<table>
<thead>
<tr>
<th>No.</th>
<th>Meeting of Senate</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td>543</td>
</tr>
<tr>
<td>2</td>
<td>Government Documents</td>
<td>543</td>
</tr>
<tr>
<td>3</td>
<td>National Health Amendment (Simplified Price Disclosure) Bill 2013</td>
<td>543</td>
</tr>
<tr>
<td>4</td>
<td>Social Services and Other Legislation Amendment Bill 2013</td>
<td>544</td>
</tr>
<tr>
<td>5</td>
<td>Matters of Public Interest</td>
<td>552</td>
</tr>
<tr>
<td>6</td>
<td>Questions</td>
<td>552</td>
</tr>
<tr>
<td>7</td>
<td>Motions to Take Note of Answers</td>
<td>554</td>
</tr>
<tr>
<td>8</td>
<td>Notices</td>
<td>554</td>
</tr>
<tr>
<td>9</td>
<td>Legal and Constitutional Affairs References Committee—Reference</td>
<td>559</td>
</tr>
<tr>
<td>10</td>
<td>Women—International Women’s Day</td>
<td>560</td>
</tr>
<tr>
<td>11</td>
<td>Trade and Foreign Investment (Protecting the Public Interest) Bill 2014</td>
<td>561</td>
</tr>
<tr>
<td>12</td>
<td>National Broadband Network Companies Amendment (Tasmania) Bill 2014</td>
<td>561</td>
</tr>
<tr>
<td>13</td>
<td>Women—Gender Pay Gap—Reporting Requirements</td>
<td>562</td>
</tr>
<tr>
<td>14</td>
<td>Rural and Regional Affairs and Transport References Committee—Proposed Reference</td>
<td>562</td>
</tr>
<tr>
<td>15</td>
<td>Environment and Communications References Committee—Reference</td>
<td>563</td>
</tr>
<tr>
<td>16</td>
<td>Foreign Affairs, Defence and Trade References Committee—Reference</td>
<td>563</td>
</tr>
<tr>
<td>17</td>
<td>Notice of Motion Withdrawn</td>
<td>565</td>
</tr>
<tr>
<td>18</td>
<td>Urgency Motion—Communications—Broadband—Tasmania</td>
<td>565</td>
</tr>
<tr>
<td>19</td>
<td>Scrutiny of Bills—Standing Committee—2nd Report and Alert Digest No. 2 of 2014</td>
<td>565</td>
</tr>
<tr>
<td>20</td>
<td>Regulations and Ordinances—Standing Committee—Document</td>
<td>565</td>
</tr>
<tr>
<td>21</td>
<td>Publications—Standing Committee—3rd Report</td>
<td>565</td>
</tr>
<tr>
<td>22</td>
<td>Environment—Western Australia—Great White Sharks—Document</td>
<td>566</td>
</tr>
<tr>
<td>23</td>
<td>Finance—National Commission of Audit Reports—Order for Production of Documents—Document</td>
<td>566</td>
</tr>
<tr>
<td>24</td>
<td>Documents</td>
<td>566</td>
</tr>
<tr>
<td>25</td>
<td>Indexed Lists of Departmental and Agency Files—Order for Production of Documents—Documents</td>
<td>566</td>
</tr>
<tr>
<td>26</td>
<td>Excise Tariff Amendment (Tobacco) Bill 2014</td>
<td>567</td>
</tr>
</tbody>
</table>
27 Governor-General Amendment (Salary) Bill 2014
Tax and Superannuation Laws Amendment (2014 Measures No. 1) Bill 2014
Tertiary Education Quality and Standards Agency Amendment Bill 2014
28 Appropriation (Parliamentary Departments) Bill (No. 2) 2013-2014
Appropriation Bill (No. 3) 2013-2014
Appropriation Bill (No. 4) 2013-2014
29 Clean Energy Auction Revocation Determination—Proposed Disallowance
30 Government Documents—Consideration
31 Adjournment
32 Attendance
1 MEETING OF SENATE
The Senate met at 9.30 am. The President (Senator the Honourable John Hogg) took the chair, read prayers and made an acknowledgement of country.

2 GOVERNMENT DOCUMENTS
The following documents were tabled:

- Migration Act 1958—Section 486O—Assessment of detention arrangements—Personal identifiers 1000597, 1000605, 1001241, 1000987, 1000939, 1001187, 1000718, 1000938, 1000980, 1001131, 1001105, 1001003, 1000773, 1000744, 1000415, 1000798, 1000269, 1000897, 1001062, 1000898, 1000896, 1000989, 1001113, 1001050, 1000959 and 1000857—Commonwealth Ombudsman’s reports, dated 5 March 2014.
- Government response to Ombudsman’s reports, dated 27 February 2014.

3 NATIONAL HEALTH AMENDMENT (SIMPLIFIED PRICE DISCLOSURE) BILL 2013
Order of the day read for the adjourned debate on the motion of the Assistant Minister for Immigration and Border Protection (Senator Cash)—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, debated.
Senator Xenophon moved the following amendment:

Schedule 1, item 2, page 3 (after line 13), after subsection 99ADH(2), insert:

(2A) For the purposes of the Legislative Instruments Act 2003, the explanatory statement in relation to a determination under paragraph (1)(aa) of this section must include a statement of the financial impact of the determination, including an analysis of the costs and benefits of the determination to the Commonwealth, approved pharmacists and consumers.

Debate ensued.
Question—That the amendment be agreed to—put and negatived.
Bill to be reported without amendment.

The Acting Deputy President (Senator Bernardi) resumed the chair and the Temporary Chair of Committees reported accordingly.
On the motion of the Assistant Minister for Health (Senator Nash) the report from the committee was adopted and the bill read a third time.

4 Social Services and Other Legislation Amendment Bill 2013
Order of the day read for the adjourned debate on the motion of the Assistant Minister for Immigration and Border Protection (Senator Cash)—That this bill be now read a second time.
Debate resumed.
Senator Xenophon moved the following amendment:
At the end of the motion, add “but the Senate notes the desire for gambling reform amongst the wider community, and calls on the Government to hold a plebiscite not later than the next federal election on the need for a Commonwealth approach to poker machine reform, including the implementation of the Productivity Commission’s recommendations of maximum $1 bets and $120 hourly losses”.
Debate ensued.
Question—That the amendment be agreed to—put and negatived.
Main 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: The Assistant Minister for Social Services (Senator Fifield) tabled a supplementary explanatory memorandum relating to the government amendments to be moved to the bill.

