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

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

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

Civil Aviation Act 1988—Civil Aviation Regulations 1988—Civil Aviation Order 20.18 Amendment Instrument 2015 (No. 1) [F2015L00311].

Defence Service Homes Act 1918—Defence Service Homes Insurance Scheme (Statement of Conditions) Variation 2015 [F2015L00299].

Environment Protection and Biodiversity Conservation Act 1999—
Amendment of List of Exempt Native Specimens – South Australian Beach-cast Seagrass and Marine Algae Fishery (11 March 2015) (deletion)—EPBC303DC/SFS/2015/11 [F2015L00305].
Amendment of List of Exempt Native Specimens – South Australian Beach-cast Seagrass and Marine Algae Fishery (11 March 2015) (inclusion)—EPBC303DC/SFS/2015/10 [F2015L00306].
Amendment to the list of threatened species, threatened ecological communities and key threatening processes under sections 178, 181 and 183 (172) (5 March 2015) [F2015L00308].
Amendment to the list of threatened species, threatened ecological communities and key threatening processes under sections 178, 181 and 183 (174) (5 March 2015) [F2015L00309].
Amendments to the list of threatened ecological communities under section 181 (EC119 and EC129) (4 March 2015) [F2015L00300].


Fisheries Management Act 1991—Fisheries Management (Southern Bluefin Tuna Fishery) Amendment (Season) Regulation 2015—Select Legislative Instrument 2015 No. 18 [F2015L00301].


The following documents were tabled by the Clerk 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 2014—Statements of compliance—Commonwealth Ombudsman.
Department of Veterans’ Affairs.

3 COMMITTEES—LEAVE TO MEET DURING SITTINGS

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

Environment and Communications Legislation Committee—
private meeting otherwise than in accordance with standing order 33(1) today, from 1 pm.
public meeting today, from 4 pm, to continue its consideration of the additional estimates 2014-15.

Environment and Communications References Committee—public meeting on Tuesday, 24 March 2015, from 5 pm, to take evidence for the committee’s inquiry into electricity network companies.

4 DEFENCE AMENDMENT (FAIR PAY FOR MEMBERS OF THE ADF) BILL 2014

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

Debate resumed.

Closure: Senator Lazarus moved—That the question be now put.

Question—That the question be now put—put.

The Senate divided—

AYES, 34

Senators—

Bilyk (Teller)  Bili

Bullock  Laz

Cameron  Line

Conroy  Luda

Dastyari  Ludw

Di Natale  Madl

Gallacher  Mclu

Hanson-Young  Mil

Ketter  Moore
Question agreed to.

Main question put and passed.

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

On the motion of Senator Lambie the bill was read a third time.

5 Notices

Senators Day and Leyonhjelm: To move on the next day of sitting—That the Senate acknowledges, respects and values:

(a) the historical ties between Australia and Israel, starting with the Beersheba campaign of 1917;
(b) Australian trade with Israel nearing $1 billion per annum; and
(c) the Australia-Israel Chamber of Commerce. (general business notice of motion no. 668)

Senators O’Sullivan and Day: To move on the next day of sitting—That the Senate notes:

(a) the important economic and social contributions to Australia’s regional and rural communities made by small and medium family-owned primary production enterprises; and
(b) the contribution this cohort of the sector makes to providing employment opportunities within rural and regional Australia. (general business notice of motion no. 669)

Senator Whish-Wilson: To move on the next day of sitting—That the following matter be referred to the Environment and Communications References Committee for inquiry and report by 10 August 2015:

The regulation of the fin-fish aquaculture industry in Tasmania, with particular regard to:

(a) the adequacy and availability of data on waterway health;
(b) the impact on waterway health, including to threatened and endangered species;
(c) the adequacy of current environmental planning and regulatory mechanisms;
(d) the interaction of state and federal laws and regulation; and
(e) any other relevant matters.

The Assistant Minister for Social Services (Senator Fifield): To move on the next day of sitting—That, on Tuesday, 24 March 2015:

(a) the hours of meeting shall be 12.30 pm to 6.30 pm, and 7 pm to 10.40 pm;
(b) the routine of business from not later than 7 pm shall be:

(i) the government business order of the day relating to the Telecommunications (Interception and Access) Amendment (Data Retention) Bill 2014, and

(ii) other government business orders of the day; and

(c) the question for the adjournment of the Senate shall be proposed at 10 pm.

