2019

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 16

MONDAY, 16 SEPTEMBER 2019

Contents

1 Meeting of Senate ................................................................. 485
2 Documents................................................................................. 485
3 Family Law (Self-Assessment) Bill 2019 .................................. 487
4 Governor-General’s opening speech—Address-in-reply.............. 487
5 Questions .................................................................................. 487
6 Mr John Setka—Statements......................................................... 487
7 Motions to take note of answers .................................................. 488
8 Notices ...................................................................................... 488
9 Leave of absence ....................................................................... 491
10 Postponements......................................................................... 492
11 Committees—Extensions of time to report .................................. 492
12 Foreign Affairs, Defence and Trade References Committee—Reference—
   Australia’s declarations made under certain international laws......... 492
13 Environment and Communications References Committee—Reference—
   The impact of seismic testing on fisheries and the marine environment.... 493
14 Liquefied natural gas in Western Australia................................. 494
15 Domestic trade of ivory and rhino horn........................................ 495
16 Climate change .......................................................................... 495
17 Global climate strike ................................................................... 496
18 Ministerial standards and registrable interests................................ 497
19 Climate change .......................................................................... 498
20 Dementia awareness................................................................. 498
21 Queensland and New South Wales fires ....................................... 499
22 Economic growth ....................................................................... 499
23 Urgency motion—Child support ................................................... 501
24 Paladin contract relating to Manus Island—Independent Health Advice
   Panel reports—Order for production of documents—Documents .......... 501
25 Document—Consideration .......................................................... 502
26 Committee membership .............................................................. 502
27 Military Rehabilitation and Compensation Amendment (Single Treatment
   Pathway) Bill 2019
   Treasury Laws Amendment (Putting Members’ Interests First) Bill 2019........ 502
28 Criminal Code Amendment (Agricultural Protection) Bill 2019 ............ 502
<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>29</td>
<td>Governor-General’s messages—Assent to laws</td>
<td>503</td>
</tr>
<tr>
<td>30</td>
<td>Australian Education Amendment (2019 Measures No. 1) Regulations</td>
<td>503</td>
</tr>
<tr>
<td></td>
<td>2019—Proposed disallowance</td>
<td></td>
</tr>
<tr>
<td>31</td>
<td>Fair Work Amendment (Casual Loading Offset) Regulations 2018—</td>
<td>503</td>
</tr>
<tr>
<td></td>
<td>Proposed disallowance</td>
<td></td>
</tr>
<tr>
<td>32</td>
<td>Foreign Affairs, Defence and Trade References Committee—proposed reference</td>
<td>504</td>
</tr>
<tr>
<td></td>
<td>Australia’s relations with China</td>
<td></td>
</tr>
<tr>
<td>33</td>
<td>Notice</td>
<td>506</td>
</tr>
<tr>
<td>34</td>
<td>Governor-General’s opening speech—Address-in-reply</td>
<td>506</td>
</tr>
<tr>
<td>35</td>
<td>Social Services Legislation Amendment (Overseas Welfare Recipients</td>
<td>506</td>
</tr>
<tr>
<td></td>
<td>Integrity Program) Bill 2019</td>
<td></td>
</tr>
<tr>
<td>36</td>
<td>Adjournment</td>
<td>506</td>
</tr>
<tr>
<td>37</td>
<td>Attendance</td>
<td>506</td>
</tr>
</tbody>
</table>
1 **Meeting of Senate**

The Senate met at 10 am. The President (Senator the Honourable Scott Ryan) took the chair, read prayers and made an acknowledgement of country.

2 **Documents**

The following documents were tabled pursuant to standing order 61(1)(b):

*Documents presented since the last sitting of the Senate, pursuant to standing order 166, were authorised for publication on the dates indicated*

**Government documents**

1. Australian Human Rights Commission—Reports—
   - No. 127—Ms HM and Master YM v Commonwealth of Australia (Department of Home Affairs).
   - No. 128—Ms BK, Ms CO and Mr DE on behalf of themselves and their families v Commonwealth of Australia (Department of Home Affairs).


   - Section 199E—Independent Health Advice Panel—Quarterly report for the period 1 April to 30 June 2019—Government response.
   - Section 486O—Assessment of detention arrangements—Commonwealth Ombudsman’s reports—Reports 11 to 26 of 2019.
   - Government responses to Commonwealth Ombudsman’s reports, dated 9 September 2019.


**Response to Senate resolution**

5. Nuclear waste site—South Australia—Resolution of 24 July 2019—Letter to the President of the Senate from the Minister for Resources and Northern Australia (Senator Canavan), dated 25 July 2019, and attachments.