On the motion of Senator Fifield the following amendments, taken together by leave, were agreed to:
Title, page 1 (line 13), omit “, charities”.
Clause 2, page 2 (table items 2 and 3), omit the table items, substitute:

2. Schedule 1 The day this Act receives the Royal Assent.

3. Schedule 2 The 28th day after this Act receives the Royal Assent.

3A. Schedule 3 1 May 2014. 1 May 2014
3B. Schedules 4 and 5 1 July 2014. 1 July 2014
Clause 2, page 2 (table item 4), omit “1 January 2014”, substitute “1 July 2014”.
Clause 2, page 2 (table item 5), omit the table item, substitute:
5. Schedules 7 and 8 1 July 2014. 1 July 2014

5A. Schedule 9 The day this Act receives the Royal Assent.
Schedule 3, item 36, page 15 (line 25), omit “1 January 2014”, substitute “1 May 2014”.
Schedule 3, item 36, page 16 (line 2), omit “1 January 2014”, substitute “1 May 2014”.
Schedule 3, item 36, page 16 (line 6), omit “1 January 2014”, substitute “1 May 2014”.
Schedule 3, item 36, page 16 (lines 9 and 10), omit “1 January 2014”, substitute “1 May 2014”.
Schedule 3, item 36, page 16 (line 15), omit “1 January 2014”, substitute “1 May 2014”.
Schedule 3, item 36, page 16 (line 21), omit “1 January 2014”, substitute “1 May 2014”.
Schedule 4, item 6, page 17 (line 23), omit “1 January 2014”, substitute “1 July 2014”.
Schedule 4, item 6, page 17 (line 24), omit “1 January 2014”, substitute “1 July 2014”.
Schedule 4, item 6, page 18 (line 1), omit “1 January 2014”, substitute “1 July 2014”.
Schedule 4, item 6, page 18 (line 4), omit “1 January 2014”, substitute “1 July 2014”.
Schedule 4, item 6, page 18 (line 8), omit “1 January 2014”, substitute “1 July 2014”.
Schedule 4, item 6, page 18 (line 27), omit “1 January 2014”, substitute “1 July 2014”.
Schedule 4, item 6, page 18 (line 29), omit “1 January 2014”, substitute “1 July 2014”.
Schedule 4, item 6, page 18 (line 33), omit “1 January 2014”, substitute “1 July 2014”.
Schedule 4, item 6, page 19 (line 11), omit “1 January 2014”, substitute “1 July 2014”.
Schedule 4, item 14, page 20 (line 12), omit “1 January 2014”, substitute “1 July 2014”.
Schedule 4, item 14, page 20 (line 14), omit “1 January 2014”, substitute “1 July 2014”.
Schedule 4, item 14, page 20 (line 17), omit “1 January 2014”, substitute “1 July 2014”.
Schedule 4, item 14, page 20 (line 21), omit “1 January 2014”, substitute “1 July 2014”.
Schedule 4, item 14, page 21 (line 11), omit “1 January 2014”, substitute “1 July 2014”.
Schedule 4, item 14, page 21 (line 16), omit “1 January 2014”, substitute “1 July 2014”.
Schedule 4, item 14, page 21 (line 31), omit “1 January 2014”, substitute “1 July 2014”.
Schedule 4, item 14, page 22 (line 1), omit “1 January 2014”, substitute “1 July 2014”.
Schedule 4, item 14, page 22 (line 4), omit “1 January 2014”, substitute “1 July 2014”.
Schedule 4, item 14, page 22 (line 13), omit “1 January 2014”, substitute “1 July 2014”.
Schedule 4, item 14, page 22 (line 16), omit “1 January 2014”, substitute “1 July 2014”.
Schedule 4, item 14, page 22 (line 20), omit “1 January 2014”, substitute “1 July 2014”.
Schedule 6, item 20, page 44 (line 7), omit “1 January 2014”, substitute “1 July 2014”.
Schedule 6, item 21, page 44 (line 23), omit “1 January 2014”, substitute “1 July 2014”.
Schedule 6, item 25, page 48 (line 11), omit “1 January 2014”, substitute “1 July 2014”.
Schedule 6, item 25, page 48 (line 27), omit “1 January 2014”, substitute “1 July 2014”.
Schedule 6, item 28, page 63 (line 7), omit “1 January 2014,”.
Schedule 6, item 30, page 64 (line 5), omit “Note 1”, substitute “Note”.
Schedule 6, item 30, page 64 (lines 9 and 10), omit note 2.
Schedule 6, item 39, page 66 (line 25), after “subsection 1061ZVAB(3)”, insert “of the 1991 Act”.
Schedule 6, item 67, page 76 (line 35), omit “1 January 2014”, substitute “1 July 2014”.
Schedule 6, item 67, page 77 (line 16), omit “1 January 2014”, substitute “1 July 2014”.
Schedule 6, item 74, page 93 (lines 5 and 6), omit the note.
Schedule 8, item 1, page 111 (line 11), omit “1 March 2014”, substitute “1 July 2014”.
Schedule 8, item 3, page 111 (lines 16 and 17), omit “1 March 2014”, substitute “1 July 2014”.
Schedule 8, item 7, page 112 (line 12), omit “1 March 2014”, substitute “1 July 2014”.
Schedule 8, item 9, page 112 (lines 17 and 18), omit “1 March 2014”, substitute “1 July 2014”.
Question—That the bill, as amended, be agreed to—divided, at the request of Senator Fifield in respect of Schedule 1A and Schedule 6, item 29; item 30, section 1223ABG; and item 75.

Question—That Schedule 1A and Schedule 6, item 29; item 30, section 1223ABG; and item 75 stand as printed—put and negatived.

On the motion of Senator McLucas the following amendments, taken together by leave, were debated and agreed to:

Schedule 1, item 6, page 4 (lines 23 and 24), omit “in venues nationally”.
Schedule 1, item 12, page 5 (line 26), omit “in venues nationally”.
Schedule 1, item 12, page 6 (line 9), omit “in venues nationally”.
Schedule 1, item 12, page 6 (after line 15), after paragraph 20(2)(a), insert:

(aa) to ensure that a venue-based voluntary pre-commitment scheme operating in a State or Territory is capable of connecting to a State or Territory wide voluntary pre-commitment scheme that operates within the State or Territory; and

Schedule 1, item 12, page 6 (lines 16 and 17), omit “this capability”, substitute “these capabilities”.

Question—That the bill, as amended, be agreed to—divided, at the request of Senator McLucas in respect of Schedule 5.

Schedule 5 debated.

Question—That Schedule 5 stand as printed—put and negatived.

On the motion of Senator McLucas the following amendment was agreed to:

Clause 2, page 2 (cell at table item 3, column 1), omit the cell, substitute:

3. Schedules 3

and 4

Question—That the bill, as amended, be agreed to—divided, at the request of Senator McLucas in respect of Schedule 6, as amended.

Schedule 6, as amended, debated.

Question—That Schedule 6, as amended, be agreed to—put and negatived.

On the motion of Senator McLucas the following amendments, taken together by leave, were agreed to:

Title, page 1 (line 11), omit “student assistance,”.
Clause 2, page 2 (table item 4), omit the table item.

On the motion of Senator McLucas the following amendment was debated and agreed to:

Schedule 7, page 103 (line 1) to page 110 (line 24), omit the Schedule, substitute:

**Schedule 7—Paid parental leave**

*Paid Parental Leave Act 2010*
1 Section 4 (paragraph relating to Part 3-5)
Repeal the paragraph, substitute:

Part 3-5 is about employer determinations. If an employer determination is in force for an employer and a person, the employer must pay instalments to the person, unless the employer employs less than 20 employees. In that case, the employer may elect to pay instalments to the person. The Secretary must be satisfied that certain conditions have been met before the Secretary can make an employer determination.

