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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 acknowledgment of country.

DOCUMENTS

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

Auditor-General—Audit reports for 2014-15—
No. 7—Performance audit—Administration of contact centres: Australian Taxation Office.
No. 8—Performance audit—Implementation of audit recommendations: Department of Health.


Defence Abuse Response Taskforce—


COMMITTEES—LEAVE TO MEET DURING SITTINGS

Committees were authorised to meet during the sittings of the Senate, as follows:

Foreign Affairs, Defence and Trade—Joint Standing Committee—public meetings today and on Wednesday, 3 December 2014, from 11 am, to take evidence for the committee’s inquiry into Australia’s trade and investment relationships with countries of the Middle East.

Foreign Affairs, Defence and Trade Legislation Committee—private meeting otherwise than in accordance with standing order 33(1) today, from 1.50 pm, for the committee’s inquiry into the provisions of the Customs Amendment (Japan-Australia Economic Partnership Agreement Implementation) Bill 2014 and related bill.

DEFENCE—NAVAL SHIPBUILDING INDUSTRY—ASC PTY LTD—STATEMENT BY LEAVE

The Minister for Defence (Senator Johnston), by leave, made a statement relating to remarks he had made during question time on 25 November 2014 concerning ASC Pty Ltd.

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

Debate ensued.

Question put and passed.

COUNTER-TERRORISM LEGISLATION AMENDMENT BILL (NO. 1) 2014

Order of the day read for the further consideration of the bill in committee of the whole.
In the committee
Consideration resumed of Schedule 1, items 13, 23, 24, 26, 27 and 29.
Debate ensued.

Explanatory memoranda: The Attorney-General (Senator Brandis) tabled a supplementary explanatory memorandum relating to the government amendments to be moved to the bill and an addendum to the explanatory memorandum relating to the bill.

Debate continued.
Question—That Schedule 1, items 13, 23, 24, 26, 27 and 29 stand as printed—put and negatived.

Senator Wright moved the following amendments together by leave:
Schedule 1, item 7, page 4 (lines 29 to 31), omit paragraph 104.2(2)(c), substitute:
; or (c) suspects on reasonable grounds that the person has provided support for or otherwise facilitated a terrorist act; or
Schedule 1, item 11, page 7 (lines 1 to 3), omit subparagraph 104.4(1)(c)(vi), substitute:
(vi) that the person has provided support for or otherwise facilitated a terrorist act; or
Schedule 1, item 25, page 9 (lines 13 to 16), omit paragraph 104.23(1)(c), substitute:
; or (c) suspects on reasonable grounds that the person has provided support for or otherwise facilitated a terrorist act; or

Debate ensued.
Question—That the amendments be agreed to—put.
The committee divided—

AYES, 11

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

NOES, 34

Senators—
Back
Brandis
Brown
Bullock
Bushby
Cameron
Collins
Day
Fawcett
Gallacher
Ketter
Lazarus
Ludwig
Lundy
Macdonald
McGrath
McKenzie
McLucas
Moore
Muir
Nash
O’Neill
O’Sullivan
Peris
Reynolds
Ruston
Seselja
Singh
Sinodinos
Smith
Sterle
Urquhart (Teller)
Wang
Williams

Question negatived.
Senator Wright moved the following amendment:

Schedule 2, page 12 (before line 4), before item 1, insert:

**1A Section 3**

Insert:

*Convention Against Torture* means the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment done at New York on 10 December 1984.

Note: The Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment is in Australian Treaty Series 1989 No. 21 ([1989] ATS 21) and could in 2014 be viewed in the Australian Treaties Library on the AustLII website (http://www.austlii.edu.au).

Debate ensued.

Question—That the amendment be agreed to—put.

The committee divided—

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Question negatived.

Senator Wright moved the following amendment:

Schedule 2, page 12 (after line 11), after item 2, insert:

**2A After section 6**

Insert:

*6AA Convention Against Torture*

In performing its functions, ASIS must not engage in any conduct that would be contrary to Australia’s obligations under the Convention Against Torture.

Debate ensued.

Question—That the amendment be agreed to—put.

The committee divided—

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Question negatived.
Bill, as amended, agreed to.
Bill to be reported with amendments.