**Committee reports presented out of sitting**

The following reports and documents were presented and authorised for publication on 13 September 2019 pursuant to standing order 38(7)(a):

**References initiated by the Selection of Bills Committee**

   - Migration Amendment (Strengthening the Character Test) Bill 2019 [Provisions], Hansard record of proceedings, additional information and submissions.
   - Migration Legislation Amendment (Regional Processing Cohort) Bill 2019 [Provisions], Hansard record of proceedings, additional information and submissions.
The Clerk tabled the following documents pursuant to statute:

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

**Australian Bureau of Statistics Act 1975**—
- Industrial Disputes Collection—Proposal No. 16 of 2019.

**Australian Capital Territory (Planning and Land Management) Act 1988**—

**Civil Aviation Act 1988**—Civil Aviation Safety Regulations 1998—

**Corporations Act 2001**—

**Currency Act 1965**—Currency (Royal Australian Mint) Determination (No. 5) 2019 [F2019L01181].

**Customs Act 1901**—Customs (Prohibited Imports) Amendment (Collecting Tobacco Duties) Regulations 2019 [F2019L00352]—Replacement explanatory statement.


**Migration Act 1958**—
- Statements under section 195A—
  1 January to 30 June 2019 [20].
  1 July to 31 December 2018 [1].
- Statements under section 197AB—
  1 January to 30 June 2019 [71].
  1 July to 31 December 2019 [1].
Statements under section 198AE—1 January to 30 June 2019 [1].
Statements under section 351—1 January to 30 June 2019 [1].
Statements under section 417—1 January to 30 June 2019 [1].

The Clerk tabled the following documents pursuant to order:
Entity contracts for 2017-18—Letter of advice pursuant to the order of the Senate of 20 June 2001, as amended—Communications and the Arts portfolio.
Estimates hearings—Unanswered questions on notice—Budget estimates 2019-20—Statements pursuant to the order of the Senate of 25 June 2014—Agriculture and Water Resources portfolio.
Defence portfolio.

3 Family Law (Self-Assessment) Bill 2019
Order of the day read for the adjourned debate on the motion of the Leader of Pauline Hanson’s One Nation (Senator Hanson)—That this bill be now read a second time.
Debate resumed.
On the motion of Senator Roberts the debate was adjourned till the next day of sitting.

4 Governor-General’s opening speech—Address-in-reply
Order of the day read for the adjourned debate on the motion of Senator McDonald proposing an address-in-reply to the Governor-General’s opening speech (see entry no. 38, 22 July 2019).
Debate resumed.
At 2 pm: Debate was interrupted while Senator Van was speaking.

5 Questions
Questions without notice were answered.
Leave refused: The Leader of the Opposition in the Senate (Senator Wong) sought leave to table a document. An objection was raised and leave was not granted.
Further questions without notice were answered.

6 Mr John Setka—Statements by leave
Senators Patrick and Lambie, by leave, made statements relating to reports of threats made against senators by the Victorian state secretary of the Construction, Forestry, Maritime, Mining and Energy Union, Mr John Setka.
7 Motions to take note of answers

Senator Kitching moved—That the Senate take note of the answers given by the Minister for Finance (Senator Cormann) to questions without notice asked by Opposition senators today relating to the Member for Chisholm.

Debate ensued.

Question put and passed.

Senator Hanson-Young moved—That the Senate take note of the answer given by the Minister for Finance (Senator Cormann) to a question without notice asked by Senator Hanson-Young today relating to water resources in the Murray-Darling Basin.

Question put and passed.

8 Notices

The Chair of the Standing Committee on Regulations and Ordinances (Senator Ferravanti-Wells): To move 15 sitting days after today—

No. 1—That the Health Insurance (Diagnostic Imaging Services Table) Regulations 2019, made under the Health Insurance Act 1973, be disallowed [F2019L00563].

No. 2—That the Migration Amendment (New Skilled Regional Visas) Regulations 2019, made under the Migration Act 1958, be disallowed [F2019L00578].

No. 3—That the Quality of Care Amendment (Minimising the Use of Restraints) Principles 2019, made under the Aged Care Act 1997, be disallowed [F2019L00511].

No. 4—That the Southern and Eastern Scalefish and Shark Fishery (Closures Variation) Direction 2019, made under the Fisheries Management Act 1991, be disallowed [F2019L00650].

Senator McKim, on behalf of the Parliamentary Joint Committee on Human Rights: To move 15 sitting days after today—That the Quality of Care Amendment (Minimising the Use of Restraints) Principles 2019, made under the Aged Care Act 1997, be disallowed [F2019L00511].

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

(1) That the Senate notes that clause 2.4 of the Prime Minister’s Statement of Ministerial Standards (the Standards) provides: “Except with the express approval of the Prime Minister, Ministers will resign or decline directorships of public or private companies and businesses on taking up office as a Minister. Approval to retain a directorship of a private company or business will be granted only if the Prime Minister is satisfied, on the advice of the Secretary of the Department of the Prime Minister and Cabinet, that no conflict of interest is likely to arise. (emphasis added).

(2) That there be laid on the table by the Minister representing the Prime Minister, by no later than midday on 19 September 2019, the following documents:

(a) details of all approvals given to current ministers under clause 2.4 of the Standards allowing a minister to retain or accept directorships of public or private companies, including:

(i) who the approval was granted to,

(ii) details of the relevant company,

(iii) when the approval was granted,
(iv) details of any advice received from the Secretary of the Department of Prime Minister and Cabinet in relation to the approval, and

(v) any reasons given in support of the approval; and

(b) details of all applications made by current ministers for approval under clause 2.4 of the Standards where the Prime Minister refused to grant approval for the minister to retain or accept a directorship of a public or private company, including:

(i) who made the application,

(ii) details of the relevant company,

(iii) when the application was refused,

(iv) any advice received from the Secretary of the Department of Prime Minister and Cabinet in relation to the approval, and

(v) any reasons given in support of the refusal.