2 Section 6 (definition of acceptance notice)
Omit “section 103”, substitute “paragraphs 103(1)(a) and (2)(a)”.

3 Section 6 (definition of employer determination)
Omit “section 101”, substitute “subsections 101(1) and (1A)”.

4 Section 6
Insert:

*non-acceptance notice*: see paragraph 103(2)(b).

5 Section 100 (first paragraph)
Repeal the paragraph, substitute:

This Part is about employer determinations. If an employer determination is in force for an employer and a person, the employer must pay instalments to the person, unless the employer employs less than 20 employees. In that case, the employer may elect to pay instalments to the person.

6 Section 100 (third paragraph)
Repeal the paragraph, substitute:

If the Secretary makes an employer determination for a person and the person’s employer and the employer employs 20 employees or more, the employer must:

(a) give the Secretary certain information to enable the Secretary to pay the employer PPL funding amounts for the person; or

(b) apply for review of the employer determination under Part 5-1 or 5-2.

If the Secretary makes an employer determination for a person and the person’s employer and the employer employs fewer than 20 employees, the employer may elect to pay instalments to the person. If the employer does not make an election, the Secretary must pay instalments to the person.

7 Subsection 101(1)
Omit “under this section”, substitute “under this subsection”.

8 After paragraph 101(1)(a)

Insert:

(aa) the employer employs 20 or more employees; and

9 After subsection 101(1)

Insert:

(1A) The Secretary must make a determination under this subsection (the employer determination) that a person’s employer is to pay the person instalments if the Secretary is satisfied, when making the determination, that:

(a) a payability determination that parental leave pay is payable to the person, or an initial eligibility determination for the person, is in force; and
(b) the employer employs fewer than 20 employees; and
(c) the employer has made an election under section 109 to pay instalments and that election applies to the person; and
(d) the person has consented in the claim to the employer paying instalments to the person; and
(e) if paragraphs (b) to (d) are satisfied in relation to more than one employer of the person— the person nominated the employer in the claim as the employer who would be required to pay instalments to the person.

10 Paragraph 101(3)(a)

After “subsection (1)”, insert “or (1A)”.

11 Paragraph 101(3)(b)

After “paragraph (1)(a)”, insert “or (1A)(a)”.

12 Subsection 101(4)

Omit “subsection (1)”, substitute “subsections (1) and (1A)”.

13 Section 103

Repeal the section, substitute:

103 Employer response to notice of employer determination

(1) If an employer is given a notice under section 102 that an employer determination has been made under subsection 101(1), the employer must, within 14 days after the date of the notice, do one of the following:

(a) give the Secretary a written notice (the acceptance notice) that complies with section 104;
(b) apply for a review of the employer determination under Part 5-1 or 5-2.

Note: This subsection is a civil penalty provision (see section 146).

(2) If an employer is given a notice under section 102 that an employer determination has been made under subsection 101(1A), the employer may, within the period referred to in subsection (3):

(a) give the Secretary a written notice (the acceptance notice) that complies with section 104; or
(b) give the Secretary notice (the *non-acceptance notice*), orally or in writing, declaring that the employer does not accept the employer’s obligations to pay instalments to the person.

(3) For the purposes of subsection (2), the period is 14 days, or such longer period allowed by the Secretary, after the date of the notice given under section 102.

14 **Paragraph 106(c)**
   After “subsection 101(1)”, insert “or (1A)”.

15 **Subsection 108(1) (after table item 1)**
   Insert:
   
   1A The employer has given a non-acceptance notice for the person under paragraph 103(2)(b). The day of the revocation.

16 **Subsection 108(1) (table item 2, column 1)**
   Omit “section 103”, substitute “subsection 103(1)”.

17 **Subsection 108(1) (after table item 2)**
   Insert:
   
   2A The employer has not given an acceptance notice or a non-acceptance notice for the person in the period referred to in subsection 103(2). The day of the revocation.

18 **Section 146 (cell at table item 10, column 1)**
   Repeal the cell, substitute:
   
   Subsection 103(1)

19 **Paragraphs 157(1)(b) and 159(1)(b)**
   Omit “section 103”, substitute “subsection 103(1)”.

20 **Subsections 203(2) and 207(1)**
   Omit “section 101”, substitute “subsection 101(1)”.

21 **Subsection 207(5)**
   Omit “section 103”, substitute “subsection 103(1)”.

22 **Subsection 207(5) (note)**
   Omit “Section 103”, substitute “Subsection 103(1)”.

23 **Application of amendments**
   The amendments made by this Schedule apply in relation to an employer determination that is made on or after the commencement of this Schedule in relation to a claim for parental leave pay that is made before, on or after that commencement.

Question—That the bill, as amended, be agreed to—divided, at the request of Senator McLucas in respect of Schedule 9, items 1 to 5 and 10.

Schedule 9, items 1 to 5 and 10 debated.

Question—That Schedule 9, items 1 to 5 and 10 stand as printed—put and negatived.
On the motion of Senator McLucas the following amendment was debated and agreed to:

Schedule 9, page 115 (lines 6 and 7), omit the heading.

Question—That the bill, as amended, be agreed to—divided, at the request of Senator Siewert in respect of Schedule 1, as amended.

Schedule 1, as amended, debated.

Question—That Schedule 1, as amended, be agreed to—put.

The committee divided—

AYES, 37

Senators—

Bernardi Bilyk Brown Bushby Cameron Collins Cormann Dastyari Edwards Eggleston

Farrell Fifield Gallacher Kroger Lines Ludwig Landy Macdonald Marshall McKenzie (Teller)

McLucas O’Neill O’Sullivan Peris Polley Pratt Ronaldson Ruston Ryan (Teller) Seselja

Singh Smith Sterle Thorp Tillem Uzquhart Williams

NOES, 9

Senators—

Di Natale Hanson-Young Milne

Rhiannon Siewert (Teller) Whish-Wilson

Waters Wright Xenophon

Schedule, as amended, agreed to.

Question—That the bill, as amended, be agreed to—divided, at the request of Senator Siewert in respect of Schedule 2.

Schedule 2 debated and agreed to.

Question—That the bill, as amended, be agreed to—divided, at the request of Senator Siewert in respect of Schedule 3, as amended.

Question—That Schedule 3, as amended, be agreed to—put and passed.

Question—That the bill, as amended, be agreed to—divided, at the request of Senator Siewert in respect of Schedule 4, as amended.

Question—That Schedule 4, as amended, be agreed to—put and passed.

Bill, as amended, agreed to.

Bill to be reported with amendments and an amendment to the title.

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

On the motion of Senator Fifield the report from the committee was adopted.

Senator Fifield moved—that this bill be now read a third time.

