notices of Withdrawals—PR 2007/54 and PR 2007/64.
Taxation Ruling (old series)—Notice of Withdrawal—IT 2527.

   (No. 5) [F2014L01187].
Export Control Act 1982—Export Control (Orders) Regulations 1982—Export
   Control Legislation (Processed Fruits and Vegetables) Repeal Order 2014
   [F2014L01185].
   Minimum Standards (Variation of a Model’s Registration – Application Fees)
   Instrument 2014 [F2014L01182].
Health Insurance Act 1973—Health Insurance (Pathologist-determinable Services)
   Amendment Determination 2014 [F2014L01191].
Income Tax Assessment Act 1997—
   Film Certification Advisory Board Rules Amendment 2014 (No. 1)
   [F2014L01190].
   Location Offset Rules Amendment 2014 (No. 1) [F2014L01188].
   PDV Offset Rules Amendment 2014 (No. 1) [F2014L01189].
Migration Act 1958—
   Eligible Passports—IMMI 14/079 [F2014L01165].
   Migration Regulations 1994—Specified Place—IMMI 14/089 [F2014L01186].

32 Indexed Lists of Departmental and Agency Files—Order for Production of Documents—Documents

The following documents were 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
2014—Statements of compliance—
   Agriculture portfolio.
   Australian Public Service Commission.

33 Departmental and Agency Contracts—Order for Production of Documents—Document

The following document was tabled pursuant to the order of the Senate of 20 June
2001, as amended:
Departmental and agency contracts for 2013-14—Letter of advice—
   Communications portfolio.
34 **SENATORS’ INTERESTS—STANDING COMMITTEE—DOCUMENT**

Senator Dastyari, at the request of the Chair of the Standing Committee of Senators’ Interests (Senator Bilyk), tabled the following document:

Senators’ Interests—Standing Committee—Register of senators’ interests incorporating statements of registrable interests and notifications of alterations of interests lodged between 1 July and 31 August 2014, dated September 2014.

35 **EDUCATION AND EMPLOYMENT REFERENCES COMMITTEE—ADDITIONAL INFORMATION—AUSTRALIAN BUILDING AND CONSTRUCTION COMMISSION AND THE BUILDING AND CONSTRUCTION INDUSTRY (IMPROVING PRODUCTIVITY) BILL 2013**

Senator Dastyari, at the request of the Chair of the Education and Employment References Committee (Senator Lines), tabled the following document:


Senator McKenzie, by leave, moved—that the Senate take note of the document. Question put and passed.

36 **EDUCATION AND EMPLOYMENT REFERENCES COMMITTEE—ADDITIONAL INFORMATION—FAIR WORK (REGISTERED ORGANISATIONS) AMENDMENT BILL 2013**

Senator Dastyari, at the request of the Chair of the Education and Employment References Committee (Senator Lines), tabled the following document:


37 **IMMIGRATION—ASYLUM SEEKERS—DOCUMENT**

Senator Hanson-Young, by leave, tabled the following document:

Immigration—Asylum seekers—Petitioning document calling for the closure of the Manus Island and Nauru detention centres.

38 **PUBLICATIONS—STANDING COMMITTEE—8TH REPORT**

Senator Fawcett, at the request of the Chair of the Standing Committee on Publications (Senator O’Sullivan), tabled the following report:

PUBLICATIONS COMMITTEE

8TH REPORT

The Publications Committee reports that it has met in conference with the Publications Committee of the House of Representatives.

The Committee, having considered documents presented to the Parliament since 17 July 2014, recommends that the following be printed:


Summary report, June 2014.


Senator O’Sullivan
Chair
4 September 2014.

Senator Fawcett moved—That the report be adopted.
Question put and passed.

39 LEGISLATION COMMITTEES—ADDITIONAL INFORMATION—ESTIMATES

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

Budget estimates 2012-13—Economics Legislation Committee—Additional information received between 29 November 2012 and 3 September 2014—Treasury portfolio.