(3) That there be laid on the table by the Minister representing the Prime Minister, by no later than midday on 14 October 2019, the following documents:

(a) details of all approvals given to ministers since the 42nd Parliament under the relevant Prime Minister’s Statement of Ministerial Standards allowing a minister to retain or accept directorships of public or private companies, including:

(i) who the approval was granted to,

(ii) details of the relevant company,

(iii) when the approval was granted,

(iv) details of any advice received from the Secretary of the Department of Prime Minister and Cabinet in relation to the approval, and

(v) any reasons given in support of the approval; and

(b) details of all applications made by current or former ministers since the 42nd Parliament for approval under the Standards where the Prime Minister refused to grant approval for the Minister to retain or accept a directorship of a public or private company, including:

(i) who made the application,

(ii) details of the relevant company,

(iii) when the application was refused,

(iv) any advice received from the Secretary of the Department of Prime Minister and Cabinet in relation to the application, and

(v) any reasons given in support of the refusal. (general business notice of motion no. 133)

The Leader of the Australian Greens (Senator Di Natale): To move on the next day of sitting—that the Senate supports the right of people to engage in non-violent civil disobedience to demand action on the unfolding climate and environment crisis. (general business notice of motion no. 134)

Senator Sterle: To move on the next day of sitting—that there be laid on the table by the Minister representing the Prime Minister, by no later than 3 pm on 18 September 2019, copies of the final reports by the Coordinator-General for Drought, Major General Stephen Day, the Drought Interagency Taskforce and Special Envoy for Drought Assistance and Recovery. (general business notice of motion no. 135)
The Leader of the Opposition in the Senate (Senator Wong): To move on the next day of sitting—That the Senate—

(a) notes widespread reports in the media about the Member for Chisholm over the past week, which raise questions concerning her fitness to be a member of the Australian Parliament; and

(b) at 9.30 am on 18 September 2019, before government business is called on:
   (i) requires the Minister representing the Prime Minister (Senator Cormann) to provide, for no more than 20 minutes:
      (A) an explanation of the Government’s response to the allegations raised against the Member for Chisholm, and
      (B) an assurance to the Senate that the Member for Chisholm is a fit and proper person to remain a member of the Australian Parliament, and
   (ii) a senator may, at the conclusion of the Minister’s explanation, move without notice—That the Senate take note of the explanation. (general business notice of motion no. 136)

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

(a) notes that:
   (i) the New South Wales (NSW) Youth Council held their ‘Unleash the Future’ Conference from 13 to 15 September 2019 in Rooty Hill, and
   (ii) young people from across NSW came together to workshop issues, including the need for emergency action on the climate crisis, the role of advocacy, gender and cultural diversity, mental health, youth and family violence, and the importance of having young voices at all levels of Australian government;

(b) congratulates the Blacktown Youth Advisory Committee on organising a successful conference; and

(c) recognises the role of youth councils in providing forums for young people to discuss issues, advise local councils and hold events organised for and by young people. (general business notice of motion no. 137)

Senator Siewert: To move on the next day of sitting—That there be laid on the table by the Minister for Employment, Skills, Small and Family Business, by 10 am on 18 September 2019, the latest job seeker compliance data including all payment suspensions, cancellations, demerits and penalties for the jobactive program for the financial year 2018-19 and year to date 2019-20. (general business notice of motion no. 138)

Senator Siewert: To move on the next day of sitting—That there be laid on the table by the Minister for Employment, Skills, Small and Family Business, by 10 am on 18 September 2019, the briefing note provided to news outlets recently, including Newscorp, the West and 9News, that outlined the current number of payment suspensions and demerit points issued under the jobactive program. (general business notice of motion no. 139)
Senators McDonald and McGrath: To move on the next day of sitting—That the following matter be referred to the Rural and Regional Affairs and Transport References Committee for inquiry and report by 1 October 2020:

The identification of leading practices in ensuring evidence-based regulation of farm practices that impact water quality outcomes in the Great Barrier Reef, with particular reference to:

(a) the existing evidence-base on the impact of farm water runoff on the health of the Great Barrier Reef and catchment areas;
(b) the connectivity of farm practices throughout the Great Barrier Reef catchment areas to water quality outcomes in the Great Barrier Reef Marine Park;
(c) relevant legislation and regulation, including in relation to impacts of water quality, farm management and soil runoff;
(d) proposed changes to regulations that would impact on farm productivity and the potential benefits and costs of such proposed regulation;
(e) the wider economic and social impact of proposed regulations to restrict farm practices; and
(f) any related matters.