Question put.
The Senate divided—

AYES, 38

Senators—
Bernardi  Cormann  McEwen  Seselja
Bilyk  Dastyari  McKenzie (Teller)  Singh
Birmingham  Edwards  McLucas  Smith
Bishop  Farrell  O’Neill  Stephens
Brown  Fawcett  O’Sullivan  Thorp
Bushby  Fifield  Parry  Tillem
Cameron  Kroger  Peris  Urquhart
Carr  Lines  Pratt  Williams
Colbeck  Lundy  Ruston  
Collins  Marshall  Ryan

NOES, 10

Senators—
Di Natale  Milne  Waters  Wright
Hanson-Young  Rhiannon  Whish-Wilson  Xenophon
Madigan  Siewert (Teller)

Question agreed to.

Bill read a third time.

After 12.45 pm—

5 MATTERS OF PUBLIC INTEREST

Matters of public interest were discussed.

At 2 pm—

6 QUESTIONS

Questions without notice were answered.

Leave refused: The Leader of the Opposition in the Senate (Senator Wong) sought leave to move a motion of censure of the Assistant Minister for Health (Senator Nash). An objection was raised and leave was not granted.

Suspension of standing orders: Senator Wong, pursuant to contingent notice, moved—That so much of the standing orders be suspended as would prevent her moving a motion to provide for the consideration of a matter, namely a motion to give precedence to a motion of censure of the Assistant Minister for Health (Senator Nash). Debate ensued.

Question put.
The Senate divided—

AYES, 39

Senators—

Bilyk
Bishop
Brown
Cameron
Carr
Collins
Conroy
Dastyari
Di Natale
Farrell

Faullner
Furner
Gallacher
Hanson-Young
Hogg
Lines
Ludwig
Lundy
Marshall
McEwen (Teller)

McLucas
Milne
Moore
O’Neill
Peris
Polley
Pratt
Rhiannon
Siewert
Singh

Stephens
Sterle
Thorp
Tillem
Urquhart
Waters
Whish-Wilson
Wong
Wright

NOES, 33

Senators—

Abetz
Back
Bernardi
Birmingham
Boswell
Boyece
Brandis
Bushby
Cash

Colbeck
Cormann
Edwards
Eggleston
Fawcett
Fierravanti-Wells
Fifield
Johnston
Kroger (Teller)

Macdonald
Mason
McKenzie
Nash
O’Sullivan
Parry
Payne
Ronaldson
Ruston

Ryan
Scullion
Seselja
Sinodinos
Smith
Williams

Debate ensued.

Question put and passed.

Assistant Minister for Health—Censure: Senator Wong moved—that a motion of censure of the Assistant Minister for Health (Senator Nash) may be moved immediately and have precedence over all other business today till determined.

Debate ensued.

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

Administration—Assistant Minister for Health—Former chief of staff—Order for production of document—Letter to the President of the Senate from the Assistant Minister for Health (Senator Nash), dated 5 March 2014, responding to the order of the Senate of 4 March 2014 and raising a public interest immunity claim.

Debate continued.

Question put.
The Senate divided—

AYES, 37

<table>
<thead>
<tr>
<th>Senators</th>
<th>Ayes</th>
<th>Senators</th>
<th>Ayes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bilyk</td>
<td></td>
<td>Bishop</td>
<td></td>
</tr>
<tr>
<td>Brown</td>
<td></td>
<td>Cameron</td>
<td></td>
</tr>
<tr>
<td>Carr</td>
<td></td>
<td>Conroy</td>
<td></td>
</tr>
<tr>
<td>Dustyari</td>
<td></td>
<td>Di Natale</td>
<td></td>
</tr>
<tr>
<td>Farrell</td>
<td></td>
<td>Faulkner</td>
<td></td>
</tr>
<tr>
<td>Moore</td>
<td></td>
<td>Hogg</td>
<td></td>
</tr>
<tr>
<td>O’Neill</td>
<td></td>
<td>Lines</td>
<td></td>
</tr>
<tr>
<td>Peris</td>
<td></td>
<td>Ludwig</td>
<td></td>
</tr>
<tr>
<td>Polley</td>
<td></td>
<td>Landy</td>
<td></td>
</tr>
<tr>
<td>Pratt</td>
<td></td>
<td>Moore</td>
<td></td>
</tr>
<tr>
<td>Rhiannon</td>
<td></td>
<td>Siwetr</td>
<td></td>
</tr>
<tr>
<td>Stephens</td>
<td></td>
<td>Thorp</td>
<td></td>
</tr>
<tr>
<td>Tillem</td>
<td></td>
<td>Urquhart</td>
<td></td>
</tr>
<tr>
<td>Waters</td>
<td></td>
<td>Whish-Wilson</td>
<td></td>
</tr>
<tr>
<td>Wright</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

NOES, 31

<table>
<thead>
<tr>
<th>Senators</th>
<th>Noes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abetz</td>
<td></td>
</tr>
<tr>
<td>Back (Teller)</td>
<td></td>
</tr>
<tr>
<td>Bernardi</td>
<td></td>
</tr>
<tr>
<td>Birmingham</td>
<td></td>
</tr>
<tr>
<td>Boswell</td>
<td></td>
</tr>
<tr>
<td>Boyce</td>
<td></td>
</tr>
<tr>
<td>Brandis</td>
<td></td>
</tr>
<tr>
<td>Bushby</td>
<td></td>
</tr>
<tr>
<td>Cash</td>
<td></td>
</tr>
<tr>
<td>Edwards</td>
<td></td>
</tr>
<tr>
<td>Eggleston</td>
<td></td>
</tr>
<tr>
<td>Fawcett</td>
<td></td>
</tr>
<tr>
<td>Fierravanti-Wells</td>
<td></td>
</tr>
<tr>
<td>Fifield</td>
<td></td>
</tr>
<tr>
<td>Hefferman</td>
<td></td>
</tr>
<tr>
<td>Johnston</td>
<td></td>
</tr>
<tr>
<td>Kroger</td>
<td></td>
</tr>
<tr>
<td>Macdonald</td>
<td></td>
</tr>
<tr>
<td>McKenzie</td>
<td></td>
</tr>
<tr>
<td>Nash</td>
<td></td>
</tr>
<tr>
<td>O’Sullivan</td>
<td></td>
</tr>
<tr>
<td>Parry</td>
<td></td>
</tr>
<tr>
<td>Payne</td>
<td></td>
</tr>
<tr>
<td>Riston</td>
<td></td>
</tr>
<tr>
<td>Ryan</td>
<td></td>
</tr>
<tr>
<td>Scullion</td>
<td></td>
</tr>
<tr>
<td>Seselja</td>
<td></td>
</tr>
<tr>
<td>Sinodinos</td>
<td></td>
</tr>
<tr>
<td>Smith</td>
<td></td>
</tr>
<tr>
<td>Williams</td>
<td></td>
</tr>
</tbody>
</table>

Question agreed to.

7 MOTIONS TO TAKE NOTE OF ANSWERS

Motions to take note of answers were called on but no motion was moved.

