2013-15

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 78

THURSDAY, 12 FEBRUARY 2015

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

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

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

Australian Passports Act 2005—Australian Passports Amendment Determination 2015 (No. 1) [F2015L00129].
Torres Strait Fisheries Act 1984—Torres Strait Prawn Fishery Management Plan 2008—Torres Strait Prawn Fishery Total Allowable Effort Determination 2015 [F2015L00126].

COMMITTEE—LEAVE TO MEET DURING SITTING
A committee was authorised to meet during the sitting of the Senate, as follows:

Legal and Constitutional Affairs References Committee—private meeting otherwise than in accordance with standing order 33(1) today, from 3.40 pm, for the committee’s inquiry into the Australian Federal Police – Oil for Food Taskforce.

TRADE AND FOREIGN INVESTMENT (PROTECTING THE PUBLIC INTEREST) BILL 2014
Order of the day read for the adjourned debate on the motion of Senator Whish-Wilson—That this bill be now read a second time.
Debate resumed.
Time expired: The time for general business orders of the day for the consideration of bills reached the limit of 2 hours 20 minutes.
Debate adjourned till the next day of sitting.
NOTICES

Senator O’Sullivan: To move on the next day of sitting—That the Senate acknowledges the significant importance of continued development within the natural resource sector to both the national and regional economies, and the positive impact of this sector on employment opportunities and the wellbeing of entire rural and regional communities. (general business notice of motion no. 614)

Senator Hanson-Young: To move on the next day of sitting—that there be laid on the table by the Productivity Commission, no later than 3 pm on 3 March 2015, a copy of the final report of the Productivity Commission’s inquiry into child care and early childhood learning. (general business notice of motion no. 615)

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

(a) notes recent media reporting which shows that Adani’s ownership arrangements in relation to the Abbot Point coal terminal and proposed Carmichael coal mine lack transparency; and

(b) calls on the Federal Government to urgently establish which individuals or corporate entities control the Abbot Point coal terminal and the Carmichael mine, whether all relevant disclosures have been made to the Minister for the Environment, and whether the environmental history of all persons or corporate entities involved has been appropriately considered. (general business notice of motion no. 616)

The Assistant Minister for Social Services (Senator Fifield): To move on the next day of sitting—that consideration of the business before the Senate on Thursday, 5 March 2015 be interrupted at approximately 4 pm, but not so as to interrupt a senator speaking, to enable Senator Muir to make his first speech without any question before the chair.

SELECTION OF BILLS—STANDING COMMITTEE—REPORT NO. 1 OF 2015

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

SELECTION OF BILLS COMMITTEE
REPORT NO. 1 OF 2015

1. The committee met in private session on Wednesday, 11 February 2015 at 7.18 pm.

2. The committee resolved to recommend—that—

(a) the provisions of the Australian Securities and Investments Commission Amendment (Corporations and Markets Advisory Committee Abolition) Bill 2014 be referred immediately to the Economics Legislation Committee for inquiry and report by 16 March 2015;

(b) the Criminal Code Amendment (Animal Protection) Bill 2015 be referred immediately to the Rural and Regional Affairs and Transport Legislation Committee for inquiry and report by 13 May 2015;

(c) the provisions of the Higher Education and Research Reform Bill 2014 be referred immediately to the Education and Employment Legislation Committee for inquiry and report by 12 March 2015;

(d) the Regulator of Medicinal Cannabis Bill 2014 be referred immediately to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 21 April 2015; and
3. The committee resolved to recommend—that the following bills not be referred to committees:

- Mining Subsidies Legislation Amendment (Raising Revenue) Bill 2014
- Offshore Petroleum and Greenhouse Gas Storage Amendment (Miscellaneous Measures) Bill 2014

The committee recommends accordingly.

4. The committee deferred consideration of the following bills to its next meeting:

- Australian Centre for Social Cohesion Bill 2015
- Corporations Amendment (Publish What You Pay) Bill 2014
- Defence Amendment (Fair Pay for Members of the ADF) Bill 2014
- Motor Vehicle Standards (Cheaper Transport) Bill 2014
- Public Governance and Resources Legislation Amendment Bill (No. 1) 2014
- Social Security and Other Legislation Amendment (Caring for Single Parents) Bill 2014
- Tax and Superannuation Laws Amendment (2014 Measures No. 7) Bill 2014
- Excess Exploration Credit Tax Bill 2014.

David Bushby
Chair
12 February 2015.

Senator Bushby moved—that the report be adopted.

Senator Moore moved the following amendment:

At the end of the motion, add “but, in respect of the Higher Education and Research Reform Bill 2014, the Education and Employment Legislation Committee report by 17 March 2015”.

Debate ensued.

Question—that the amendment be agreed to—put.

The Senate divided—

AYES, 30

Senators—

Brown Gallacher McLucas Siewert
Bullock Hanson-Young Milne Singh
Cameron Ketter Moore Steele
Carr Lambie Muir Urquhart (Teller)
Collins Lines O’Neill Waters
Conroy Ludlam Rhiannon Whish-Wilson
Dastyari Ludwig Rice Wright
Di Natale Landy
NOES, 29

Senators—

Back
Bernardi
Birmingham
Bushby (Teller)
Canavan
Cash
Colbeck
Cormann
Edwards
Fawcett
Fierravanti-Wells
Fifield
Heffernan
Lazarus
Fifield
Macdonald
Mason
McGrath
McKenzie
Nash
O’Sullivan
Payne
Ruston
Ryan
Sinodinos
Smith
Wang
Williams
Xenophon

Question agreed to.
Main question, as amended, put and passed.

7 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. 2 Building Energy Efficiency Disclosure Amendment Bill 2014
   No. 3 Civil Law and Justice Legislation Amendment Bill 2014
   No. 4 Federal Courts Legislation Amendment Bill 2014
   No. 5 Acts and Instruments (Framework Reform) 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. 582 standing in the name of Senator Moore relating to the Abbott Government; and
(b) orders of the day relating to documents.
Question put and passed.

8 POSTPONEMENT
Business was postponed as follows:
Business of the Senate notice of motion no. 1 standing in the name of Senator Xenophon for today, proposing the disallowance of the Part 145 Manual of Standards Amendment Instrument 2014 (No. 1), postponed till 3 March 2015.