Senator Hanson-Young: To move on the next day of sitting—That the Senate—

(a) notes that:
   (i) on 14 September 2019, the National Party voted to oppose the recovery of 450 gigalitres (GL) of water under the Murray-Darling Basin Plan,
   (ii) the Minister for Water Resources, Drought, Rural Finance, Natural Disaster and Emergency Management (Mr Littleproud) has previously promised this water would be returned to the river in full, and
   (iii) the 450 GL was negotiated by South Australia as an essential part of delivering the Plan in full;
(b) condemns the National Party for opposing the delivery of 450 GL of environmental water to the Murray-Darling river system; and
(c) supports the delivery of the agreed 450 GL of water to the Murray-Darling, as required under the Murray-Darling Basin Plan. (general business notice of motion no. 140)

The Assistant Minister for Forestry and Fisheries (Senator Duniam): To move on the next day of sitting—That the provisions of paragraphs (5) to (8) of standing order 111 not apply to the ANL Legislation Repeal Bill 2019, allowing it to be considered during this period of sittings.

Document: Senator Duniam tabled the following document:
Consideration of legislation—Statement of reasons for introduction and passage of the bill in the 2019 spring sittings.

9 Leave of absence

Senator Patrick, by leave, moved—That leave of absence be granted to Senator Griff for 16 to 19 September and 14 to 17 October 2019, for personal reasons.

Question put and passed.

Senator Siewert, by leave, moved—That leave of absence be granted to Senator Rice from 16 to 19 September 2019, for personal reasons.

Question put and passed.
Senator Urquhart, by leave, moved—That leave of absence be granted to Senator Sterle for today, on account of parliamentary business. Question put and passed.

10 **Postponements**

Business was postponed as follows:


Business of the Senate notice of motion no. 2 standing in the name of Senators Siewert and McKim for 17 September 2019, proposing the disallowance of the Quality of Care Amendment (Minimising the Use of Restraints) Principles 2019, postponed till 16 October 2019.

11 **Committees—Extensions of time to report**

The following committees were granted extensions of time to report:

- Legal and Constitutional Affairs References Committee—Impact of changes to service delivery models on the administration and running of Government programs, extended to the last sitting day in February 2020.

12 **Foreign Affairs, Defence and Trade References Committee—Reference—Australia’s declarations made under certain international laws**

Senator Patrick, 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 Foreign Affairs, Defence and Trade References Committee for inquiry and report by 28 November 2019:

(1) That the Senate notes that—

(a) Australia ratified the United Nations Convention on the Law of the Sea 1982 (UNCLOS) and the Statute of the International Court of Justice 1945 (ICJ), accepting the compulsory jurisdiction of the ICJ and the International Tribunal for the Law of the Sea (ITLOS);

(b) subsequently, on 22 March 2002, Australia made declarations under articles 287(1) and 298(1) of UNCLOS, and article 26 of the Statute of the ICJ, actions which:

(i) limited Australia’s acceptance of the compulsory jurisdiction of the ICJ and the ITLOS in maritime boundaries disputes, and

(ii) prevented Timor-Leste from exercising its rights under international law;

(c) the Joint Standing Committee on Treaties (JSCOT), responsible for scrutinising all treaty actions by Australia, was not given the opportunity to scrutinise the declarations before their making;
(d) JSCOT reported, on 26 August 2002, that non-government committee members ‘believe the ICJ declaration ... damages Australia’s international reputation and may not be in Australia’s long-term national interests’ as it ‘may be interpreted as an effort to intimidate and limit the options of neighbouring countries in relation to any future maritime border disputes’; and

(e) Australia has since signed a maritime boundaries treaty with the Democratic Republic of Timor-Leste.

(2) That the following matter be referred to the Foreign Affairs, Defence and Trade References Committee for inquiry and report by 28 November 2019:

(a) Australia’s declarations made under articles 287(1) and 298(1) of UNCLOS and article 26 of the Statute of the ICJ, including the question of whether those declarations should be revoked and new declarations made which submit maritime delimitation disputes to the jurisdiction of the ICJ or ITLOS; and

(b) any related matter.

Question put and passed.

13 Environment and Communications References Committee—Reference—Impact of seismic testing on fisheries and the marine environment

Senator Whish-Wilson amended business of the Senate notice of motion no. 1 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—that the following matter be referred to the Environment and Communications References Committee for inquiry and report by the last sitting day of May 2020:

The impact of seismic testing on fisheries and the marine environment, with particular reference to:

(a) the body of science and research into the use of seismic testing;

(b) the regulation of seismic testing in both Commonwealth and state waters;

(c) the approach taken to seismic testing internationally; and

(d) any other related matters.

Statement by leave: The Assistant Minister for Forestry and Fisheries (Senator Duniam), by leave, made a statement relating to the motion.

Question put.