Senators Cameron and Rice: To move on the next day of sitting—

(1) That the following matters be referred to the Education and Employment References Committee for inquiry and report by 22 June 2015:

The impact of Australia’s temporary work visa programs on the Australian labour market and on the temporary work visa holders, with particular reference to:

(a) the wages, conditions, safety and entitlements of Australian workers and temporary work visa holders, including:

(i) whether the programs ‘carve out’ groups of employees from Australian labour and safety laws and, if so, to what extent this threatens the integrity of such laws,

(ii) the employment opportunities for Australians, including:

(A) the effectiveness of the labour market testing provisions (the provisions) of the Migration Act 1958 in protecting employment opportunities for Australian citizens and permanent residents, and

(B) whether the provisions need to be strengthened to improve the protection of employment opportunities for Australian citizens and permanent residents and, if so, how this could be achieved,

(iii) the adequacy of publicly available information about the operation of the provisions, and

(iv) the nature of current exemptions from the provisions and what effect these exemptions have on the reach and coverage of labour market testing obligations and laws regarding wages, conditions and entitlements of Australian workers and temporary work visa holders;

(b) the impact of Australia’s temporary work visa programs on training and skills development in Australia, including:

(i) the adequacy of current obligations on 457 visa sponsoring employers to provide training opportunities for Australian citizens and permanent residents,

(ii) how these obligations could be strengthened and improved, and

(iii) the effect on the skills base of the permanent Australian workforce;

(c) whether temporary work visa holders receive the same wages, conditions, safety and other entitlements as their Australian counterparts or in accordance with the law, including:

(i) the extent of any exploitation and mistreatment of temporary work visa holders, such as sham contracting or debt bondage with exorbitant interest rate payments,

(ii) the role of recruitment agents, and
(iii) the adequacy of information provided to temporary work visa holders on their rights and obligations in their workplace and community, and how it can be improved;

(d) whether temporary work visa holders have access to the same benefits and entitlements available to Australian citizens and permanent residents, and whether any differences are justified and consistent with international conventions relating to migrant workers;

(e) the adequacy of the monitoring and enforcement of the temporary work visa programs and their integrity, including:
   (i) the wages, conditions and entitlements of temporary work visa holders, and
   (ii) cases of 457 visa fraud, such as workers performing duties outside or below the job classification of the visa;

(f) the role and effect of English language requirements in limited and temporary work visa programs;

(g) whether the provisions and concessions made for designated area migration agreements, enterprise migration agreements, and labour agreements affect the integrity of the 457 visa program, or affect any other matter covered in these terms of reference;

(h) the relationship between the temporary 457 visa and other temporary visa types with work rights attached to them; and

(i) any related matter.

(2) That in conducting the inquiry, the committee shall review the findings and recommendations of previous inquiries into such matters, including the Legal and Constitutional Affairs References Committee’s report, Framework and operation of subclass 457 visas, Enterprise Migration Agreements and Regional Migration Agreements.

6 SELECTION OF BILLS—STANDING COMMITTEE—REPORT NO. 3 OF 2015

Senator Fawcett, at the request of the Chair of the Selection of Bills Committee (Senator Bushby), tabled the following report:

SELECTION OF BILLS COMMITTEE
REPORT NO. 3 OF 2015

1. The committee met in private session on Wednesday, 18 March 2015 at 7.14 am.

2. The committee resolved to recommend—That—
   (a) the provisions of the Omnibus Repeal Day (Autumn 2015) Bill 2015 be referred immediately to the Finance and Public Administration Legislation Committee for inquiry and report by 15 June 2015; and
   (b) the provisions of the Safety, Rehabilitation and Compensation Legislation Amendment (Exit Arrangements) Bill 2015 be referred immediately to the Education and Employment Legislation Committee for inquiry and report by 8 May 2015.

3. The committee resolved to recommend—That the following bills not be referred to committees:
   Charter of Budget Honesty Amendment (Intergenerational Report) Bill 2015
   Customs Amendment (Anti-dumping Measures) Bill (No. 1) 2015
   Customs Tariff (Anti-Dumping) Amendment Bill 2015
Defence Amendment (Fair Pay for Members of the ADF) Bill 2014
Succession to the Crown Bill 2015.

The committee recommends accordingly.

4. The committee considered the Telecommunications (Interception and Access) Amendment (Data Retention) Bill 2014 but was unable to reach agreement.

5. The committee deferred consideration of the following bills to its next meeting:
   - Australian Centre for Social Cohesion Bill 2015
   - Competition and Consumer Amendment (Australian Country of Origin Food Labelling) Bill 2015
   - Competition and Consumer Amendment (Deregulatory and Other Measures) Bill 2015
   - Corporations Amendment (Publish What You Pay) Bill 2014
   - Crimes Legislation Amendment (Powers, Offences and Other Measures) Bill 2015
   - Defence Legislation Amendment (Parliamentary Approval of Overseas Service) Bill 2015
   - Fair Work (Registered Organisations) Amendment Bill 2014 [No. 2]
   - Food Standards Australia New Zealand Amendment Bill 2015
   - Governance of Australian Superannuation Schemes Legislation Amendment Bill 2015
   - International Aid (Promoting Gender Equality) Bill 2015
   - Motor Vehicle Standards (Cheaper Transport) Bill 2014
   - Social Security and Other Legislation Amendment (Caring for Single Parents) Bill 2014
   - Statute Law Revision Bill (No. 2) 2015.