9 COMMITTEES—EXTENSIONS OF TIME TO REPORT
The following committees were granted extensions of time to report:
Legal and Constitutional Affairs Legislation Committee—
   Criminal Code Amendment (Harming Australians) Bill 2013, extended to 24 June 2015.
   Criminal Code Amendment (Misrepresentation of Age to a Minor) Bill 2013, extended to 24 June 2015.
The impact on service quality, efficiency and sustainability of recent Commonwealth community service tendering processes by the Department of Social Services, with particular regard to:

(a) the extent of consultation with service providers concerning the size, scope and nature of services tendered, determination of outcomes and other elements of service and contract design;

(b) the effect of the tendering timeframe and lack of notice on service collaboration, consortia and the opportunity for innovative service design and delivery;

(c) the evidence base and analysis underlying program design;

(d) the clarity of information provided to prospective tenderers concerning service scope and outcomes;

(e) the opportunities created for innovative service design and delivery, including greater service integration or improved service wrap-around, and the extent to which this was reflected in the outcomes of the tender process;

(f) the extent to which tenders were restricted to not-for-profit services, the clarity of these terms, and whether they changed during the notification and tender process;

(g) analysis of the types, size and structures of organisations which were successful and unsuccessful under this process;

(h) the implementation and extent of compliance with Commonwealth Grant Guidelines;

(i) the potential and likely impacts on service users concerning service delivery, continuity, quality and reliability;

(j) the framework and measures in place (if any) to assess the impacts of these reforms on service user outcomes and service sustainability and effectiveness;

(k) the information provided to tenderers about how decisions are made, feedback mechanisms for unsuccessful tender applicants, and the participation of independent experts in tender review processes to ensure fairness and transparency;

(l) the impact on advocacy services across the sector;

(m) factors relating to the efficient and effective collection and sharing of data on outcomes within and across program streams to allow actuarial analysis of program, cohort and population outcomes to be measured and evaluated;
(n) the extent of contracts offered, and the associated conditions, to successful applicants; and
(o) any other related matters.

Question put and passed.

11 **FOREIGN AFFAIRS—MALAYSIA—MR ANWAR IBRAHIM**

Senator Xenophon, also on behalf of the Leader of the Australian Greens (Senator Milne) and Senators Leyonhjelm, Mason and Marshall, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 612—That the Senate—

(a) notes that:
   (i) on 10 February 2015, the Federal Court in Malaysia upheld a charge of sodomy against Malaysian Opposition Leader Mr Anwar Ibrahim,
   (ii) Mr Ibrahim has been sentenced to 5 years in jail, and in addition will be prohibited from running for public office for a further 5 years, and
   (iii) Human Rights Watch, Amnesty International, the Inter-Parliamentary Union, and the International Commission of Jurists have expressed grave concerns about the conviction and sentence, with Human Rights Watch labelling it a ‘travesty of justice’;

(b) encourages the Malaysian Government to consider the impact of the verdict on its international standing and its commitment to human rights; and

(c) requests that the President of the Senate convey this motion to the Malaysian High Commissioner to Australia.

Question put and passed.

12 **LEAVE OF ABSENCE**

Senator Urquhart, by leave, moved—That leave of absence be granted to Senator Peris for today, for personal reasons.

Question put and passed.

13 **SCIENCE AND TECHNOLOGY—SOUTH AUSTRALIA—NUCLEAR POWER PLANTS**

Senator Wright, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 609—That the Senate—

(a) opposes the establishment of nuclear power plants in Australia, based on the best available expert advice;

(b) recognises that the production of uranium and its use in the nuclear fuel cycle presents unique and unprecedented hazards and risks, including:
   (i) threats to human health and the local environment in the mining and milling of uranium,
   (ii) the generation of products that are usable as the raw materials for nuclear weapons manufacture, and
   (iii) the generation of highly toxic radioactive waste by-products; and

(c) rejects any efforts to move toward establishing nuclear power plants in South Australia.

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

Question put.
The Senate divided—

AYES, 10

Senators—

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

NOES, 30

Senators—

Birmingham
Bullock
Busby
Canavan
Cash
Colbeck
Collins
Dastyari
Edwards
Fawcett
Fifield
Gallacher
Ketter
Leyonhjelm
Ludwig
Lundy
Mason
McGrath
McKenzie
Moore
O’Neill
O’Sullivan
Payne
Rice
Singh
Smith
Sterle
Urquhart (Teller)

Question negatived.

14 HEALTH—NATIONAL MENTAL HEALTH COMMISSION—MENTAL HEALTH REVIEW—ORDER FOR PRODUCTION OF DOCUMENTS

Senator Urquhart, at the request of Senator McLucas and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 608—That—

(a) there be laid on the table by the Minister representing the Minister for Health, no later than 3.30 pm on Thursday, 12 February 2015, copies of the following National Mental Health Commission documents in relation to its Mental Health review:

(i) the preliminary report which was completed during February 2014,
(ii) the interim report which was completed in June 2014, and
(iii) the final report which was completed by the end of November 2014; and

(b) the Senate not accept a public interest immunity claim by the Minister that tabling these documents would impact the Government’s ability to properly respond to the Mental Health review because:

(i) the production of these documents is necessary to allow people living with mental illness, their representative organisations and service providers to have an open and honest conversation about the future of the mental health system in Australia,
(ii) the Mental Health review must be transparent for the community to have faith in the review outcomes,
(iii) there has been significant demand from the mental health sector for the reports to be made available to allow for an informed debate in the lead-up to Government decision-making around the 2015-16 Budget, and
(iv) the more than 1 800 organisations and individuals that made submissions to the review have the right to see these reports.

Question put.
The Senate divided—

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Question agreed to.

15 **COMPETITION AND CONSUMER AMENDMENT (AUSTRALIAN COUNTRY OF ORIGIN FOOD LABELLING) BILL 2015**

The Leader of the Australian Greens (Senator Milne), also on behalf of Senator Xenophon, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 601—That the following bill be introduced:

A Bill for an Act to amend the law relating to country of origin labelling of food, and for related purposes.

Question put and passed.

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

Question put and passed.

Bill read a first time.

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

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

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

16 **ENVIRONMENT—QUEENSLAND—ABBOT POINT**

Senator Waters, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 596—That the Senate—

(a) notes recent media reporting which shows that Adani’s ownership and taxation arrangements in relation to the Abbot Point coal terminal and proposed Carmichael coal mine lack transparency; and
(b) calls on the Federal Government to urgently establish which individuals or corporate entities control the Abbot Point coal terminal and the Carmichael mine and whether all relevant disclosures have been made to Australian regulators.

Statements by leave: Senators Moore and Waters, by leave, made statements relating to the motion.

The Deputy President (Senator Marshall) reminded senators of the Procedure Committee’s second report of 2011 and its consideration of standing order 66 relating to procedures for dealing with formal motions and in particular, statements being made by leave which may lead to de facto debate.

Question put.

The Senate divided—

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Question negatived.