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

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

Senator Brandis moved—That this bill be now read a third time.

Question put.
The Senate divided—

A YES, 38

Senators—

Back
Bilyk
Brandis
Bullock
Bushby
Cameron
Canavan
Colbeck
Collins
Dastyari
Day
Edwards
Fawcett
Gallacher
Ketter
Lazarus
Lines
Ludwig
Landy
Macdonald
McGrath
McKenzie
McLucas
Moore
Muir
O’Neill
O’Sullivan
Peris
Reynolds
Ruston
Ruston (Teller)
Seselja
Singh
Sinodinos
Smith
Sterle
Urquhart
Urquhart (Teller)
Wang

NOES, 13

Senators—

Di Natale
Hanson-Young
Lambie
Leyonhjelm
Ludlam
Madigan
Milne

Rhiannon
Race
Siewert (Teller)
Waters
Whish-Wilson
Wright

Question agreed to.
Bill read a third time.
After 12.45 pm—

6 SENATORS’ STATEMENTS

Senators made statements.

At 2 pm—

7 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 Minister for Defence (Senator Johnston). 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 Minister for Defence (Senator Johnston). Debate ensued.

Question put.

The Senate divided—

AYES, 39

Senators—

Bilyk Gallacher McEwen (Teller) Siewert
Brown Hanson-Young McLucas Singh
Bullock Ketter Milne Sterle
Cameron Lambie Moore Urquhart
Carr Lazarus Muir Wang
Collins Lines O’Neill Waters
Conroy Ludlam Peris Whish-Wilson
Dastyari Ludwig Polley Wong
Di Natale Landy Rhiannon Weight
Faulkner Madigan Rice

NOES, 33

Senators—

Abetz Cormann Leyonhjelm Reynolds
Back Day Macdonald Ronaldson
Bernardi Edwards McGrath Ryan
Birmingham Fawcett McKenzie Scullion
Brandis Fierravanti-Wells Nash Seselja
Bushby (Teller) Fifield O’Sullivan Sinodinos
Canavan Heffernan Parry Smith
Cash Johnston Payne Williams
Colbeck

Question agreed to.

Senator Wong moved—That a motion of censure of the Minister for Defence (Senator Johnston) may be moved immediately and have precedence over all other business today and be determined without amendment.

Question put and passed.
Minister for Defence—Censure: Senator Wong moved—that the Senate censures the Minister for Defence (Senator Johnston) for:

(a) insulting the men and women of ASC Pty Ltd (ASC) by stating he ‘wouldn’t trust them to build a canoe’;
(b) undermining confidence in Australia’s defence capability;
(c) threatening the integrity of the Future Submarines Project, Australia’s largest defence procurement, by demonstrating bias and failing to conduct a competitive tender;
(d) breaking his promise, made on 8 May 2013, to build 12 new submarines at ASC in South Australia; and
(e) failing to protect Christmas and recreation leave and failing to demand a real pay increase for Australian Defence Force personnel.

Debate ensued.

Question put.

The Senate divided—

AYES, 37

Senators—

Bilyk (Teller) 
Brown 
Bullock 
Carr 
Conroy 
Dastyari 
Di Natale 
Faulkner 
Gallacher 
Hanson-Young

Ketter 
Lambie 
Lazarus 
Lines 
Ludlam 
Ludwig 
Lundy 
Madigan 
Marshall

McEwen 
McLucas 
Milne 
Moore 
Muir 
O’Neill 
Peris 
Rhiannon 
Rice

Siewert 
Singh 
Sterle 
Urquhart 
Wang 
Waters 
Whish-Wilson 
Wong 
Wright

NOES, 31

Senators—

Abetz 
Back 
Bernardi 
Birmingham 
Brandis 
Bushby 
Canavan 
Cash

Colbeck 
Cormann 
Day 
Edwards 
Fawcett 
Fierravanti-Wells 
Fifield 
Leyonhjelm

Macdonald 
McGrath 
McKenzie 
Nash 
O’Sullivan 
Parry 
Payne 
Reynolds

Ruston (Teller) 
Ryan 
Seselja 
Sedelj

Williams

Question agreed to.