David Bushby
Chair
19 March 2015.

Senator Fawcett moved—that the report be adopted.

Senator Ludlam moved the following amendment:

At the end of the motion add, “and the provisions of the Telecommunications (Interception and Access) Amendment (Data Retention) Bill 2014 be referred immediately to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 25 June 2015”.

Debate ensued.

Question—that the amendment be agreed to—put.

The Senate divided—

AYES, 15

Senators—

Di Natale
Hanson-Young
Lambie
Leyonhjelm
Ludlam
Madigan
Milne
Muir
Rhiannon
Rice
Stewart (Teller)
Whish-Wilson
Wright
Xenophon

Lambie
Muir
7 ORDER OF BUSINESS—REARRANGEMENT

The Assistant Minister for Social Services (Senator Fifield) moved—That—
(a) the following government business orders of the day be considered from 12.45 pm today:
   No. 2 Australian River Co. Limited Bill 2015
   No. 3 Offshore Petroleum and Greenhouse Gas Storage Amendment (Miscellaneous Matters) Bill 2015
   Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Amendment (Miscellaneous Matters) Bill 2015
   No. 4 Succession to the Crown Bill 2015; and
(b) government business be called on after consideration of the bills listed in paragraph (a) and considered till not later than 2 pm today.

Question put and passed.

Senator Fifield moved—That the order of general business for consideration today be as follows:
(a) general business notice of motion no. 653 standing in the name of Senator Siewert relating to coal seam gas; and
(b) orders of the day relating to documents.

Question put and passed.

8 PRIVATE SENATORS’ BILLS—CONSIDERATION

The Assistant Minister for Social Services (Senator Fifield) moved—That general business order of the day no. 29 (Environment Protection and Biodiversity Conservation Amendment Bill 2014) be considered on Thursday, 26 March 2015 under the temporary order relating to the consideration of private senators’ bills.

Question put and passed.

9 ORDER OF BUSINESS—REARRANGEMENT

Senator Leyonhjelm, by leave, moved—That the order of general business for consideration on Thursday, 26 March 2015 be as follows:
(a) general business order of the day no. 48 (Freedom to Marry Bill 2014); and
(b) orders of the day relating to documents.

Question put and passed.
10 Leave of Absence
Senator McEwen, by leave, moved—That leave of absence be granted to Senator Brown for today, for personal reasons.
Question put and passed.

11 Indigenous Australians—Remote Aboriginal Communities—Document
Senator Siewert, by leave, tabled the following document:
Indigenous Australians—Remote Aboriginal communities—Petitioning document from 27,930 signatories calling on state and federal governments to fund services in remote Aboriginal communities.

12 Finance and Public Administration References Committee—Reference
Senator Siewert, also on behalf of Senator McLucas, 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 Finance and Public Administration References Committee for inquiry and report by 18 June 2015:
The impact on service quality, efficiency and sustainability of recent Commonwealth Indigenous Advancement Strategy tendering processes by the Department of the Prime Minister and Cabinet, with particular regard to:
(a) the extent of consultation with service providers concerning the size, scope and nature of services tendered, determination of outcomes and other elements of service and contract design;
(b) the effect of the tendering timeframe and lack of notice on service collaboration, consortia and the opportunity for innovative service design and delivery;
(c) the evidence base and analysis underlying program design;
(d) the clarity of information provided to prospective tenderers concerning service scope and outcomes;
(e) the opportunities created for innovative service design and delivery, and the extent to which this was reflected in the outcomes of the tender process;
(f) the number of non-compliant projects, the nature of the non-compliance, if and how they were assisted, and how many of these were successful;
(g) analysis of the types, size and structures of organisations which were successful and unsuccessful under this process;
(h) the implementation and extent of compliance with Commonwealth Grant Guidelines;
(i) the potential and likely impacts on service users concerning service delivery, continuity, quality and reliability;
(j) the framework and measures in place, if any, to assess the impacts of these reforms on service user outcomes and service sustainability and effectiveness;
(k) the information provided to tenderers about how decisions are made, feedback mechanisms for unsuccessful tender applicants, and the participation of independent experts in tender review processes to ensure fairness and transparency;
(l) the impact on advocacy and policy services across the sector;
(m) factors relating to the efficient and effective collection and sharing of data on outcomes within and across program streams to allow actuarial analysis of program, cohort and population outcomes to be measured and evaluated;
(n) the extent of contracts offered, and the associated conditions, to successful applicants;
(o) the effect of mandatory incorporation under the Corporations (Aboriginal and Torres Strait Islander) Act 2006 on Indigenous organisations receiving grants of $500,000 or more per annum;
(p) the effect and cost impact of delays in the assessment process and the extension of interim funding on organisations pending the outcome of the Indigenous Advancement Strategy; and
(q) any other related matters.