Budget estimates 2012-13 (Supplementary)—Economics Legislation Committee—Additional information received between 29 November 2012 and 3 September 2014—Treasury portfolio.

Additional estimates 2012-13—Economics Legislation Committee—Additional information received between 27 June 2013 and 3 September 2014—Treasury portfolio.

Budget estimates 2013-14—Economics Legislation Committee—Additional information received between 11 December 2013 and 3 September 2014—Treasury portfolio.

Budget estimates 2013-14 (Supplementary)—Economics Legislation Committee—Additional information received between 15 May and 3 September 2014—Treasury portfolio.

Additional estimates 2013-14—
Economics Legislation Committee—Additional information received between 17 July and 4 September 2014—Treasury portfolio.
Foreign Affairs, Defence and Trade Legislation Committee—Additional information received between 17 July and 3 September 2014—Defence portfolio.

Budget estimates 2014-15—
Community Affairs Legislation Committee—Additional information received between 21 August and 3 September 2014—Social Services portfolio.
Economics Legislation Committee—Additional information received between 17 July and 3 September 2014—
Industry portfolio.
Treasury portfolio.
Education and Employment Legislation Committee—Additional information received between 17 July and 4 September 2014—
Education portfolio.
Employment portfolio.
Environment and Communications Legislation Committee—Additional information received between—
16 July and 2 September 2014—Environment portfolio.
7 August and 2 September 2014—Communications portfolio.
Finance and Public Administration Legislation Committee—Additional information received between 21 June and 2 September—
- Finance portfolio.
- Indigenous issues across portfolios.
- Parliamentary departments.
- Prime Minister and Cabinet portfolio.
- Foreign Affairs, Defence and Trade Legislation Committee—Additional information received between 17 July and 3 September 2014—
- Defence portfolio.
- Foreign Affairs and Trade portfolio.

40 COMMUNITY AFFAIRS LEGISLATION COMMITTEE—REPORT—PRIVATE HEALTH INSURANCE AMENDMENT (GP SERVICES) BILL 2014

Pursuant to order, Senator Fawcett, at the request of the Chair of the Community Affairs Legislation Committee (Senator Seselja), tabled the following report and documents:

Report ordered to be printed on the motion of Senator Fawcett.

41 ECONOMICS LEGISLATION COMMITTEE—REPORT—AUSTRALIAN RENEWABLE ENERGY AGENCY (REPEAL) BILL 2014

Pursuant to order, Senator Fawcett, at the request of the Chair of the Economics Legislation Committee (Senator Edwards), tabled the following report and documents:

Report ordered to be printed on the motion of Senator Fawcett.

42 TREATIES—JOINT STANDING COMMITTEE—142ND REPORT

Senator Fawcett, on behalf of the Joint Standing Committee on Treaties, tabled the following report:

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

Debate ensued.

Question put and passed.

43 COMMITTEE MEMBERSHIP

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

The Parliamentary Secretary to the Minister for Agriculture (Senator Colbeck), by leave, moved—That senators be discharged from and appointed to committees as follows:
- **Australia Fund Establishment—Joint Select Committee**—
  - Appointed [contingent upon the House of Representatives agreeing to the Senate resolution establishing the committee]—Senator Carr
Education and Employment Legislation Committee—
Appointed—
Substitute member: Senator Carr to replace Senator O’Neill for the committee’s inquiry into the provisions of the Higher Education and Research Reform Amendment Bill 2014
Participating member: Senator O’Neill

Foreign Affairs, Defence and Trade References Committee—
Appointed—
Substitute member: Senator Wong to replace Senator McEwen for the committee’s inquiry into the proposed Korea-Australia Free Trade Agreement on 8 and 9 September 2014
Participating member: Senator McEwen

Trade and Investment Growth—Joint Select Committee—
Appointed [contingent upon the House of Representatives agreeing to the Senate resolution establishing the committee]—Senator Bullock.

Question put and passed.