8 NOTICES

The Chair of the Rural and Regional Affairs and Transport References Committee (Senator Sterle): To move on the next day of sitting—

(1) That the following matter be referred to the Rural and Regional Affairs and Transport References Committee for inquiry and report by 27 March 2014:

What initiatives can be taken by Government to ensure Qantas remains a strong national carrier supporting aviation jobs in Australia, including:

(a) a debt guarantee;
(b) an equity stake; and
(c) other forms of support consistent with wider policy settings.

(2) That, in conducting the inquiry, the committee should consider:

(a) any national security, skills, marketing, tourism, emergency assistance or other benefits provided by a majority Australian-owned Qantas;
(b) the level and forms of government support received by other international airlines operating to and from Australia;
(c) the ownership structures of other international airlines operating to and from Australia;
(d) the potential impact on Australian jobs arising from the Government’s plan to repeal Part 3 of the Qantas Sale Act 1992; and
(e) any related matter.
Senators Rhiannon and Xenophon: To move on the next day of sitting—

(1) That the following matter be referred to the Rural and Regional Affairs and Transport References Committee for inquiry and report by 27 March 2014: Supporting Qantas and Australian jobs, with particular reference to what initiatives should be taken by Government and the Parliament to ensure Qantas remains a strong national carrier supporting aviation jobs in Australia, including:

(a) a debt guarantee;

(b) an equity stake;

(c) other forms of support consistent with wider policy settings; and

(d) any conditions which should be attached to these.

(2) That, in considering the merits of the above, the committee should investigate:

(a) any national security, skills, marketing, tourism, emergency assistance or other benefits provided by an Australian-owned Qantas;

(b) the level and forms of government support received by other international airlines operating to and from Australia;

(c) the ownership structures of other international airlines operating to and from Australia;

(d) the potential impact on Australian jobs arising from the Government’s plan to repeal Part 3 of the Qantas Sale Act 1992; and

(e) the direct costs on Australian-domiciled air carriers, including airport charges and depreciation allowances, compared to foreign-based competitors; and

(f) any related matters.

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

(a) notes:

(i) the serious concern shared by communities and experts across Australia about the significant risks coal and gas developments pose to our communities, public health, water resources and natural areas, and

(ii) that in the week beginning 2 March 2014, a delegation of 16 community representatives from the Lock the Gate network have travelled to Canberra from across the nation, seeking the support of their elected representatives to protect their communities, their water and their land; and

(b) calls on the Federal Government to urgently act on the concerns of the Lock the Gate network by:

(i) passing national laws to protect food-producing land from coal and gas mining and give landholders the power of veto over mining on their land,

(ii) protecting communities by establishing a national Environmental Protection Authority and a new Clean Air and Water Act, and

(iii) excluding from the Trans Pacific Partnership Agreement any clause or instrument that undermines the power of Australian governments to protect land, water and communities. (general business notice of motion no. 156)
Senator McLucas: To move on 19 March 2014—That the Aboriginal Land Rights (Northern Territory) Amendment (Delegation) Regulation 2013, as contained in Select Legislative Instrument 2013 No. 272 and made under the Aboriginal Land Rights (Northern Territory) Act 1976, be disallowed.

Senators Moore and Pratt: To move on the next day of sitting—That the Senate—

(a) notes that:

(i) today, 81 countries worldwide have legislation criminalising consensual same-sex activities between adults, with over half of these countries being members of the Commonwealth (43 of 53 Commonwealth nations), and furthermore, 17 of these countries (of which 14 are members of the Commonwealth) are our near neighbours in the Asia Pacific region,

(ii) even in cases where discriminatory laws criminalising consensual same-sex relations are no longer enforced, the decriminalisation of homosexuality is essential if lesbian, gay, bisexual, transgender and intersex (LGBTI) people are to live lives of dignity and equality,

(iii) even where homosexuality is not a crime, LGBTI people still face violence, eviction from their homes, dismissal from their jobs and estrangement from their families – the enactment of anti-discrimination legislation would help to combat this,

(iv) international human rights law requires states to respect the freedom and dignity of all people regardless of their sexual orientation, intersex status, gender identity and gender expression, and

(v) the Sex Discrimination Amendment (Sexual Orientation, Gender Identity and Intersex Status) Act 2013 (a bill introduced by Labor in 2013) contains measures to extend protection from discrimination on the grounds of sexual orientation, gender identity, and intersex status;

(b) recognises the efforts of activists and advocates internationally seeking to advance the human rights of LGBTI people, including the work of the Australian Kaleidoscope Human Rights Foundation in advancing the human rights of LGBTI people in the Asia Pacific region;

(c) calls on the Australian Government to take all available steps to:

(i) support the universal decriminalisation of homosexuality in accordance with the principles enshrined in the Universal Declaration of Human Rights,

(ii) support and defend the human rights of LGBTI people around the world, and

(iii) support a Commonwealth charter which defends LGBTI rights in accordance with international law in all Commonwealth countries; and

(d) calls on the Attorney-General to refer to the Parliamentary Joint Committee on Human Rights a future inquiry on issues affecting the human rights of LGBTI people. (general business notice of motion no. 157)

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

(a) notes that:

(i) there is community concern about the Minister for Infrastructure and Regional Development’s decision to allow international passenger flights to land at Adelaide Airport at 5.10 am, from April 2014, and
(ii) the *Adelaide Airport Curfew Act 2000* bans aircraft take-offs and landings between 11 pm and 6 am, except with the Minister’s permission, to protect the lifestyle of residents who live under the flight path; and

(b) affirms that:

(i) this use of executive power, to avoid a clear legislative protection for Adelaide’s residents, exposes these residents to aircraft noise and loss of amenity, and

(ii) where the Parliament establishes such a protection, the protection should not be removed without Parliament specifically considering the matter, and so the Minister’s power to approve flights outside of the Adelaide Airport curfew should be repealed. *(general business notice of motion no. 158)*

Senator Siewert: To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the *Social Security Act 1991*, and for related purposes. *Social Security Amendment (Caring for People on Newstart) Bill 2014*. *(general business notice of motion no. 159)*

Senator Xenophon: To move on the next day of sitting—That the following matter be referred to the Legal and Constitutional Affairs References Committee for inquiry and report by 15 May 2014:

The current investigative processes and powers of the Australian Federal Police in relation to non-criminal matters, with particular reference to:

(a) thresholds, including evidentiary thresholds, relating to the obtaining of production orders and search warrants, and in particular whether these reflect the rules applicable to civil litigation discovery rather than coercive search;

(b) procedures preparatory to seeking production orders and search warrants, including taking into account the conduct of the recipient of such orders;

(c) procedures for executing search warrants;

(d) safeguards relating to the curtailment of freedom of speech, particularly in relation to literary proceeds matters;

(e) safeguards for ensuring the protection of confidential information, including journalists’ sources, obtained under search warrants, and particularly where that information does not relate to the search warrant;

(f) the powers available to the Australian Federal Police to intercept telecommunications in circumstances where the matter being investigated does not involve criminal conduct;

(g) the priorities of the Serious and Organised Crime Division, and the circumstances under which they should appropriately be deployed in relation to non-criminal matters; and

(h) any related matters.