17 FAMILY AND COMMUNITY SERVICES—DOMESTIC VIOLENCE SERVICES

Senator Waters amended general business notice of motion no. 611 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—that the Senate—

(a) notes:

(i) that the Federal Government appointed Ms Rosie Batty Australian of the Year for 2015,

(ii) Ms Batty’s call for investment into preventing violence against women and for long-term secure funding for specialist women’s domestic violence services,

(iii) the Inaugural Asia-Pacific conference on Gendered Violence and Violations currently taking place in Sydney,

(iv) the Federal Government’s $43 million cuts to the legal assistance sector, including to community legal centres, legal aid, and Aboriginal and Torres Strait Islander Legal Services announced in December 2013,
(v) the Federal Government’s $44 million cut to research and capital expenditure on new shelters and emergency accommodation under the National Partnership Agreement on Homelessness announced in the May Budget,
(vi) that funding for domestic violence services under the National Partnership Agreement on Homelessness is set to expire on 1 July 2015,
(vii) the Federal Government’s cuts to housing and homelessness peak bodies announced 3 days before Christmas, in December 2014, and
(viii) ongoing funding uncertainty for Family Violence Prevention Legal Services; and
(b) calls on the Federal Government to reverse funding cuts to domestic violence services and guarantee funding certainty.

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

Question put and passed.

18 EDUCATION—HIGHER EDUCATION FUNDING
Senator Rhiannon, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 613—That the Senate—
(a) notes the report published by the University of Sydney on 6 February 2015 which found that private education companies had made hundreds of millions of dollars in profit as a result of public subsidies at the same time that public funding for technical and further education was being slashed; and
(b) calls on the Federal Government to immediately review the contestability funding model for vocational education and training and prioritise funding for public higher education.

Statement by leave: The Assistant Minister for Education and Training (Senator Birmingham), by leave, made a statement relating to the motion.

Question put.

The Senate proceeded to divide—

The call for the division was withdrawn by leave.

Question put and passed.

19 PRIMARY INDUSTRIES—VICTORIAN DAIRY INDUSTRY
Senator McKenzie, at the request of Senator O’Sullivan and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 607—That the Senate—
(a) recognises the Victorian dairy industry’s continued efforts to capitalise on opportunities in China; and
(b) notes that:
   (i) a total of 54,301 dairy cattle were exported from Victoria to China during the 2014 calendar year, and
   (ii) this has continued to provide a valuable alternative revenue stream for farmers in our southern states.

Question put and passed.
20 **ENVIRONMENT—ILLEGAL FISHING**

Senator Whish-Wilson, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 610—That the Senate—

(a) acknowledges the efforts of the *Sea Shepherd* in tracking, locating and reporting to authorities the presence of illegal fishing vessels in the Southern Ocean; and

(b) calls on the Australian Government to meet its election commitment and immediately deploy a customs patrol vessel to the Southern Ocean to deter illegal fishing.

*Statements by leave:* Senator Whish-Wilson and the Assistant Minister for Immigration and Border Protection (Senator Cash), by leave, made statements relating to the motion.

Question put and negatived.

21 **COMMITTEE MEMBERSHIP**

Messages from the House of Representatives were reported informing the Senate of changes in the membership of joint committees, as follows:

Message no. 296, dated 11 February 2015—

Joint Standing Committee on Foreign Affairs, Defence and Trade, Mr Griffin in place of Ms Parke

Joint Committee of Public Accounts and Audit, Mr Wyatt in place of Mr Sukkar.

Message no. 297, dated 11 February 2015—

Joint Select Committee on Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples, Ms Henderson in place of Mr Porter

Parliamentary Joint Committee on Corporations and Financial Services, Ms Sudmalis in place of Mr Sukkar.

22 **BUILDING ENERGY EFFICIENCY DISCLOSURE AMENDMENT BILL 2014**

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

Debate resumed.

Question put and passed.

Bill read a second time.

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

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

23 **CIVIL LAW AND JUSTICE LEGISLATION AMENDMENT BILL 2014**

Order of the day read for the adjourned debate on the motion of the Attorney-General (Senator Brandis)—That this bill be now read a second time.

Debate resumed.

Question put and passed.
Bill read a second time.
No amendments to the bill were circulated and no senator required that it be considered in committee.
On the motion of the Parliamentary Secretary to the Minister for Education and Training (Senator Ryan) the bill was read a third time.

24 **FEDERAL COURTS LEGISLATION AMENDMENT BILL 2014**
Order of the day read for the adjourned debate on the motion of the Assistant Minister for Social Services (Senator Fifield)—That this bill be now read a second time.
Debate resumed.
Question put and passed.
Bill read a second time.
No amendments to the bill were circulated and no senator required that it be considered in committee.
On the motion of the Parliamentary Secretary to the Minister for Education and Training (Senator Ryan) the bill was read a third time.

25 **ACTS AND INSTRUMENTS (FRAMEWORK REFORM) BILL 2014**
Order of the day read for the adjourned debate on the motion of the Assistant Minister for Social Services (Senator Fifield)—That this bill be now read a second time.
Debate resumed.

Explanatory memorandum: The Parliamentary Secretary to the Minister for Education and Training (Senator Ryan) tabled a replacement explanatory memorandum relating to the bill.

Question put and passed.
Bill read a second time.
The Senate resolved itself into committee for the consideration of the bill.

In the committee

Bill taken as a whole by leave.

Explanatory memorandum: Senator Ryan tabled a supplementary explanatory memorandum relating to the government amendment to be moved to the bill.
On the motion of Senator Ryan the following amendment was debated and agreed to:

Schedule 1, item 83, page 60 (lines 30 and 31), omit the item, substitute:

**83 Section 59**

Repeal the section, substitute:

**59 Review of operation of this Act**

(1) During the 3 months starting on the fifth anniversary of the commencement (the *framework reform commencement*) of Schedule 1 to the *Acts and Instruments (Framework Reform) Act 2015*, the Attorney-General must appoint persons to a body to review the operation of this Act.

(2) A person appointed to the body may resign from it by giving the Attorney-General a signed notice of resignation.

(3) The body must review all aspects of the operation of this Act and any related matters that the Attorney-General specifies.

(4) The body must give the Attorney-General a written report on the review within 15 months after the fifth anniversary of the framework reform commencement.

(5) The Attorney-General must cause the report to be laid before each House of the Parliament within 6 sitting days of the House after the Attorney-General receives the report.

Bill, as amended, agreed to.
Bill to be reported with an amendment.

The Acting Deputy President (Senator Gallacher) resumed the chair and the Temporary Chair of Committees reported accordingly.