The Senate divided—

AYES, 33

Ayres                      Ayres                      Ayres                      Ayres
Bilyk                     Bilyk                     Bilyk                     Bilyk
Brown                     Brown                     Brown                     Brown
Carr                      Carr                      Carr                      Carr
Chisholm                  Chisholm                  Chisholm                  Chisholm
Ciccone                   Ciccone                   Ciccone                   Ciccone
Di Natale                 Di Natale                 Di Natale                 Di Natale
Farrell                   Farrell                   Farrell                   Farrell
Faruqi                    Faruqi                    Faruqi                    Faruqi
NOES, 29

<table>
<thead>
<tr>
<th>Senators—</th>
<th>No. 16—16 September 2019</th>
</tr>
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<tbody>
<tr>
<td>Abetz</td>
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* Tellers

Question agreed to.

14 **Liquefied natural gas in Western Australia**

Senator Dean Smith, also on behalf of Senators O’Sullivan and Sterle, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 117—That the Senate—

(a) recognises that Western Australia’s North West Shelf celebrated 30 years of liquefied natural gas (LNG) exports in August this year;

(b) notes the following milestones for the LNG sector:

(i) that Japan was Western Australia’s first LNG customer back in 1989, and continues to be Australia’s largest LNG customer,

(ii) in 2006, Western Australia became the first jurisdiction in the world to export LNG to China,

(iii) in 2018, Western Australia’s LNG sales by volume increased 34% to 44.7 million tonnes from Gorgon, Wheatstone, Northwest shelf and Pluto, and

(iv) in 2019, Australia’s total LNG production capacity will reach 88 mtpa, making it the largest LNG producer in the world; and

(c) recognises the important contribution the LNG sector makes to the Western Australian economy, accounting for 17% of total resources and energy exports in 2018, and estimated to be worth $27 billion to the economy.

Senator Waters, by leave, moved the following amendments together:

After subparagraph (b)(iv) insert:

(v) Western Australia’s LNG sector emits approximately 32Mt of greenhouse gases annually, accounting for one third of Western Australia’s total emissions.

After paragraph (c), add:

(d) notes that:

(vi) Chevron and Woodside paid no tax in Australia in 2018 and continue to pay no royalties

(vii) collectively, Chevron Australia and Woodside Energy have donated nearly $2.7M to the Coalition and Labor since 2011

(viii) a recent Reputex report found that developing a carbon offset market for LNG emissions in Western Australia has the potential to provide large economic opportunities for investment and job creation across the state, particularly in regional communities.
Question—That the amendments be agreed to—put.

The Senate divided—

**AYES, 9**

<table>
<thead>
<tr>
<th>Senators—</th>
<th>McKim</th>
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**NOES, 52**

<table>
<thead>
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<th>Senators—</th>
<th>Colbeck</th>
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* Tellers

Question negatived.

_Leave refused:_ The Leader of Pauline Hanson’s One Nation (Senator Hanson) sought leave to make a statement relating to the motion. An objection was raised and leave was not granted.

Main question put and passed.

15 **Domestic trade of ivory and rhino horn**

Senator Faruqi, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 128—That the Senate—

(a) welcomes the Australian Government’s commitment to work with states and territories to end the domestic trade of ivory and rhino horn; and

(b) calls on both levels of government to implement the ban as quickly as practicable.

_Statement by leave:_ The Assistant Minister for Forestry and Fisheries (Senator Duniam), by leave, made a statement relating to the motion.

Question put and passed.

16 **Climate change**

The Leader of the Australian Greens (Senator Di Natale), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 129—That the Senate notes that:

(a) humankind first landed on the moon on 20 July 1969;

(b) the earth is round; and

(c) the burning of thermal coal is the single biggest contributor to climate change.
Leave refused: Senator Bernardi and the Assistant Minister for Forestry and Fisheries (Senator Duniam) sought leave to make statements relating to the motion. Objections were raised and leave was not granted.

The question was divided at the request of Senator Roberts.

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

Question—That paragraph (c) of the motion be agreed to—put.

The Senate divided—

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<th>AYES, 29</th>
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</table>
| Carr Green Patrick Urquhart*
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| Ciccone Kitching Pratt Waters |
| Di Natale McAllister Sheldon Watt |
| Farrell McCarthy Stiewert Whish-Wilson |
| Faruqi |

<table>
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<th>NOES, 31</th>
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<tbody>
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* Tellers

Question negatived.

17 Global climate strike

Senator Steele-John, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 130—That the Senate supports:

(a) the Global Climate Strike taking place in Australia on 20 September 2019; and

(b) the demands of the student climate strikers, namely:

(i) no new coal, oil and gas projects, including the Adani mine,

(ii) 100% renewable energy generation and exports by 2030, and

(iii) fund a just transition and job creation for all fossil-fuel workers and communities.

Statements by leave: The Assistant Minister for Forestry and Fisheries (Senator Duniam) and Senator Patrick, by leave, made statements relating to the motion.

Question put.

The Senate divided—

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<td>Faruqi McKim Steele-John Whish-Wilson</td>
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Question negatived.

18 Ministerial standards and registrable interests

Senator Waters amended general business notice of motion no. 132 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

(a) notes that:

(i) clauses 2.2 and 2.3 of the Prime Minister’s Statement of Ministerial Standards, dated 20 August 2018, state:

‘Ministers must declare and register their personal interests, including but not limited to pecuniary interests, as required by the Parliament from time to time. Ministers must also comply with any additional requirements for declarations of interests to the Prime Minister as may be determined by the Prime Minister, and notify the Prime Minister of any significant change in their private interests within 28 days of its occurrence.