Senator Whish-Wilson: To move on the next day of sitting—That the following matter be referred to the Foreign Affairs, Defence and Trade References Committee for inquiry and report by 14 May 2014:

Australia’s activities and responsibilities in the Southern Ocean and Antarctic waters, including:

(a) Australia’s management and monitoring of the Southern Ocean in relation to illegal, unreported and unregulated fishing:
(b) cooperation with international partners on management and research under international treaties and agreements;

(c) appropriate resourcing in the Southern Ocean and Antarctic territory for research and governance; and

(d) any other related matters.

Senator Whish-Wilson: To move on the next day of sitting—That there be laid on the table by the Minister representing the Minister for Trade and Investment, no later than noon on 17 March 2014, the modelling and associated reports referred to by the Prime Minister and the Minister for Trade and Investment in a media release of 5 December 2013 titled ‘Australia concludes FTA negotiations with the Republic of Korea’. (general business notice of motion no. 160)

Senator Xenophon: To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the Competition and Consumer Act 2010, and for related purposes. Competition and Consumer Amendment (Misuse of Market Power) Bill 2014. (general business notice of motion no. 161)

Senators Madigan and Xenophon: To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the Flags Act 1953, and for related purposes. Flags Amendment Bill 2014. (general business notice of motion no. 162)

Senator McEwen: To move on the next day of sitting—That there be laid on the table by the Minister representing the Minister for Education, no later than Wednesday, 12 March 2014, a copy of the Heads of Agreement on National Education Reform, and associated bilateral agreements, between the Commonwealth and New South Wales, Victoria, Tasmania, South Australia and the Australian Capital Territory, including all schedules and attachments, letters, implementation plans submitted, whether or not agreed by the Commonwealth, along with other documents that outline Commonwealth-state/territory funding commitments, agreements with or letters to any state or territory outlining future Commonwealth school funding and related requirements, including letters the Minister has sent to Queensland, Western Australia and the Northern Territory. (general business notice of motion no. 163)

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

(a) recognises:

(i) the vital contribution of the Australian shipbuilding industry as an employer, a storehouse of advanced manufacturing capabilities and a strategic asset, and

(ii) the urgent need for the Government to bring forward project work to ensure continuity of industry development, growth and employment;

(b) is gravely concerned by:

(i) the scheduled end of project work in three Australian shipyards in 2015,

(ii) the severe consequences of the resulting project trough, including:

(A) the retrenchment of more than 3 000 skilled workers,

(B) the crippling of the shipbuilding supply chain, and

(C) the forced closure of research projects and facilities supporting shipbuilding and advanced manufacturing,

(iii) the heavy costs of rebuilding lost capabilities and retraining workers to meet future defence needs, and

(iv) the threat to national security posed by the erosion of local capability; and
(c) calls on the Government to immediately:

(i) identify suitable project work to be fast-tracked and make a public commitment to those projects with a revised timeframe for tendering and delivery,

(ii) recognise that this cannot wait for the Defence White Paper process to be concluded, and

(iii) incorporate the long-term opportunities for the Australian shipbuilding industry as a strategic priority in all future naval procurement plans.

(general business notice of motion no. 164)

The Assistant Minister for Social Services (Senator Fifield): To move on the next day of sitting—That the provisions of paragraphs (5) to (8) of standing order 111 not apply to the following bills, allowing them to be considered during this period of sittings:

Customs Tariff Amendment (Tobacco) Bill 2014
Excise Tariff Amendment (Tobacco) Bill 2014
Governor-General Amendment (Salary) Bill 2014
Primary Industries (Excise) Levies Amendment (Dairy Produce) Bill 2014

Documents: Senator Fifield tabled the following documents:

Intention to withdraw: The Chair of the Standing Committee on Regulations and Ordinances (Senator Edwards), pursuant to standing order 78, gave notice of his intention, at the giving of notices on the next day of sitting, to withdraw business of the Senate notices of motion nos 1 and 2 standing in his name for two sitting days after today for the disallowance of the following instruments:

Veterans’ Entitlements (Actuarial Certificate—Lifetime Income Stream Guidelines) Determination 2013, made under subsection 5JA(1B), paragraph 5JA(1)(b) and subsection 5JA(6) of the Veterans’ Entitlements Act 1986.

Senator Edwards, by leave, made a statement relating to the notice of intention.

9 LEGAL AND CONSTITUTIONAL AFFAIRS REFERENCES COMMITTEE—REFERENCE

Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 2—That the following matter be referred to the Legal and Constitutional Affairs References Committee, with effect from 1 April 2014, for inquiry and report by 26 June 2014:

The incident at the Manus Island Detention Centre from 16 February to 18 February 2014, with particular reference to:

(a) the chronology of events;

(b) the sequence of events and factors that gave cause to the incident;

(c) the sequence of events that led to, and the cause of, Reza Berati’s death;
(d) contractor, subcontractor and service provider involvement and response;
(e) Department of Immigration and Border Protection involvement and response;
(f) Papua New Guinean police, military and civilian involvement and response;
(g) the Minister for Immigration and Border Protection’s conduct before, during and after the incident;
(h) protocols and procedures observed by agencies in the detention centre;
(i) any documents, including incident reports and emails as well as briefings involving staff, employees, contractors and subcontractors involved in or responding to the incident;
(j) any communications between the Minister for Immigration and Border Protection and the Government of Papua New Guinea, the Department of Immigration and Border Protection, contractors, sub-contractors and service providers regarding the incident;
(k) the Australian Government’s duty of care obligations and responsibilities;
(l) refugee status determination processing and resettlement arrangements in Papua New Guinea; and
(m) any other related matters.

Statements by leave: The Assistant Minister for Immigration and Border Protection (Senator Cash) and Senator Macdonald, by leave, made statements relating to the motion.

Question put and passed.

10 WOMEN—INTERNATIONAL WOMEN’S DAY

The Minister Assisting the Prime Minister for Women (Senator Cash), also on behalf of Senators Moore and Waters, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 152—That the Senate—

(a) notes that 8 March is International Women’s Day (IWD) and that the theme for IWD 2014 is ‘Equality for women is progress for all’;
(b) acknowledges:

(i) the work that UN Women, the United Nations (UN) organisation dedicated to gender equality and the empowerment of women, undertakes to improve the conditions of women, both domestically and internationally,
(ii) that, despite the many rights and privileges Australian women enjoy, there remain challenges that we must strive to overcome, and
(iii) that, although women perform two-thirds of the world’s work, they earn less than 10 per cent of the world’s wages; and
(c) recognises:

(i) that in Australia, violence against women is still far too common, with Australian Bureau of Statistics data continuing to show that one in three women have experienced physical violence since the age of 15, and
(ii) that Australians have a fundamental obligation to speak out and protect the human rights of women, both in Australia and overseas.