On the motion of Senator Ryan the report from the committee was adopted and the bill read a third time.

26 **ENVIRONMENT LEGISLATION AMENDMENT BILL 2013**

Order of the day read for the adjourned debate on the motion of the Assistant Treasurer—That this bill be now read a second time.

Debate resumed.

Question put and passed.

Bill read a second time.

The Senate resolved itself into committee for the consideration of the bill.

In the committee

Bill taken as a whole by leave.

Question—That the bill stand as printed—divided, at the request of Senator Waters, in respect of Schedule 1.

Schedule 1 debated.

Question—That Schedule 1 stand as printed—put and negatived.
Senator Waters moved the following amendments together by leave:

Schedule 2, heading, page 4 (lines 1 and 2), omit “turtles and dugong”, substitute “listed species and communities”.

Schedule 2, item 1, page 4 (lines 6 to 13), omit the item, substitute:

1 Subsection 196(1) (notes 1 and 2)

Repeal the notes, substitute:

Penalty: Imprisonment for 2 years or 3,000 penalty units, or both.

Note: This section does not apply in the circumstances described in section 197. A defendant bears an evidential burden in relation to those circumstances. See subsection 13.3(3) of the Criminal Code.

Schedule 2, item 3, page 4 (lines 16 to 21), omit the item, substitute:

3 Subsection 196A(1) (notes 1 and 2)

Repeal the notes, substitute:

Penalty: 1,500 penalty units.

Note: This section does not apply in the circumstances described in section 197. A defendant bears an evidential burden in relation to those circumstances. See subsection 13.3(3) of the Criminal Code.

Schedule 2, item 5, page 4 (line 24) to page 5 (line 3), omit the item, substitute:

5 Subsection 196B(1) (notes 1 and 2)

Repeal the notes, substitute:

Penalty: Imprisonment for 2 years or 3,000 penalty units, or both.

Note: This section does not apply in the circumstances described in section 197. A defendant bears an evidential burden in relation to those circumstances. See subsection 13.3(3) of the Criminal Code.

Schedule 2, item 7, page 5 (lines 6 to 11), omit the item, substitute:

7 Subsection 196C(1) (notes 1 and 2)

Repeal the notes, substitute:

Penalty: 1,500 penalty units.

Note: This section does not apply in the circumstances described in section 197. A defendant bears an evidential burden in relation to those circumstances. See subsection 13.3(3) of the Criminal Code.

Schedule 2, item 9, page 5 (lines 14 to 21), omit the item, substitute:

9 Subsection 196D(1) (notes 1 and 2)

Repeal the notes, substitute:

Penalty: Imprisonment for 2 years or 3,000 penalty units, or both.

Note: This section does not apply in the circumstances described in section 197. A defendant bears an evidential burden in relation to those circumstances. See subsection 13.3(3) of the Criminal Code.
Schedule 2, item 11, page 5 (lines 24 to 29), omit the item, substitute:

11 Subsection 196E(1) (notes 1 and 2)
Repeal the notes, substitute:
Penalty: 1,500 penalty units.
Note: This section does not apply in the circumstances described in section 197. A defendant bears an evidential burden in relation to those circumstances. See subsection 13.3(3) of the Criminal Code.

Schedule 2, items 13 to 15, page 6 (line 3) to page 7 (line 3), omit the items, substitute:

15 Subsection 211(1) (notes 1 and 2)
Repeal the notes, substitute:
Penalty: Imprisonment for 2 years or 3,000 penalty units, or both.
Note: This section does not apply in the circumstances described in section 212. A defendant bears an evidential burden in relation to those circumstances. See subsection 13.3(3) of the Criminal Code.

Schedule 2, item 17, page 7 (lines 6 to 11), omit the item, substitute:

17 Subsection 211A(1) (notes 1 and 2)
Repeal the notes, substitute:
Penalty: 1,500 penalty units.
Note: This section does not apply in the circumstances described in section 212. A defendant bears an evidential burden in relation to those circumstances. See subsection 13.3(3) of the Criminal Code.

Schedule 2, item 19, page 7 (lines 14 to 21), omit the item, substitute:

19 Subsection 211B(1) (notes 1 and 2)
Repeal the notes, substitute:
Penalty: Imprisonment for 2 years or 3,000 penalty units, or both.
Note: This section does not apply in the circumstances described in section 212. A defendant bears an evidential burden in relation to those circumstances. See subsection 13.3(3) of the Criminal Code.

Schedule 2, item 21, page 7 (lines 24 to 29), omit the item, substitute:

21 Subsection 211C(1) (notes 1 and 2)
Repeal the notes, substitute:
Penalty: 1,500 penalty units.
Note: This section does not apply in the circumstances described in section 212. A defendant bears an evidential burden in relation to those circumstances. See subsection 13.3(3) of the Criminal Code.

Schedule 2, item 23, page 8 (lines 3 to 10), omit the item, substitute:

23 Subsection 211D(1) (notes 1 and 2)
Repeal the notes, substitute:
Penalty: Imprisonment for 2 years or 3,000 penalty units, or both.
Note: This section does not apply in the circumstances described in section 212. A defendant bears an evidential burden in relation to those circumstances. See subsection 13.3(3) of the Criminal Code.
Schedule 2, item 25, page 8 (lines 13 to 18), omit the item, substitute:

25 Subsection 211E(1) (notes 1 and 2)
Repeal the notes, substitute:
Penalty: 1,500 penalty units.
Note: This section does not apply in the circumstances described in section 212. A defendant bears an evidential burden in relation to those circumstances. See subsection 13.3(3) of the Criminal Code.

Schedule 2, items 27 to 29, page 8 (line 21) to page 9 (line 19), omit the items, substitute:

29 Subsection 254(1) (notes 1 and 2)
Repeal the notes, substitute:
Penalty: Imprisonment for 2 years or 3,000 penalty units, or both.
Note: This section does not apply in the circumstances described in section 255. A defendant bears an evidential burden in relation to those circumstances. See subsection 13.3(3) of the Criminal Code.

Schedule 2, item 31, page 9 (lines 22 to 27), omit the item, substitute:

31 Subsection 254A(1) (notes 1 and 2)
Repeal the notes, substitute:
Penalty: 1,500 penalty units.
Note: This section does not apply in the circumstances described in section 255. A defendant bears an evidential burden in relation to those circumstances. See subsection 13.3(3) of the Criminal Code.

Schedule 2, item 33, page 10 (lines 1 to 8), omit the item, substitute:

33 Subsection 254B(1) (notes 1 and 2)
Repeal the notes, substitute:
Penalty: Imprisonment for 2 years or 3,000 penalty units, or both.
Note: This section does not apply in the circumstances described in section 255. A defendant bears an evidential burden in relation to those circumstances. See subsection 13.3(3) of the Criminal Code.