Failure to declare or register a relevant and substantive personal interest as required by the Parliament constitutes a breach of these Standards.’,

(ii) resolutions of both the Senate and the House of Representatives require parliamentarians to declare their registrable interests,

(iii) these resolutions act as a safeguard against conflicts of interest, and the perception of such conflicts, by enhancing transparency in relation to interests held by senators and members,

(iv) registrable interests for both senators and members of the House of Representatives include, shareholdings in public and private companies,

(v) the current Register of Interests Statement for Mr Taylor (the Minister for Energy and Emissions Reduction):

(A) declares an interest in Gufee Pty Ltd (ACN 080 516 294), and

(B) does not declare an interest in Jam Land Pty Ltd (ACN 131 115 789),

(vi) on 24 July 2019, in response to a question on notice, Senator Birmingham stated ‘Minister Taylor has always declared his interests as required under both the House Register of Interests and the Ministerial Code of Conduct’, and
limiting declarations to direct shareholdings, rather than any indirect private interests from which members derive a benefit, undermines the objectives of the Register of Interests and the Ministerial Standards; and

(b) calls on the Prime Minister to uphold his own Ministerial Standards and affirm that all Ministers declare and register all shareholdings of the private companies in which the Minister has declared an interest.

Statement by leave: The Assistant Minister for Forestry and Fisheries (Senator Duniam), by leave, made a statement relating to the motion.

Question put.

The Senate divided—

AYES, 30

Senators—

Ayres
Brown
Carr
Chisholm
Ciccone
Di Natale
Farrell
Faruqi
Gallacher
Gallacher
Green
Hanson-Young
Kitching
Lambie
McAllister
McCarthy
McKim
O'Neill
Patrick
Polley
Pratt
Sheldon
Siewert
Smith, Marielle
Steele-John
Urquhart*
Walsh
Waters
Watt
Whish-Wilson

NOES, 30

Senators—

Abetz
Antic
Askew
Bernardi
Bragg
Cash
Chandler
Colbeck
Davey
Duniam
Fawcett
Hanson
Henderson
Hughes
Hume
McDonald
McGrath
McKenzie
McMahon
O'Sullivan
Payne
Rennick
Roberts
Ruston
Scarr
Seselja
Sinodinos
Smith, Dean*
Stoker
Van

* Tellers

The ayes and noes were equal and so the question was negatived.

19 Climate change

Statement by leave: Senator Bernardi, by leave, made a statement relating to general business notice of motion no. 129 (see entry no. 16).

20 Dementia awareness

Senator Polley, also on behalf of Senators Siewert and Griff, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 116—That the Senate—

(a) notes that:

(i) Dementia Action Week will be held from 16 to 22 September 2019,

(ii) the theme for 2019 is ‘Dementia doesn’t discriminate. Do you?’ and Dementia Australia is encouraging people to have a discussion about discrimination against people living with dementia,

(iii) dementia is the leading cause of death for Australian women and will be the leading cause of all deaths in Australia within the next five years, and
as Australians we must become more dementia aware, to get a better understanding of what it is like to live with dementia and to create communities where people with dementia are supported and can enjoy a better quality of life;

(b) acknowledges:
   (i) Dementia Australia’s Dementia Friends program which is already transforming the way we think, act and talk about dementia, and
   (ii) the thousands of Australians, including Dementia Ambassadors, politicians, businesses, communities and individuals who have already signed up to be a Dementia Friend; and

(c) urges all levels of government to:
   (i) take action to raise awareness of dementia so that people living with dementia remain included, accepted and connected within their own community, and
   (ii) encourage those in their communities to pledge their support by becoming a Dementia Friend.

Question put and passed.

21 **Queensland and New South Wales fires**

Senator McGrath, also on behalf of Senators McDonald, Stoker, Watt, Scarr and Rennick, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 131—That the Senate—

(a) notes that:
   (i) southern Queensland and northeast New South Wales have experienced devastating fires since last Friday,
   (ii) while conditions have eased, the fire situation remains volatile, and
   (iii) there are still around 120 fires burning across Queensland and New South Wales;

(b) further notes that the full impact of the fires is still being assessed; and

(c) recognises and applauds the ongoing professionalism and dedication of the career and volunteer emergency personnel fighting these fires.

Statement by leave: Senator Waters, by leave, made a statement relating to the motion. Question put and passed.