Question put and passed.
11 TRADE AND FOREIGN INVESTMENT (PROTECTING THE PUBLIC INTEREST)
BILL 2014
Senator Whish-Wilson, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 153—That the following bill be introduced:

A Bill for an Act to protect Australian laws by banning investor-state dispute settlement provisions, and for related purposes.

Question put and passed.
Senator Whish-Wilson 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 Whish-Wilson moved—That this bill be now read a second time.

Explanatory memorandum: Senator Whish-Wilson, by leave, tabled an explanatory memorandum relating to the bill.

Debate adjourned till the next day of sitting, Senator Whish-Wilson in continuation.

12 NATIONAL BROADBAND NETWORK COMPANIES AMENDMENT (TASMANIA)
BILL 2014
Senator Urquhart, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 154—That the following bill be introduced:

A Bill for an Act to amend the National Broadband Network Companies Act 2011, and for related purposes.

Question put and passed.
Statement by leave: The Assistant Minister for Social Services (Senator Fifield), by leave, made a statement relating to the motion.
Senator Urquhart 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 Urquhart moved—That this bill be now read a second time.

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

Debate adjourned till the next day of sitting, Senator Urquhart in continuation.
13 WOMEN—GENDER PAY GAP—REPORTING REQUIREMENTS
Senator Waters amended general business notice of motion no. 155 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—
(a) notes:
(i) that, at the UN Women’s International Women’s Day parliamentary breakfast on 4 March 2014, the Prime Minister (Mr Abbott) stated:
(A) Australian women have a ‘pretty good deal’,
(B) the more we can ensure that women are economic, as well as social and cultural contributors, the better for everyone, and
(C) this nation has smashed just about every glass ceiling, but we need to do more - we need to do more,
(ii) that there is still a 17 per cent gap in pay between Australian men and women,
(iii) the Workplace Gender Equality Agency is now collecting and analysing data from eligible businesses which will enable employers to develop better gender equality strategies,
(iv) the important work done by the Workplace Gender Equality Agency, including the collection of critical gender workplace reporting data needed to address the gender pay gap in Australia, and
(v) that continued collections of such data will provide evidence of improvements over time; and
(b) recognises and congratulates the Workplace Gender Equality Agency on its work since inception of the reporting data on gender equality indicators.
Statement by leave: The Assistant Minister for Social Services (Senator Fifield), by leave, made a statement relating to the motion.
Question put and passed.

14 RURAL AND REGIONAL AFFAIRS AND TRANSPORT REFERENCES COMMITTEE—PROPOSED REFERENCE
Senator Rhiannon, also on behalf of Senator Xenophon, amended business of the Senate notice of motion no. 4 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—
(1) That the following matter be referred to the Rural and Regional Affairs and Transport References Committee for inquiry and report by 27 March 2014:
Supporting Qantas and Australian jobs, with particular reference to what initiatives should be taken by the Government and the Parliament to ensure Qantas remains a strong national carrier supporting aviation jobs in Australia, including:
(a) a debt guarantee;
(b) an equity stake;
(c) other forms of support consistent with wider policy settings; and
(d) any conditions which should be attached to these.
(2) That, in considering the merits of the above, the committee should investigate:
(a) any national security, skills, marketing, tourism, emergency assistance or other benefits provided by an Australian-owned Qantas;
(b) the level and forms of government support received by other international airlines operating to and from Australia;
(c) the ownership structures of other international airlines operating to and from Australia;
(d) the potential impact on Australian jobs arising from the Government’s plan to repeal Part 3 of the Qantas Sale Act 1992;
(e) the direct costs on Australian-domiciled air carriers, including airport charges and depreciation allowances, compared to foreign-based competitors; and
(f) any related matters.

Statements by leave: Senators Moore, Rhiannon, Macdonald and Xenophon, by leave, made statements relating to the motion.

Question put and negatived.

15 ENVIRONMENT AND COMMUNICATIONS REFERENCES COMMITTEE—REFERENCE
Senator Waters, pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 3—

(1) That the following matter be referred to the Environment and Communications References Committee for inquiry and report by 16 June 2014:

The history, appropriateness and effectiveness of the use of environmental offsets in federal environmental approvals in Australia, including:

(a) the principles that underpin the use of offsets;
(b) the processes used to develop and assess proposed offsets;
(c) the adequacy of monitoring and evaluation of approved offsets arrangements to determine whether promised environmental outcomes are achieved over the short and long term; and
(d) any other related matters.

(2) That in conducting the inquiry the committee consider the terms of reference in (1) with specific regard to, but not restricted to, the following projects:

(a) Whitehaven Coal’s Maules Creek Project;
(b) Waratah Coal’s Galilee Coal Project;
(c) QGC’s Queensland Curtis LNG project;
(d) North Queensland Bulk Port’s Abbot Point Coal Terminal Capital Dredging Project; and
(e) Jandakot Airport developments.

Question put and passed.

16 FOREIGN AFFAIRS, DEFENCE AND TRADE REFERENCES COMMITTEE—REFERENCE
Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 1—That the following matter be referred to the Foreign Affairs, Defence and Trade References Committee, with effect from 20 March 2014, for inquiry and report by midday 27 March 2014:

The breach of Indonesian territorial waters between 1 December 2013 and 20 January 2014 by Royal Australian Navy and/or Customs vessels in connection with Operation Sovereign Borders (the incidents), and in doing so, the committee must consider:

(a) the sequence of events that led to the incidents, including detailed accounts of each incident;
(b) the operational protocols and procedures observed by the Royal Australian Navy, Customs and Border Protection and by other relevant Commonwealth agencies during the incidents;

(c) the extent to which the incidents complied with international law;

(d) the steps being taken to prevent similar incidents from taking place in the future;

(e) the communications between Operation Sovereign Borders agencies, including the Department of Immigration and Border Protection, the Joint Agency Taskforce, the Department of Defence and Customs and Border Protection, regarding the incidents;

(f) the communications between the Minister for Immigration and Border Protection, the Minister for Defence, the Senior Command of the Australian Defence Force, the Department of Immigration and Border Protection, the Department of Defence, Customs and Border Protection and Operation Sovereign Borders agencies, including the Joint Agency Taskforce, regarding the incidents;

(g) the operational procedures observed by the Royal Australian Navy and other Commonwealth agencies involved in Operation Sovereign Borders to ensure the safety of its personnel and asylum seekers during the incidents;

(h) the briefings given to Australian Navy and Customs and Border Protection personnel (both on-water and off-water) about maritime borders and laws of the sea during on-water operations; and

(i) any other matters relating to Operation Sovereign Borders.

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

Question put.