Schedule 2, item 35, page 10 (lines 11 to 16), omit the item, substitute:

35 Subsection 254C(1) (notes 1 and 2)
Repeal the notes, substitute:
Penalty: 1,500 penalty units.
Note: This section does not apply in the circumstances described in section 255. A defendant bears an evidential burden in relation to those circumstances. See subsection 13.3(3) of the Criminal Code.

Schedule 2, item 37, page 10 (lines 19 to 26), omit the item, substitute:

37 Subsection 254D(1) (notes 1 and 2)
Repeal the notes, substitute:
Penalty: Imprisonment for 2 years or 3,000 penalty units, or both.
Note: This section does not apply in the circumstances described in section 255. A defendant bears an evidential burden in relation to those circumstances. See subsection 13.3(3) of the Criminal Code.
Schedule 2, item 39, page 11 (lines 1 to 6), omit the item, substitute:

39 Subsection 254E(1) (notes 1 and 2)

Repeal the notes, substitute:

Penalty: 1,500 penalty units.

Note: This section does not apply in the circumstances described in section 255. A defendant bears an evidential burden in relation to those circumstances. See subsection 13.3(3) of the Criminal Code.

Schedule 2, item 45, page 12 (line 13), omit “turtle or dugong”, substitute “listed species”.

Schedule 2, item 45, page 12 (lines 18 to 22), omit paragraphs 38BA(3A)(c) and (d), substitute:

(d) the animal is a member of:
   (i) a listed marine species; or
   (ii) a listed migratory species; or
   (iii) a listed threatened ecological community; or
   (iv) a listed threatened species;

Schedule 2, item 46, page 12 (line 30), omit “, (c)”.

Schedule 2, item 51, page 13 (lines 19 to 22), omit paragraph 38GA(9)(b), substitute:

(b) the animal is a member of:
   (i) a listed marine species; or
   (ii) a listed migratory species; or
   (iii) a listed threatened ecological community; or
   (iv) a listed threatened species;

Schedule 2, item 51, page 13 (line 30), before “species”, insert “protected”.

Schedule 2, item 53, page 14 (lines 12 to 15), omit paragraph 38GB(6)(c), substitute:

(c) the animal is a member of:
   (i) a listed marine species; or
   (ii) a listed migratory species; or
   (iii) a listed threatened ecological community; or
   (iv) a listed threatened species;

Debate ensued.

Question—That the amendments be agreed to—put.

The committee divided—

AYES, 15

Senators—

Di Natale  Ludlam  Rice  Whish-Wilson
Hanson-Young  Milne  Siewert (Teller)  Weight
Lambie  Muir  Wang  Xenophon
Lazarus  Rhiannon  Waters
Question negatived.

Senator Xenophon moved the following amendments together by leave:

Page 14 (after line 23), at the end of the bill, add:

**Schedule 3—Hydraulic fracturing**

*Environment Protection and Biodiversity Conservation Act 1999*

1 Subdivision FB of Division 1 of Part 3 (heading)

After “coal seam gas development”, insert “, hydraulic fracturing development”.

2 After subparagraphs 24D(1)(a)(i), (2)(a)(i) and (3)(a)(i) and 24E(1)(a)(i), (2)(a)(i) and (3)(a)(i)

Insert:

(ia) hydraulic fracturing development; or

3 Subsection 130(4A)

After “Coal Seam Gas”, insert “, Hydraulic Fracturing”.

4 Section 131AB (heading)

After “Coal Seam Gas”, insert “, Hydraulic Fracturing”.

5 After subparagraph 131AB(1)(a)(i)

Insert:

(ia) hydraulic fracturing development; or

6 Subsection 131AB(2)

After “Coal Seam Gas”, insert “, Hydraulic Fracturing”.

7 Paragraph 136(2)(fa)

After “Coal Seam Gas”, insert “, Hydraulic Fracturing”.

8 Subparagraph 304(1)(a)(viia)

After “coal seam gas development”, insert “, hydraulic fracturing development”.

9 Paragraph 305(1)(ga)

After “coal seam gas development”, insert “, hydraulic fracturing development”.

10 Subparagraphs 305(1A)(b)(via) and (c)(viia)

After “coal seam gas development”, insert “, hydraulic fracturing development”.

11 Paragraph 305(2)(ea)

After “coal seam gas development”, insert “, hydraulic fracturing development”.
12 Subparagraphs 306(1)(a)(viia) and (b)(viia) and (2)(a)(viia) and (b)(viia)
   After “coal seam gas development”, insert “, hydraulic fracturing development”.

13 Division 2B of Part 19 (heading)
   After “Coal Seam Gas”, insert “, Hydraulic Fracturing”.

14 Subsection 505C(1)
   After “Coal Seam Gas”, insert “, Hydraulic Fracturing”.

15 Paragraphs 505D(1)(a) and (b)
   After “coal seam gas developments”, insert “, hydraulic fracturing developments”.

16 Subparagraph 505D(1)(c)(i)
   After “coal seam gas development”, insert “, hydraulic fracturing development”.

17 Subparagraphs 505D(1)(d)(i) and (ii)
   After “coal seam gas developments”, insert “, hydraulic fracturing developments”.

18 Paragraph 505D(1)(e)
   After “coal seam gas developments”, insert “, hydraulic fracturing developments”.

19 Paragraphs 505D(1)(f) and (g)
   After “coal seam gas development”, insert “, hydraulic fracturing development”.

20 Paragraph 506(d)
   After “Coal Seam Gas”, insert “, Hydraulic Fracturing”.

21 Section 528 (definition of bioregional assessment)
   After “coal seam gas development”, insert “, hydraulic fracturing development”.

22 Section 528
   Insert:
   
   *hydraulic fracturing development* means any activity involving hydraulic fracturing that has, or is likely to have, a significant impact on water resources (including any impacts of associated salt production and/or salinity):
   (a) in its own right; or
   (b) when considered with other developments, whether past, present or reasonably foreseeable developments.

23 Section 528 (definition of Independent Expert Scientific Committee on Coal Seam Gas and Large Coal Mining Development)
   Repeal the definition.
Clause 2, page 1 (lines 18 to 20), omit the clause, substitute:

**2 Commencement**

(1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

<table>
<thead>
<tr>
<th>Commencement information</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Column 1</strong></td>
</tr>
<tr>
<td>Provision(s)</td>
</tr>
<tr>
<td>1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table</td>
</tr>
<tr>
<td>2. Schedules 1 and 2</td>
</tr>
<tr>
<td>3. Schedule 3</td>
</tr>
</tbody>
</table>

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

(2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

Debate ensued.