22 **Economic growth**

Pursuant to order (see entry no. 34, 12 September 2019), the question was put on the motion—That the Senate—

(a) notes that:
   (i) economic growth is the slowest it has been since 2008 when Labor navigated Australia through the global financial crisis,
   (ii) wages growth has hit record lows,
   (iii) 1.8 million Australians are looking for work or for more work to combat the rising cost of living and increasing pressures on their household budgets,
   (iv) living standards and productivity are going backwards, and
(v) the Morrison Government has no plan to deal with the domestic economic challenges, leaving us unnecessarily exposed to global shocks, and to support Australians struggling to meet their weekly costs; and

(b) calls on the Federal Government to properly outline an economic plan that supports the floundering economy and better safeguards it from global risks, done in a fiscally-sustainable way, which could include:

(i) delivering more infrastructure spending now to maintain jobs and stimulate economic growth,

(ii) bringing forward part of the income tax cuts scheduled to commence on 1 July 2022,

(iii) reviewing and responsibly increasing Newstart to put more money in the pockets of those most likely to spend it in the economy,

(iv) implementing the Australian Investment Guarantee to incentivise and boost business investment, and

(v) developing an urgent and comprehensive plan to boost wages, starting with restoring penalty rates.

The question was divided at the request of Senator Whish-Wilson.

Question—That subparagraph (b)(ii) of the motion be agreed to—put.

The Senate divided—

AYES, 22

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* Tellers

Question negatived.

Question—That the remaining paragraphs of the motion be agreed to—put.
The Senate divided—

AYES, 28

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* Tellers

The ayes and noes were equal and so the question was negatived.

23 Urgency motion—Child support

The Deputy President (Senator Lines) informed the Senate that the following motion proposed to be moved by Senator Roberts had been selected under standing order 75—

That, in the opinion of the Senate, the following is a matter of urgency:

The urgent need for a review of the child support system in family law and its administration by the Department of Children Services.

The proposal was supported by four senators.

Senator Roberts, by leave, amended the motion by omitting “Department of Children Services” and substituting “Department of Human Services”.

Senator Roberts moved the motion.

Debate ensued.

Question put and passed.

24 Paladin contract relating to Manus Island—Independent Health Advice Panel reports—Order for production of documents—Documents

The Assistant Minister for Finance, Charities and Electoral Matters (Senator Seselja) tabled the following documents:

Paladin contract relating to Manus Island—Independent Health Advice Panel reports—Order of 12 September 2019—Letter to the President of the Senate from the Minister for Employment, Skills, Small and Family Business (Senator Cash), dated 16 September 2019, responding to the order, and attachments as follows—

Letter to the President of the Senate from Minister for Home Affairs (Mr Dutton), dated 16 September 2019, and attachments.

Senator Ciccone moved—That the Senate take note of the documents.

Debate adjourned till the next day of sitting, Senator Ciccone in continuation.
25 Document—Consideration
A document tabled earlier today (see entry no. 2) was considered as follows:

Motion to take note of document no. 3 moved by Senator McKim. Consideration to resume on Thursday at general business.

26 Committee membership
The Acting Deputy President (Senator Kitching) informed the Senate that the President had received letters requesting changes in the membership of a committee. The Assistant Minister for Finance, Charities and Electoral Matters (Senator Seselja), by leave, moved—That senators be discharged from and appointed to the Environment and Communications Legislation and References Committees, as follows:

Discharged—
Senator Rice
Participating member: Senator Hanson-Young

Appointed—
Senator Hanson-Young
Participating member: Senator Rice

Question put and passed.

27 Military Rehabilitation and Compensation Amendment (Single Treatment Pathway) Bill 2019
Treasury Laws Amendment (Putting Members’ Interests First) Bill 2019
Messages from the House of Representatives were reported transmitting for the concurrence of the Senate the following bills:


Message no. 66, dated 16 September 2019—A Bill for an Act to amend the law relating to superannuation, and for related purposes.

The Assistant Minister for Finance, Charities and Electoral Matters (Senator Seselja) 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 Seselja moved—That these bills be now read a second time.

On the motion of Senator Seselja the debate was adjourned till the next day of sitting and the bills listed as separate orders of the day.

28 Criminal Code Amendment (Agricultural Protection) Bill 2019
A message from the House of Representatives was reported agreeing to the amendments made by the Senate to the following bill:

29 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:

13 September 2019—Messages nos—

26—

Royal Commissions Amendment (Private Sessions) Act 2019 (Act no. 64, 2019)


30 Australian Education Amendment (2019 Measures No. 1) Regulations 2019—Proposed disallowance
Senator Faruqi, pursuant to notice, moved business of the Senate notice of motion no. 2—That the Australian Education Amendment (2019 Measures No. 1) Regulations 2019, made under the Australian Education Act 2013, be disallowed [F2019L00558]. Debate ensued.

Question put.

The Senate divided—

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* Tellers

Question negatived.

31 Fair Work Amendment (Casual Loading Offset) Regulations—Proposed disallowance
Senator Farrell, pursuant to notice, moved business of the Senate notice of motion no. 3—That the Fair Work Amendment (Casual Loading Offset) Regulations 2018, made under the Fair Work Act 2009, be disallowed [F2018L01770]. Debate ensued.