8 MOTIONS TO TAKE NOTE OF ANSWERS

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

9 PETITION

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

From 1 708 petitioners, requesting that the Senate call for the withdrawal from the agreement to purchase aircraft from Lockheed Martin and divert funding to non-military purposes.
10 NOTICES

Senator Waters: To move on the next day of sitting—That the Senate—
(a) notes that:
   (i) it has been reported that United States-based company, Halliburton, has been using radioactive isotope caesium-137 for coal seam gas drilling on behalf of AGL at Gloucester and on behalf of Santos in the Pilliga forest in New South Wales, and
   (ii) community members and local landholders have been unaware of the use of radioactive material in their area; and
(b) calls on the Federal Government to ensure that the proposed use of radioactive material in resource development is specifically included in environmental impact statements and assessment documentation. (general business notice of motion no. 538)

Senator Whish-Wilson: To move on the next day of sitting—That the Senate—
(a) notes the Japanese Government’s announcement that it plans to resume hunting whales in the Southern Ocean in 2015; and
(b) calls on:
   (i) the Prime Minister (Mr Abbott) to directly raise with the Japanese Prime Minister (Mr Shinzō Abe) Australia’s objection to Japan’s plan to resume hunting in the Southern Ocean, and
   (ii) the Australian Government to utilise international fora to stop the Japanese resuming hunting in the Southern Ocean. (general business notice of motion no. 539)

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 27 November 2014, the substantially-concluded text of the China – Australia Trade Agreement. (general business notice of motion no. 540)

Senator Leyonhjelm: To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the A New Tax System (Family Assistance) Act 1999, and for related purposes. Family Tax Benefit (Tighter Income Test) Bill 2014. (general business notice of motion no. 541)

Senator Ludlam: To move on the next day of sitting—That the Senate—
(a) notes that:
   (i) the Government’s 2014-15 Budget included cuts of $589.6 million from housing and homelessness initiatives, including axing the $44 million capital budget in the National Partnership Agreement for Homelessness (NPAH) used for shelters and housing for the homeless,
   (ii) continued uncertainty over the future of the Government’s responsibility for housing places at least 3 400 highly specialised jobs across 180 initiatives providing services to 80 000 clients every year under the NPAH at risk, and
   (iii) even at current levels of funding there are 100 000 people experiencing homelessness on any given night in Australia and another 225 000 Australian families on waiting lists for social housing; and
(b) orders that there be laid on the table, by the Minister representing the Minister for Social Services, no later than noon on Wednesday, 3 December 2014, statements to the Senate clarifying the Government’s commitment to:

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

(ii) affordable housing, including the future of the National Affordable Housing Agreement. (general business notice of motion no. 542)

Senator O’Sullivan: To move on the next day of sitting—That the Senate notes that:

(a) the black coal industry is Australia’s second-highest export commodity, and indeed, Australia is the world’s leading coal exporter, and is the world’s fifth largest producer of coal; and

(b) in 2009-10, Australia exported 293.4 million tonnes of black coal to 33 destinations and directly employed 54,900 Australians. (general business notice of motion no. 543)

Senators Xenophon and Ruston: To move on the next day of sitting—That—

(a) the Senate notes:

(i) the critical role of the Australian Broadcasting Corporation (ABC) as a provider of broadcasting services in regional, rural and remote Australia, and in many cases as the only such service in these areas,

(ii) the expectation of the Australian public that the ABC be as efficient as possible in meeting its obligations under the ABC Charter, and

(iii) that the Government has imposed efficiency and transmission savings on the ABC of $254 million to be achieved over 5 years, and the likely impact of that measure; and

(b) the following matters be referred to the Environment and Communications Legislation Committee for inquiry and report by 2 March 2015:

(i) the ABC’s current Charter requirements and whether those are being met,

(ii) the amount of local content produced by the ABC across all of its platforms, and whether this is properly representative of local communities and each state and territory,

(iii) the centralisation of the ABC’s operations to Sydney,

(iv) the current Board and Managing Director of the ABC, and whether they are acting in the best interests of Australia’s national broadcaster,

(v) whether the impact of the $254 million in efficiency savings is being fairly distributed across Australia,

(vi) whether quarantined funding for a regional broadcasting initiative is desirable, and

(vii) any related matters.