Question—That the amendments be agreed to—put and negatived.

Bill, as amended, agreed to.

Bill to be reported with an amendment.

The Acting Deputy President (Senator Dastyari) resumed the chair and the Temporary Chair of Committees reported accordingly.

On the motion of the Assistant Minister for Education and Training (Senator Birmingham) the report from the committee was adopted and the bill read a third time.
27 **FAIR WORK (REGISTERED ORGANISATIONS) AMENDMENT BILL 2014**

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

Debate resumed.

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

28 **QUESTIONS**

Questions without notice were answered.

29 **MOTIONS TO TAKE NOTE OF ANSWERS**

Senator O’Neill 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 Hanson-Young 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 Hanson-Young today relating to the Australian Human Rights Commission report, *Forgotten Children*.

Question put and passed.

30 **TRADE—FREE TRADE AGREEMENTS—ORDER FOR PRODUCTION OF DOCUMENTS—STATEMENT**

Pursuant to the order of the Senate of 11 February 2015 (*see entry no. 22, 11 February 2015*), the Minister for Human Services (Senator Payne) made a statement relating to the status of negotiations on the proposed Trans-Pacific Partnership.

The Leader of the Opposition in the Senate (Senator Wong) moved—That the Senate take note of the statement.

Debate ensued.

Question put and passed.

31 **COMMITTEE REPORTS AND GOVERNMENT RESPONSES—TABLING AND CONSIDERATION PURSUANT TO STANDING ORDER 62(4)**

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

**PUBLICATIONS COMMITTEE**

**12TH 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 4 December 2014, recommends that the following be printed:

- Aboriginal Land Commissioner—Report and recommendations to the Minister for Indigenous Affairs and to the Administrator of the Northern Territory—No. 72—Wangkanguru Land Claim No. 156.
- Business of the Senate—1 January to 31 December 2014.
Fisheries Research and Development Corporation (FRDC)—Report for 2013-14.
Institutional Responses to Child Sexual Abuse—Royal Commission—Reports of Case Studies—
No. 4—The experiences of four survivors with the Towards Healing process, dated January 2015.
No. 6—The response of a primary school and the Toowoomba Catholic Education Office to the conduct of Gerard Byrnes, dated January 2015.
No. 8—Mr John Ellis’s experience of the Towards Healing process and civil litigation, dated January 2015.
No. 11—Congregation of Christian Brothers in Western Australia response to child sexual abuse at Castledare Junior Orphanage, St Vincent’s Orphanage Clontarf, St Mary’s Agricultural School Tardun and Bindoon Farm School, dated December 2014.
Northern Territory Fisheries Joint Authority—
Rural Industries Research and Development Corporation (RIRDC)—Report for 2013-14.
Wet Tropics Management Authority—
Work of (Senate) Committees—Year statistics: 1 January to 31 December 2014; and half year statistics: 1 July to 31 December 2014.

Senator O’Sullivan
Chair
12 February 2015.

Senator Fawcett moved—that the report be adopted.

Question put and passed.
Senator Fawcett, at the request of the chairs of the respective committees, tabled the following documents:

Budget estimates 2013-14—Economics Legislation Committee—Additional information received between 5 September and 3 December 2014—Treasury portfolio.

Budget estimates 2013-14 (Supplementary)—
Legal and Constitutional Affairs Legislation Committee—Additional information received between 6 March and 3 November 2014—Attorney-General’s portfolio.
Rural and Regional Affairs and Transport Legislation Committee—Additional information received between 29 August 2014 and 11 February 2015—Agriculture portfolio.

Additional estimates 2013-14—Rural and Regional Affairs and Transport Legislation Committee—Additional information received between 29 August 2014 and 11 February 2015—Agriculture portfolio.

Budget estimates 2014-15—
Economics Legislation Committee—Additional information received between—
5 September and 3 December 2014—
Industry portfolio.
Treasury portfolio.
5 December 2014 and 11 February 2015—Treasury portfolio.
Finance and Public Administration Legislation Committee—Additional information received between 1 October 2014 and 10 February 2015—Indigenous issues across portfolios.
Legal and Constitutional Affairs Legislation Committee—Additional information received between 26 September and 4 December 2014—
Attorney-General’s portfolio.
Immigration and Border Protection portfolio.
Rural and Regional Affairs and Transport Legislation Committee—Additional information received between—
29 August 2014 and 11 February 2015—Agriculture portfolio.
3 October 2014 and 11 February 2015—Infrastructure and Regional Development portfolio.

Budget estimates 2014-15 (Supplementary)—
Community Affairs Legislation Committee—Additional information received between—
27 November 2014 and 12 February 2015—
Health portfolio.
Social Services portfolio.
Economics Legislation Committee—Additional information received between—
22 October and 3 December 2014—
Industry portfolio.
Treasury portfolio.
5 December 2014 and 11 February 2015—
Industry portfolio.
Treasury portfolio.
32 PARTICULARS OF PROPOSED ADDITIONAL EXPENDITURE—2014-15—DOCUMENTS

The Minister for Human Services (Senator Payne) tabled the following documents:

- Particulars of proposed additional expenditure in respect of the year ending on 30 June 2015 [Appropriation Bill (No. 3) 2014-2015].
- Particulars of certain proposed additional expenditure in respect of the year ending on 30 June 2015 [Appropriation Bill (No. 4) 2014-2015].
- Particulars of proposed additional expenditure in relation to the parliamentary departments in respect of the year ending on 30 June 2015 [Appropriation (Parliamentary Departments) Bill (No. 2) 2014-15].

Senator Payne, by leave, moved—That the documents, together with the final budget outcome 2013-14 (see entry no. 2, 30 September 2014), be referred to committees for examination and report.

Question put and passed.

33 ESTIMATES OF PROPOSED ADDITIONAL EXPENDITURE FOR 2014-15—PORTFOLIO ADDITIONAL ESTIMATES STATEMENTS—PORTFOLIOS AND EXECUTIVE DEPARTMENTS—DOCUMENTS

The Minister for Human Services (Senator Payne) tabled the following documents:

- Estimates of proposed additional expenditure for 2014-15—Portfolio additional estimates statements—Portfolios and executive departments—
  - Agriculture portfolio.
  - Attorney-General’s portfolio.
  - Communications portfolio.
  - Defence portfolio.
  - Department of Human Services.
  - Department of Veterans’ Affairs.
  - Education and Training portfolio.
Employment portfolio.
Environment portfolio.
Finance portfolio.
Foreign Affairs and Trade portfolio.
Health portfolio.
Immigration and Border Protection portfolio.
Industry and Science portfolio.
Infrastructure and Regional Development portfolio.
Prime Minister and Cabinet portfolio.
Social Services portfolio.
Treasury portfolio.