A message from the House of Representatives was reported informing the Senate of a change in the membership of the Joint Standing Committee on Foreign Affairs, Defence and Trade, as follows:
Message no. 219, dated 4 September 2014—Ms Parke in place of Mr Griffin.

44 MINERALS RESOURCE RENT TAX REPEAL AND OTHER MEASURES BILL 2014
A message from the House of Representatives was reported agreeing to the amendments made by the Senate to the following bill:

General business was called on.

45 TAXATION—BANK LEVY
Senator Whish-Wilson, at the request of the Leader of the Australian Greens (Senator Milne) and pursuant to notice, moved general business notice of motion no. 422—that the Senate is of the opinion that, rather than punishing the unemployed, sick, elderly, students and families, revenue should be raised through applying a ‘public insurance’ levy on the big four banks that are too big to fail.
Debate ensued.

At 6 pm: Debate was interrupted while Senator Di Natale was speaking.

General business concluded.

46 HIGHER EDUCATION AND RESEARCH REFORM AMENDMENT BILL 2014
A message from the House of Representatives was reported transmitting for the concurrence of the Senate the following bill:
Message no. 220, dated 4 September 2014—A Bill for an Act to amend legislation relating to higher education and research, and for other purposes.
The Minister for Veterans’ Affairs (Senator Ronaldson) 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 Ronaldson 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 Education and Employment Legislation Committee to report on the bill, 28 October 2014.

47 **INDEXED LISTS OF DEPARTMENTAL AND AGENCY FILES—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENTS**

The following documents were 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 2014—Statements of compliance—Department of Veterans’ Affairs.
- Infrastructure and Regional Development portfolio.

48 **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:

- Community Affairs References Committee—Prevalence of different types of speech, language and communication disorders and speech pathology services in Australia—Report. Motion of the chair of the committee (Senator Siewert) to take note of report called on. On the motion of Senator McEwen the debate was adjourned till the next day of sitting.
- Environment and Communications References Committee—Management of the Great Barrier Reef—Report. Motion of the chair of the committee (Senator Urquhart) to take note of report called on. On the motion of Senator McLucas the debate was adjourned till the next day of sitting.
- Education and Employment Legislation Committee—Family Assistance Legislation Amendment (Child Care Measures) Bill (No. 2) 2014 [Provisions]—Report. Motion of Senator Lines to take note of report called on. On the motion of Senator McEwen the debate was adjourned till the next day of sitting.
- 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 called on. On the motion of Senator McEwen the debate was adjourned till the next day of sitting.
- Community Affairs References Committee—Out-of-pocket costs in Australian healthcare—Interim and final reports. Motion of Senator Di Natale to take note of report called on. On the motion of Senator McLucas the debate was adjourned till the next day of sitting.
- Finance and Public Administration References Committee—Commonwealth procurement procedures—Report. Motion of the chair of the committee (Senator Lundy) to take note of report called on. On the motion of Senator McEwen the debate was adjourned till the next day of sitting.
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 McEwen the debate was adjourned till the next day of sitting.

Economics References Committee—Performance of the Australian Securities and Investments Commission—Report. Motion of the chair of the committee 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. Debate adjourned till the next day of sitting, Senator McEwen in continuation.

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 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 called on. Debate adjourned till the next day of sitting, Senator McEwen in continuation.

49 COMMITTEE MEMBERSHIP

The President informed the Senate that he had received a letter requesting changes in the membership of a committee.

The Minister for Veterans’ Affairs (Senator Ronaldson), by leave, moved—That Senator Reynolds replace Senator O’Sullivan on the Education and Employment Legislation Committee from 8 to 19 September 2014, and Senator O’Sullivan be appointed as a participating member.

Question put and passed.

50 ADJOURNMENT

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

Debate ensued.

The Senate adjourned at 6.47 pm till Monday, 22 September 2014 at 10 am.

51 ATTENDANCE

Present, all senators except Senators Johnston*, Mason*, Ryan* and Wong* (*on leave).

ROSEMARY LAING

Clerk of the Senate

Printed by authority of the Senate