The Senate divided—

AYES, 37

Senators—

Bilyk
Bishop
Brown
Cameron
Carr
Dastyari
Di Natale
Farrell
Faulkner
Garrett
Gallacher
Hanson-Young
Hogg
Lines
Ludwig
Landy
Marshall
McEwen (Teller)
McLucas
Milne

Moore
O’Neill
Pers
Policy
Pratt
Rhiannon
Siewert
Singh
Stephens
Sterle

Thorp
Tillem
Urquhart
Waters
Whish-Wilson
Wright
Xenophon

NOES, 30

Senators—

Abetz
Back
Bernardi
Birmingham
Boswell
Boyce
Bushby
Cash
Cormann
Edwards
Eggleston
Fawcett
Ferravanti-Wells
Fifield
Heffernan
Kroger (Teller)

Macdonald
Madigan
McKenzie
Nash
O’Sullivan
Parry
Payne
Ruston

Ryan
Scullion
Seselja
Sinodinos
Smith
Williams

Question agreed to.
17 **NOTICE OF MOTION WITHDRAWN**

Senator Xenophon withdrew business of the Senate notice of motion no. 5 standing in his name for today, proposing a reference to the Rural and Regional Affairs and Transport References Committee.

18 **URGENCY MOTION—COMMUNICATIONS—BROADBAND—TASMANIA**

The Deputy President (Senator Parry) informed the Senate that the President had received a letter from Senator Moore advising that today she intended to move—that, in the opinion of the Senate, the following is a matter of urgency:

The need for the Government to honour its election commitment to roll out fibre-to-the-premises broadband to no less than 200,000 premises in Tasmania.

The proposal was supported by four senators.

Senator Urquhart, at the request of Senator Moore, moved the motion.

Debate ensued.

Question put and passed.

19 **SCRUTINY OF BILLS—STANDING COMMITTEE—2ND REPORT AND ALERT DIGEST NO. 2 OF 2014**

The Chair of the Standing Committee for the Scrutiny of Bills (Senator Polley), tabled the following report and document:

Scrutiny of Bills—Standing Committee—
Alert Digest No. 2 of 2014, dated 5 March 2014.

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

Senator Polley moved—that the Senate take note of the report.

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

20 **REGULATIONS AND ORDINANCES—STANDING COMMITTEE—DOCUMENT**

Senator McKenzie, at the request of the Chair of the Standing Committee on Regulations and Ordinances (Senator Edwards), tabled the following document:


21 **PUBLICATIONS—STANDING COMMITTEE—3RD REPORT**

The Chair of the Standing Committee on Publications (Senator McKenzie) tabled the following report:

**PUBLICATIONS COMMITTEE
3RD 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 12 February 2014, recommends that the following be printed:

Australian Law Reform Commission—Report no. 122—Copyright and the digital economy—
Summary report, November 2013.
Senator McKenzie
Chair
5 March 2014.
Senator McKenzie moved—That the report be adopted.
Question put and passed.

22 ENVIRONMENT—WESTERN AUSTRALIA—GREAT WHITE SHARKS—DOCUMENT
The Acting Deputy President (Senator Boyce) tabled the following document:
Environment—Western Australia—Great white sharks—Letter to the President of the Senate from the Minister for the Environment (Mr Hunt), dated 3 March 2014, responding to the resolution of the Senate of 12 February 2014.
Senator Siewert, by leave, moved—That the Senate take note of the document.
Question put and passed.

23 FINANCE—NATIONAL COMMISSION OF AUDIT REPORTS—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENT
The Assistant Treasurer (Senator Sinodinos) tabled the following document:
Finance—National Commission of Audit reports—Letter to the President of the Senate from the Minister for Finance (Senator Cormann), dated 4 March 2014, responding to the order of the Senate of 4 March 2014 and raising a public interest immunity claim.

24 DOCUMENTS
The following documents were tabled by the Clerk:
Legislative instruments are identified by a Federal Register of Legislative Instruments (FRLI) number. An explanatory statement is tabled with an instrument unless otherwise indicated by an asterisk.


25 INDEXED LISTS OF DEPARTMENTAL AND AGENCY FILES—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENTS
The following documents were tabled pursuant to the order of the Senate of 30 May 1996, as amended:
Indexed lists of departmental and agency files for the period 1 July to 31 December 2013—Statements of compliance—
Agriculture portfolio.
Health portfolio.
26 **EXCISE TARIFF AMENDMENT (TOBACCO) BILL 2014**  
**CUSTOMS TARIFF AMENDMENT (TOBACCO) BILL 2014**

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

- Message no. 71, dated 4 March 2014—A Bill for an Act to amend the law relating to excise tariffs, and for related purposes.

The Assistant Treasurer (Senator Sinodinos) 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 Sinodinos moved—That these bills be now read a second time.

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

27 **GOVERNOR-GENERAL AMENDMENT (SALARY) BILL 2014**  
**TAX AND SUPERANNUATION LAWS AMENDMENT (2014 MEASURES NO. 1) BILL 2014**  
**TERTIARY EDUCATION QUALITY AND STANDARDS AGENCY AMENDMENT BILL 2014**

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

- Message no. 72, dated 4 March 2014—A Bill for an Act to amend the *Governor-General Act 1974*, and for related purposes.
- Message no. 73, dated 4 March 2014—A Bill for an Act to amend the law relating to taxation and superannuation, and for related purposes.
- Message no. 77, dated 5 March 2014—A Bill for an Act to amend the *Tertiary Education Quality and Standards Agency Act 2011*, and for other purposes.

The Assistant Treasurer (Senator Sinodinos) 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 Sinodinos moved—That these bills be now read a second time.

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

Senator Sinodinos moved—That the bills be listed on the *Notice Paper* as separate orders of the day.

Question put and passed.
28 **APPROPRIATION (PARLIAMENTARY DEPARTMENTS) BILL (NO. 2) 2013-2014**  
**APPROPRIATION BILL (NO. 3) 2013-2014**  
**APPROPRIATION BILL (NO. 4) 2013-2014**

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

- Message no. 74, dated 5 March 2014—A Bill for an Act to appropriate additional money out of the Consolidated Revenue Fund for expenditure in relation to the Parliamentary Departments, and for related purposes.
- Message no. 75, dated 5 March 2014—A Bill for an Act to appropriate additional money out of the Consolidated Revenue Fund for the ordinary annual services of the Government, and for related purposes.
- Message no. 76, dated 5 March 2014—A Bill for an Act to appropriate additional money out of the Consolidated Revenue Fund for certain expenditure, and for related purposes.

The Assistant Treasurer (Senator Sinodinos) 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 Sinodinos moved—That these bills be now read a second time.

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

29 **CLEAN ENERGY AUCTION REVOCATION DETERMINATION—PROPOSED DISALLOWANCE**

The Leader of the Australian Greens (Senator Milne), pursuant to notice, moved business of the Senate notice of motion no. 6—That the Clean Energy Auction Revocation Determination 2014, made under subsection 113(1) of the Clean Energy Act 2011, be disallowed.

At 6.50 pm: Debate was interrupted while Senator Milne was speaking.

30 **GOVERNMENT DOCUMENTS—CONSIDERATION**

The following government document tabled earlier today (see entry no. 2) was considered:


31 **ADJOURNMENT**

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

Debate ensued.

The Senate adjourned at 7.42 pm till Thursday, 6 March 2014 at 9.30 am.
32 ATTENDANCE

Present, all senators except Senator Ludlam (on leave).

ROSEMARY LAING
Clerk of the Senate