34 **ESTIMATES OF PROPOSED ADDITIONAL EXPENDITURE FOR 2014-15—PORTFOLIO ADDITIONAL ESTIMATES STATEMENT—DEPARTMENT OF PARLIAMENTARY SERVICES—DOCUMENT**

The Acting Deputy President (Senator O’Neill) tabled the following document:

Estimates of proposed expenditure for 2014-15—Portfolio additional estimates statements—Department of Parliamentary Services.

35 **EDUCATION AND EMPLOYMENT LEGISLATION COMMITTEE—BUDGET ESTIMATES 2014-15 (SUPPLEMENTARY)—QUESTIONS ON NOTICE—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENT**

The Minister for Human Services (Senator Payne) tabled the following document:

Education and Employment Legislation Committee—Budget estimates 2014-15 (Supplementary)—Questions on notice—Letter to the President of the Senate from the Minister for Employment (Senator Abetz), dated 11 February 2015, responding to the order of the Senate of 10 February 2015.

36 **HEALTH—NATIONAL MENTAL HEALTH COMMISSION—MENTAL HEALTH REVIEW—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENT**

The Minister for Human Services (Senator Payne) tabled the following document:

Health—National Mental Health Commission—Mental health review—Letter to the President of the Senate from the Assistant Minister for Health (Senator Nash), dated 12 February 2015, responding to the order of the Senate agreed to earlier today (see entry no. 14).

37 **COMMITTEE MEMBERSHIP**

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

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

**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 Bill 2014
Participating member: Senator O’Neill
Education and Employment References Committee—
  Appointed—
  Substitute member: Senator Carr to replace Senator Peris for the committee’s inquiries into higher education, and into private vocational education and training providers
  Participating member: Senator Peris

Environment and Communications Legislation Committee—
  Appointed—Substitute member: Senator Lines to replace Senator Urquhart for the consideration of the 2014-15 additional estimates on 23 February 2015

Finance and Public Administration Legislation Committee—
  Appointed—Senator Ludwig

Finance and Public Administration References Committee—
  Appointed—Senator Moore

Foreign Affairs, Defence and Trade Legislation Committee—
  Appointed—
  Substitute members:
  Senator Urquhart to replace Senator McEwen from 12 to 25 February 2015
  Senator Singh to replace Senator McEwen for 26 and 27 February 2015
  Participating member: Senator McEwen

Legal and Constitutional Affairs Legislation Committee—
  Appointed—
  Substitute member: Senator Di Natale to replace Senator Wright for the committee’s inquiry into the Regulator of Medicinal Cannabis Bill 2014
  Participating member: Senator Wright

Privileges—Standing Committee—
  Appointed—Senator McEwen

Procedure—Standing Committee—
  Appointed—Senator Moore

Rural and Regional Affairs and Transport Legislation Committee—
  Appointed—
  Substitute member: Senator Rhiannon to replace Senator Siewert for the committee’s inquiry into the Criminal Code Amendment (Animal Protection) Bill 2015
  Participating member: Senator Siewert.

Question put and passed.

38 ADVISORY COUNCIL ON AUSTRALIAN ARCHIVES—SENATE MEMBER OF COUNCIL

The Acting Deputy President (Senator O’Neill) informed the Senate that the President had received a letter nominating a senator to be a member of the Advisory Council on Australian Archives.

The Minister for Human Services (Senator Payne), by leave, moved—That, in accordance with the provisions of the Archives Act 1983, the Senate elect Senator Moore to be a member of the Advisory Council on Australian Archives for a period of 3 years, on and from today.

Question put and passed.
39 **TAX LAWS AMENDMENT (RESEARCH AND DEVELOPMENT) BILL 2013**

A message from the House of Representatives was reported agreeing to the amendments made by the Senate to the following bill:

Message no. 298, dated 12 February 2015—Tax Laws Amendment (Research and Development) Bill 2013.

*General business was called on.*

40 **ADMINISTRATION—ABBOTT GOVERNMENT**

Senator Polley, at the request of Senator Moore and pursuant to notice, moved general business notice of motion no. 582—That the Senate condemns the Abbott Government for its litany of broken promises which are hurting low- and middle-income earners, harming the economy, damaging business and consumer confidence, costing jobs, undermining fairness, and changing Australia for the worse.

Debate ensued.

*At 6 pm: Debate was interrupted while Senator Reynolds was speaking.*

41 **DOCUMENTS—ORDERS OF THE DAY—CONSIDERATION**

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

- **Australian Charities and Not-for-profits Commission (ACNC)—Report for 2013-14.** Motion of Senator Siewert to take note of document called on. Debate adjourned till Thursday at general business, Senator Bilyk in continuation.
- **Department of Education—Report for 2013-14, including the report of Tuition Protection Service.** Motion of Senator Bilyk to take note of document called on. Debate adjourned till Thursday at general business, Senator Bilyk in continuation.
- **Australian Curriculum, Assessment and Reporting Authority (ACARA)—Report for 2013-14.** Motion of Senator Bilyk to take note of document called on. On the motion of Senator Urquhart the debate was adjourned till Thursday at general business.
- **Fair Work Commission—Report for 2013-14.** Motion of Senator Bilyk to take note of document called on. On the motion of Senator Urquhart the debate was adjourned till Thursday at general business.
- **National Blood Authority—Report for 2013-14.** Motion of Senator Back to take note of document agreed to.
- **Department of Employment—Report for 2013-14.** Motion of Senator Bilyk to take note of document called on. On the motion of Senator Urquhart the debate was adjourned till Thursday at general business.
- **Professional Services Review—Report for 2013-14.** Motion of Senator Back to take note of document agreed to.
- **Australian Organ and Tissue Donation and Transplantation Authority—Report for 2013-14.** Motion of Senator Bilyk to take note of document called on. On the motion of Senator McLucas the debate was adjourned till Thursday at general business.
- **National Heavy Vehicle Regulator (NHVR)—Report for 2013-14.** Motion of Senator Bilyk to take note of document agreed to.
- **Anindilyakwa Land Council—Report for 2013-14.** Motion of Senator Bilyk to take note of document called on. On the motion of Senator Urquhart the debate was adjourned till Thursday at general business.
Asbestos Safety and Eradication Agency—Report for 2013-14. Motion of Senator Bilyk to take note of document called on. On the motion of Senator Urquhart the debate was adjourned till Thursday at general business.