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

(a) notes that:

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

(ii) the truncation of the rail line into Newcastle has been strongly opposed by the local community, and
(iii) the truncation will increase travel times for passengers travelling to and from Newcastle by up to 25 minutes and residents of the broader Hunter region will suffer as a direct rail connection into the heart of their regional centre is cut; and

(b) calls on:

(i) the New South Wales Government to reverse its decision to truncate the heavy rail line into Newcastle, and

(ii) the Federal Government to commit to investing in public transport infrastructure in regional Australia. (general business notice of motion no. 544)

Senators Macdonald, Williams and Bernardi: To move on the next day of sitting—That the Senate—

(a) notes that:

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

(ii) the Sea Shepherd environmental organisation was:

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

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

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

(b) calls on the Sea Shepherd organisation and its Chairman, Dr Brown, to apologise to the people of Queensland for the organisation’s wilful and reckless damage to the Great Barrier Reef. (general business notice of motion no. 545)

Senators Ruston, Rhiannon and Singh, the Leader of the Palmer United Party in the Senate (Senator Lazarus) and Senators Wang, Xenophon, O’Sullivan and Muir: To move on the next day of sitting—That the Senate—

(a) notes that:

(i) the majority of Australians believe the use of animal testing to evaluate safety of cosmetic products and ingredients is unnecessary, and

(ii) the regulatory framework in Australia for chemicals, including cosmetics, is complex; and

(b) urges the Government to aspire to eliminate unnecessary animal test methods to evaluate safety of cosmetic products and ingredients. (general business notice of motion no. 546)

Senators Di Natale, Leyonhjelm, Macdonald and Urquhart: To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to establish the Regulator of Medicinal Cannabis, and for related purposes. Regulator of Medicinal Cannabis Bill 2014. (general business notice of motion no. 547)

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

(a) acknowledges:

(i) the importance of agricultural exports to Australia’s overall balance of payments position as well as the viability and economic health of individual farmers, agricultural communities and regional Australia,
(ii) that Australian agricultural producers are internationally-competitive and currently receive low levels of Government support in absolute terms, and also relative to agricultural producers in other countries, and

(iii) that the current high barriers to international agricultural trade and the high levels of protection to their domestic agricultural sectors imposed by many countries are distorting international trade and adversely impacting on Australia’s agricultural exporters; and

(b) noting the substantial benefits to Australian agricultural producers arising as a result of the Government’s successful conclusion of free trade agreements with Japan, Korea and China, calls on the Government to continue to seek greater openness and access for Australian agricultural producers in overseas markets through bilateral and multilateral fora. (general business notice of motion no. 548)

The Minister for Finance (Senator Cormann): To move on the next day of sitting—
That, for the purposes of paragraph 48(1)(a) of the Legislative Instruments Act 2003, the Senate:

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

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

11 CONSIDERATION OF LEGISLATION

The Assistant Minister for Social Services (Senator Fifield) moved—That the Omnibus Repeal Day (Spring 2014) Bill 2014 be listed on the Notice Paper as a separate order of the day.

Question put and passed.

12 POSTPONEMENTS

Business was postponed as follows:

General business notices of motion nos 508, 519 and 531 standing in the name of Senator O’Sullivan for today, postponed till 27 November 2014.

13 TREATIES—JOINT STANDING COMMITTEE—LEAVE TO MEET DURING SITTINGS

Senator Bushby, at the request of Senator Fawcett and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 529—That the Joint Standing Committee on Treaties be authorised to hold private meetings otherwise than in accordance with standing order 33(1), followed by public meetings, during the sittings of the Senate, as follows:

(a) Monday, 9 February 2015;

(b) Monday, 2 March 2015;
14 **SPORT—MOREE BOOMERANGS RUGBY LEAGUE FOOTBALL CLUB**

Senator Williams, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 530—That the Senate—

(a) congratulates the Moree Boomerangs Rugby League Football Club for:
   (i) returning to rugby league in the New South Wales Group 19 competition after a 12-year break,
   (ii) changing the culture of the club to manage alcohol use,
   (iii) embracing the community and providing a safer environment at home matches,
   (iv) winning the Group 19 major premiership in 2013 and 2014, and
   (v) being named the Good Sports Awards National Good Sports Club of the Year; and

(b) notes:
   (i) the award was presented by the Assistant Minister for Health, Senator Nash, and
   (ii) in the 2014-15 Budget the Abbott Government committed $19 million to extend the successful Australian Drug Foundation’s Good Sports program for a further 4 years.