Question put.
The Senate divided—

AYES, 29

Senators—

Ayres  Faraqi  Lines  Smith, Marielle
Bilyk  Gallagher  McCarthy  Steele-John
Brown  Gallagher  McKim  Urquhart*
Chisholm  Green  Polley  Walsh
Ciccone  Hanson-Young  Pratt  Waters
Di Natale  Kitching  Sheldon  Watt
Dodson  Lambie  Siewert  Whish-Wilson
Farrell

NOES, 33

Senators—

Abetz  Davey  McDonald  Ruston
Antic  Duniam  McGrath  Ryan
Askew  Fawcett  McMahon  Scarr
Bernardi  Fierravanti-Wells  O’Sullivan  Seselja
Bragg  Hanson  Patrick  Sinodinos
Brockman*  Henderson  Rennick  Smith, Dean
Cash  Hughes  Reynolds  Stoker
Chandler  Hume  Roberts  Van
Colbeck

* Tellers

Question negatived.

32 Foreign Affairs, Defence and Trade References Committee—Proposed reference—Australia’s relations with China

Senator Patrick, pursuant to notice, moved business of the Senate notice of motion no. 5—

(1) That the Senate notes that—

(a) on 31 July 2019, Senator Patrick gave notice of a motion to refer the issue of Australia’s relations with China to the Foreign Affairs, Defence and Trade References Committee for inquiry and report;
(b) on 18 August 2019, Senator Wong wrote to the Minister for Foreign Affairs requesting comprehensive and detailed briefings for parliamentarians by relevant government agencies on Australia’s relationship with China;
(c) on 6 September 2019, Senator Wong formally reiterated her request;
(d) on 9 September 2019, the Senate did not support Senator Patrick’s motion, and the Opposition again reiterated its request to the Government for briefings on China for parliamentarians; and
(e) on 11 September 2019, in response to a question from Senator Kitching, the Minister for Foreign Affairs advised the Senate that she would not support agency briefings relating to China as requested by the Opposition, but noted that relevant parliamentary committees “such as the Parliamentary Joint Committee on Intelligence and Security or the foreign affairs, defence and trade committees” receive “extensive briefings” from agencies.
(2) That the following matter be referred to the Foreign Affairs, Defence and Trade References Committee for inquiry and report by the final sitting day of June 2020:

Australia’s relations with the People’s Republic of China, with particular reference to:

(a) the management of a mutually respectful and beneficial bilateral relationship between Australia and China;
(b) Australian and Chinese perspectives on, and interests in, regional and global security issues;
(c) trade, investment and infrastructure issues, including Australia’s engagement with China’s Belt and Road Initiative;
(d) educational and research cooperation;
(e) tourism, cultural exchanges and people-to-people ties;
(f) management of diplomatic and consular arrangements;
(g) dialogue on human rights issues;
(h) the roles of Australian institutions in Australia’s relations with China, including, state and local governments, universities and other academic bodies, business and non-government organisations; and
(i) any related matters.

Debate ensued.

Question put.

The Senate divided—

AYES, 13

Senator—

Bernardi
Di Natale
Faruq
Hanson

Hanson-Young
Lambie
McKim

Patrick
Roberts
Siewert*

Steele-John
Waters
Whish-Wilson

NOES, 35

Senator—

Antic
Askew
Ayres
Bilyk
Bragg
Brockman
Brown
Carr
Chandler

Ciccone
Colbeck
Davey
Duniam
Fawcett
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Green
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McKenzie
McMahon
O’Sullivan
Pratt
Rennick

Scarr
Sheldon
Smith, Dean
Smith, Marielle
Stoker
Urquhart
Van
Walsh

* Tellers

Question negatived.
33 Notice
Senator Watt gave a notice of motion as follows: To move on the next day of sitting—That the following matter be referred to the Rural and Regional Affairs and Transport References Committee for inquiry and report by 30 September 2020:
The management of the Inland Rail project by the Australian Rail Track Corporation and the Commonwealth Government, with particular reference to:
(a) financial arrangements of the project;
(b) route planning and selection processes;
(c) connections with other freight infrastructure, including ports and intermodal hubs;
(d) engagement on route alignment, procurement and employment;
(e) urban and regional economic development opportunities;
(f) collaboration between governments;
(g) interaction with National Freight and Supply Chain Strategy; and
(h) any other related matters.

34 Governor-General’s opening speech—Address-in-reply
Order of the day read for the adjourned debate on the motion of Senator McDonald proposing an address-in-reply to the Governor-General’s opening speech (see entry no. 38, 22 July 2019). Debate resumed. Question put and passed.

35 Social Services Legislation Amendment (Overseas Welfare Recipients Integrity Program) Bill 2019
Order of the day read for the adjourned debate on the motion of the Assistant Minister for Finance, Charities and Electoral Matters (Senator Seselja)—That this bill be now read a second time. Debate resumed. At 9.50 pm: Debate was interrupted while Senator Hughes was speaking.

36 Adjournment
The Acting Deputy President (Senator Fierravanti-Wells) proposed the question—That the Senate do now adjourn. Debate ensued. The Senate adjourned at 10.17 pm till Tuesday, 17 September 2019 at midday.

37 Attendance
Present, all senators except Senators Griff*, Reynolds, Rice* and Sterle* (*on leave).

RICHARD PYE
Clerk of the Senate
Published by authority of the Senate