Australian Accounting Standards Board—Report for 2013-14. Motion of Senator Bilyk to take note of document agreed to.

Australian Prudential Regulation Authority (APRA)—Report for 2013-14. Motion of Senator Bilyk to take note of document agreed to.

Cancer Australia—Report for 2013-14. Motion of Senator Bilyk to take note of document agreed to.

Clean Energy Finance Corporation (CEFC)—Report for 2013-14. Motion of Senator Bilyk to take note of document called on. On the motion of Senator Urquhart the debate was adjourned till Thursday at general business.


Department of the Treasury—Report for 2013-14. Motion of Senator Bilyk to take note of document called on. On the motion of Senator Urquhart the debate was adjourned till Thursday at general business.

National Health and Medical Research Council (NHMRC)—Report for 2013-14. Motion of Senator Bilyk to take note of document called on. On the motion of Senator Urquhart the debate was adjourned till Thursday at general business.

National Health Funding Body—Report for 2013-14. Motion of Senator Bilyk to take note of document debated. On the motion of Senator McLucas the debate was adjourned till Thursday at general business.

National Health Funding Pool—Report for 2013-14, including financial statements for state and territory State Pool Accounts. Motion of Senator Bilyk to take note of document called on. On the motion of Senator Urquhart the debate was adjourned till Thursday at general business.


Takeovers Panel—Report for 2013-14. Motion of Senator Bilyk to take note of document called on. On the motion of Senator Urquhart the debate was adjourned till Thursday at general business.


Climate Change Authority—Report for 2013-14. Motion of Senator Bilyk to take note of document called on. On the motion of Senator Urquhart the debate was adjourned till Thursday at general business.

Native Title Act 1993—Native title representative bodies—Central Land Council—Report for 2013-14. Motion of Senator Bilyk to take note of document called on. On the motion of Senator Urquhart the debate was adjourned till Thursday at general business.

Aboriginal and Torres Strait Islander Social Justice Commissioner—Social justice and native title—Reports for 2013-14. Motion of Senator Siewert to take note of documents called on. On the motion of Senator Urquhart the debate was adjourned till Thursday at general business.


Department of Industry—Australian vocational education and training system—Report for 2012. Motion of Senator Bilyk to take note of document called on. On the motion of Senator Urquhart the debate was adjourned till Thursday at general business.

Australian National Preventive Health Agency (ANPHA)—Report for 2013-14. Motion of Senator Seselja to take note of document called on. On the motion of Senator Urquhart the debate was adjourned till Thursday at general business.

Australian Human Rights Commission—Report No. 80—KA, KB, KC and KD v Commonwealth of Australia (Department of the Prime Minister and Cabinet, Department of Social Services, Attorney-General’s Department). Motion of Senator Siewert to take note of document agreed to.

Productivity Commission—Report No. 72—Access to justice arrangements (2 volumes). Motion of Senator Wright to take note of document agreed to.


Innovation Australia—Report for 2013-14. Motion of Senator Bilyk to take note of document called on. On the motion of Senator Urquhart the debate was adjourned till Thursday at general business.


Orders of the day nos 25, 27 and 38 relating to documents were called on but no motion was moved.

General business concluded.

42 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:

Legal and Constitutional Affairs References Committee—Incident at the Manus Island Detention Centre from 16 February to 18 February 2014—Interim and final reports. Motion of Senator Bilyk to take note of report called on. On the motion of Senator Urquhart the debate was adjourned till the next day of sitting.
Rural and Regional Affairs and Transport References Committee—Current requirements for labelling of seafood and seafood products—Report. Motion of Senator Bilyk to take note of report debated. Debate adjourned till the next day of sitting, Senator Williams in continuation.

Corporations and Financial Services—Joint Statutory Committee—Proposals to lift the professional, ethical and education standards in the financial services industry—Report. Motion of Senator Williams to take note of report agreed to.

Abbott Government’s Budget Cuts—Select Committee—First interim report. Motion of Senator Bilyk to take note of report called on. On the motion of Senator Urquhart the debate was adjourned till the next day of sitting.

Environment and Communications References Committee—Report—Environmental offsets—Government response. Motion of Senator Bilyk to take note of document called on. On the motion of Senator Urquhart the debate was adjourned till the next day of sitting.

Privileges—Standing Committee—160th report—The use of CCTV material in Parliament House. Motion of Senator Gallacher—That the Senate—

(a) adopt the recommendation in the 160th report of the Committee of Privileges, on the use of CCTV material in Parliament House, that no contempt be found in relation to the matter referred; and

(b) adopt the following further recommendations made by the committee:

• That the Presiding Officers instigate the development of a new Code of Practice which restores the focus on matters of security and safety, and emphasises accountability to the Presiding Officers and the Parliament, with appropriate regard for the primacy of the powers, and immunities of the Houses and their members.

• That the review process involve consultations with members and senators and other building occupants, and give consideration to the matters dealt with in this report.

• That senior officers in the Department of Parliamentary Services involved in the administration of the CCTV system and other systems managed on behalf of the Parliament undertake some structured training to acquaint themselves with the principles of privilege.

• That the attention of the Finance and Public Administration Legislation Committee be drawn to the matters set out from paragraph 2.2, under the heading Contradictory evidence, relating to the misleading evidence given at its estimates hearing on 26 May 2014—agreed to.

Community Affairs References Committee—Extent of income inequality in Australia – Bridging our growing divide: inequality in Australia—Report. Motion of the chair of the committee (Senator Siewert) to take note of report called on. On the motion of Senator Urquhart the debate was adjourned till the next day of sitting.

Health—Select Committee—First interim report. Motion of Senator Seselja to take note of report called on. On the motion of Senator Urquhart the debate was adjourned till the next day of sitting.
AUDITOR-GENERAL’S REPORTS—ORDERS OF THE DAY—CONSIDERATION

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

Auditor-General—Audit report no. 9 of 2014-15—Performance audit—The design and conduct of the third and fourth funding rounds of the Regional Development Australia Fund: Department of Infrastructure and Regional Development. Motion of Senator Bernardi to take note of document agreed to.

ADJOURNMENT

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

Document: Senator Marshall, by leave, tabled the following document:

Communications—Australia Post—Petitioning document from 1052 signatories calling on the Minister for Communications (Mr Turnbull) to stop the shift of assets from Australia Post to StarTrack.

Debate continued.

The Senate adjourned at 8.28 pm till Monday, 2 March 2015 at 10 am.

ATTENDANCE

Present, all senators except Senators Day*, McEwen* and Peris* (*on leave).

ROSEMARY LAING
Clerk of the Senate