Question put and passed.

15 **HEALTH—UNCOMMON CANCERS—UNICORN FOUNDATION**

Senator Di Natale, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 532—That the Senate—

(a) notes:
   (i) that uncommon or rare cancers, including neuroendocrine cancers, together account for 40 per cent of all cancers,
   (ii) that little progress has been made in improving survival rates for uncommon cancers, such as neuroendocrine cancers, in contrast to many common cancers,
   (iii) that, despite these poor survival rates, uncommon cancers have the least money spent on treatments, research and support,
   (iv) the work of the Unicorn Foundation, which is the only medical charity in Australia dedicated to neuroendocrine cancers, and
   (v) the important service provided by the Unicorn Foundation neuroendocrine nurse specialist in supporting people and improving the quality of life of hundreds of patients with neuroendocrine cancers; and

(b) calls on the Government to support the Unicorn Foundation neuroendocrine nurse specialist service to ensure that neuroendocrine patients receive appropriate treatment and have improved quality of life.

Question put and passed.
16 **FREEDOM TO MARRY BILL 2014**

Senator Leyonhjelm, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 533—That the following bill be introduced:

A Bill for an Act to amend the *Marriage Act 1961* to reduce government intervention in marriage, and for related purposes.

Question put and passed.

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

Question put and passed.

Bill read a first time.

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

---

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

---

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

17 **HISTORICAL EVENTS—ANZAC CENTENARY**

Senator Moore, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 534—That the Senate—

(a) notes that:

(i) the Centenary of ANZAC approaches, and

(ii) two commemoration sites on ANZAC Parade in our nation’s capital remain incomplete; and

(b) recognises:

(i) the community groups which are seeking to raise funds to build the memorials that have been approved for these sites, and commends their work,

(ii) the National Boer War Memorial Association which aims to enshrine the beginnings of Australian military history, when 23 000 men and women from Australian colonial and Commonwealth contingents fought in the war in South Africa, and

(iii) the Australian Peacekeeping Memorial Project which seeks to complete a national memorial to recognise the more than 90 000 Australians who have been deployed on peacekeeping missions.

Question put and passed.
18 **FOREIGN AFFAIRS—FUNDING FOR WATER AND SANITATION PROGRAMS**

Senator Moore, also on behalf of Senator Rhiannon, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 535—

That the Senate—

(a) notes that:

(i) on 19 November 2014 the world observed the second official World Toilet Day, the annual observance of which is intended to raise awareness about the need for all human beings to have access to adequate sanitation and to promote the use and benefits of toilets,

(ii) despite progress toward the Millennium Development Goals (MDGs), 2.5 billion people do not have a basic toilet and 1 billion people continue to defecate in the open, and almost 2 000 children die every day from preventable diarrheal diseases,

(iii) sanitation is the most off-track target of the MDGs and is unlikely to be met by the deadline of 2015,

(iv) inadequate sanitation makes poor countries even poorer, which, in turn, makes the global economy weaker – poor sanitation and water supply result in economic losses estimated at $260 billion annually in developing countries,

(v) it is unacceptable that girls and women have to risk sexual assault just to visit the bathroom, and it is also unacceptable that many girls are pushed out of school and forced to defecate in the open for lack of access to toilets,

(vi) funding for water and sanitation programs is one of the best ways to save lives and to help build stronger economies around the world – for every $1 invested in safe drinking water and sanitation, an estimated $4 is saved in work time, productivity and healthcare costs in poor countries, and

(vii) mere access to toilets will not itself result in safe drinking water and sanitation, as people must be sold on the benefits of using toilets, and the waste contained by them must not be released untreated into the environment;

(b) recognises:

(i) the United Nations Deputy Secretary-General, Mr Jan Eliasson, for launching a new campaign earlier in 2014 to break the silence on open defecation, and to spur dialogue and action on the most lacking target of the MDGs, and

(ii) the renewed commitment from the non-government organisation sector, including WaterAid and the Global Poverty Project, to see an end to open defecation; and

(c) calls on the Australian Government to support diplomatic efforts to:

(i) ensure that the proposed Sustainable Development Goals contain a separate goal on water and sanitation that encompasses a commitment to ensuring universal and sustainable access to clean water, sanitation and hygiene in every home, every school and every medical facility,

(ii) end open defecation, and

(iii) reduce the amount of untreated faecal waste that gets released into the environment.

Question put and passed.
19 **TRANSPORT—HIGH SPEED RAIL**
Senator Rice, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 499—That the Senate—

(a) notes that:
   (i) discussions about East Coast High Speed Rail (HSR) have been going on for many years, and
   (ii) under this Government there has been no meaningful action to progress East Coast HSR, and that ongoing delays raise the possibility of a proposed route being developed by other interests; and
(b) calls on the Government to immediately establish a High Speed Rail Authority in legislation to formalise discussions with state, territory and local governments, as well as industry and the community, to commence work on preserving the HSR corridor and progress other early planning, so that environmental and social impact studies can commence in 2015.
Question put and passed.

20 **HEALTH—PEOPLE WITH DISABILITY—ALLEGATIONS OF ABUSE**
Senator Siewert, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 536—That the Senate—

(a) acknowledges that an unacceptably high number of people with disability are subjected to neglect, violence and abuse in residential, institutional and home care settings;
(b) notes the disturbing evidence shown in the *Four Corners* report on 24 November 2014 in regard to abuse of people with disability in residential, institutional and home care; and
(b) calls on the Government to take urgent action and set up a national inquiry into the violence, neglect and abuse against people with disability in residential, institutional and home care settings.
Question put and passed.

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

21 **URGENCY MOTION WITHDRAWN**
The President informed the Senate that Senator Moore had withdrawn the urgency motion which she had indicated she intended to move today relating to ASC Pty Ltd.

22 **DOCUMENTS—CONSIDERATION**
The documents tabled earlier today *(see entry no. 2)* were called on but no motion was moved.

23 **COMMITTEE REPORTS AND GOVERNMENT RESPONSES—TABLING AND CONSIDERATION PURSUANT TO STANDING ORDER 62(4)**
Senator McEwen, at the request of the Chair of the Standing Committee for the Scrutiny of Bills (Senator Polley), tabled the following report and document:

- Scrutiny of Bills—Standing Committee—
Report ordered to be printed on the motion of Senator McEwen.
Senator Fawcett, on behalf of the Joint Standing Committee on Treaties, tabled the following report:


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

Debate ensued.

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

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


The Chair of the Parliamentary Joint Committee on Corporations and Financial Services (Senator Fawcett) tabled the following report and documents:


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

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

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

The Minister for Finance (Senator Cormann) tabled the following document:

Community Affairs References Committee—Report—Supply of chemotherapy drugs such as Docetaxel—Government response, dated February 2013.

24 Health—Ebola epidemic response—Order for Production of Documents—Document

The Minister for Finance (Senator Cormann) tabled the following document:

Health—Ebola epidemic response—Letter to the President of the Senate from the Assistant Minister for Health (Senator Nash) responding to the order of the Senate of 17 November 2014.
25 TRANSPORT—QUEENSLAND—IPSWICH MOTORWAY—MORETON BAY RAIL LINK—ORDERS FOR PRODUCTION OF DOCUMENTS—DOCUMENTS
The Minister for Finance (Senator Cormann) tabled the following documents:
Transport—Queensland—Ipswich Motorway—Moreton Bay rail link—Letters to the President of the Senate responding to the orders of the Senate of 25 November 2014 from—
Minister for Defence (Senator Johnston).
Minister for Finance (Senator Cormann), dated 26 November 2014.

26 CRIMES LEGISLATION AMENDMENT (PSYCHOACTIVE SUBSTANCES AND OTHER MEASURES) BILL 2014
TAX AND SUPERANNUATION LAWS AMENDMENT (2014 MEASURES NO. 6) BILL 2014
Messages from the House of Representatives were reported transmitting for the concurrence of the Senate the following bills:
Message no. 268, dated 25 November 2014—A Bill for an Act to amend various Acts relating to the criminal law or law enforcement, and for other purposes.
Message no. 270, dated 25 November 2014—A Bill for an Act to amend the law relating to taxation and grants, and for related purposes.
The Minister for Finance (Senator Cormann) 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 Cormann moved—That these bills be now read a second time.

Explanatory memorandum: Senator Cormann tabled a revised explanatory memorandum relating to the Crimes Legislation Amendment (Psychoactive Substances and Other Measures) Bill 2014.

On the motion of Senator Cormann the debate was adjourned till the next day of sitting.
Consideration of legislation: Senator Cormann moved—that the bills be listed on the Notice Paper as separate orders of the day.
Question put and passed.

27 CUSTOMS AMENDMENT (JAPAN-AUSTRALIA ECONOMIC PARTNERSHIP AGREEMENT IMPLEMENTATION) BILL 2014
CUSTOMS TARIFF AMENDMENT (JAPAN-AUSTRALIA ECONOMIC PARTNERSHIP AGREEMENT IMPLEMENTATION) BILL 2014
Messages from the House of Representatives were reported transmitting for the concurrence of the Senate the following bills:
Message no. 271, dated 25 November 2014—A Bill for an Act to amend the Customs Act 1901, and for related purposes.
The Minister for Finance (Senator Cormann) 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 Cormann 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 day fixed for the Foreign Affairs, Defence and Trade Legislation Committee to report on the bills, 27 November 2014.

28 COMMITTEE MEMBERSHIP

A message from the House of Representatives was reported informing the Senate of a change in the membership of the Parliamentary Joint Committee on Intelligence and Security, as follows:

Message no. 272, dated 25 November 2014—Mr Clare and Mr Dreyfus in place of Ms Plibersek and Mr BC Scott.

29 RURAL AND REGIONAL AFFAIRS AND TRANSPORT LEGISLATION COMMITTEE—REPORT—INFRASTRUCTURE AUSTRALIA AMENDMENT (COST BENEFIT ANALYSIS AND OTHER MEASURES) BILL 2014

Pursuant to order, Senator Ruston, at the request of the Chair of the Rural and Regional Affairs and Transport Legislation Committee (Senator Heffernan), tabled the following report and documents:


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

30 FOREIGN AFFAIRS, DEFENCE AND TRADE LEGISLATION COMMITTEE—REPORT—CUSTOMS AMENDMENT (JAPAN-AUSTRALIA ECONOMIC PARTNERSHIP AGREEMENT IMPLEMENTATION) BILL 2014 AND RELATED BILL

Senator Ruston, at the request of the Chair of the Foreign Affairs, Defence and Trade Legislation Committee (Senator Back), tabled the following report and documents:


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

31 MIGRATION AMENDMENT (CHARACTER AND GENERAL VISA CANCELLATION) BILL 2014

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

Debate resumed.

Question put 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 Assistant Minister for Immigration and Border Protection (Senator Cash) the bill was read a third time.

32 AUSTRALIAN CITIZENSHIP AMENDMENT (INTERCOUNTRY ADOPTION) 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.

Senator Siewert moved the following amendment:

At the end of the motion, add “but the Senate notes that:

(a) the Hague intercountry adoption convention (Hague Convention) provides the best assurance of safeguards for children and a transparent adoptive process, and intercountry adoption should occur between Hague Convention signatories to ensure the safety and best interests of the child; and

(b) Australia should seek to encourage countries to sign the Hague Convention rather than sign ad hoc bilateral agreements”.

At 7.20 pm: Debate was interrupted while Senator Siewert was speaking.

33 ADJOURNMENT

The Deputy President (Senator Marshall) proposed the question—That the Senate do now adjourn.

Debate ensued.

The Senate adjourned at 8 pm till Thursday, 27 November 2014 at 9.30 am.

34 ATTENDANCE

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

ROSEMARY LAING
Clerk of the Senate

Printed by authority of the Senate