Question put and passed.

13 PRIMARY INDUSTRIES—FISHING—SUPER TRAWLERS—DOCUMENT

Senator Whish-Wilson, by leave, tabled the following document:
Primary industries—Fishing—Super trawlers—Petitioning document from 74,486 signatories calling on the Government to permanently ban super trawlers.

14 CONSIDERATION OF LEGISLATION

The Assistant Minister for Social Services (Senator Fifield), pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 1—That the provisions of paragraphs (5) to (8) of standing order 111 not apply to the Public Governance and Resources Legislation Amendment Bill (No. 1) 2015, allowing it to be considered during this period of sittings.

Question put and passed.

15 AUSTRALIAN COMMISSION FOR LAW ENFORCEMENT INTEGRITY—JOINT STATUTORY COMMITTEE—LEAVE TO MEET DURING SITTINGS

Senator McEwen, at the request of the Deputy Chair of the Parliamentary Joint Committee on the Australian Commission for Law Enforcement Integrity (Senator Bilyk) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 660—That the Parliamentary Joint Committee on the Australian Commission for Law Enforcement Integrity be authorised to hold private meetings otherwise than in accordance with standing order 33(1) during the sittings of the Senate, as follows:
(a) Thursday, 14 May 2015; and
(b) Thursday, 18 June 2015.

Question put and passed.

16 LAW ENFORCEMENT—JOINT STATUTORY COMMITTEE—LEAVE TO MEET DURING SITTINGS

Senator McEwen, at the request of the Deputy Chair of the Parliamentary Joint Committee on Law Enforcement (Senator Singh) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 661—That the Parliamentary Joint Committee on Law Enforcement be authorised to hold private meetings otherwise than in accordance with standing order 33(1) during the sittings of the Senate from 5.30 pm, as follows:
(a) Wednesday, 13 May 2015; and
(b) Wednesday, 17 June 2015.

Question put and passed.
17 PRIMARY INDUSTRIES—USE OF WATER FROM AQUIFERS FOR FARMLAND

Senator O’Sullivan, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 662—That the Senate notes Fortescue Metals Group chairman Mr Andrew ‘Twiggy’ Forrest’s self-described ‘ten-year aspirational challenge’ to develop 5 000 gigalitres of water from existing aquifers in Australia to irrigate and drought-proof farmland, as well as to open up thousands of hectares of land for new agricultural projects.

Question put and passed.

18 POLITICS—POLITICAL DONATIONS—MINING AND COAL SEAM GAS COMPANIES

Senator Rhiannon, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 667—That the Senate—

(a) notes that:

(i) the New South Wales Labor Party recently received a political donation from coal seam gas company Santos Ltd,

(ii) the New South Wales Labor Party, subsequent to taking the donation, returned $2 200 to Santos Ltd, acknowledging this money would cause community doubt that Labor was committed to a coal seam gas-free north coast,

(iii) in the recent New South Wales leaders’ debate the Labor leader, Mr Luke Foley, failed to rule out coal seam gas development if Labor formed government with his statement that there is a role for gas in the state’s energy future, and

(iv) the Federal Labor Party received more than $90 000 from Santos Ltd in the 2012-13 and 2013-14 financial years; and

(b) calls on the Federal Government to:

(i) ban political donations from mining and coal seam gas companies, and

(ii) end coal seam gas and coal mining on agricultural land and associated water resources.

Question put.

The Senate divided—

AYES, 11

Senators—

Di Natale
Hanson-Young
Lazarus
Ludlam
Rice
Rhiannon
Rice
Siewert (Teller)
Whish-Wilson
Wright

NOES, 38

Senators—

Back
Bilyk (Teller)
Bullock
Bushby
Collins
Cormann
Day
Edwards
Fawcett
Fifield
Gallacher
Ketter
Leyonhjelm
Lines
Ludwig
Lundy
Macdonald
Madigan
McEwen

McGrath
McKenzie
McLucas
Moore
Muir
O’Sullivan
Parry
Peris
Polley

Reynolds
Rustin
Seselja
Singh
Sinodinos
Smith
Sterle
Urquhart
Wang

Question negatived.
19 TRANSPORT—WESTERN AUSTRALIA—PERTH LIGHT RAIL NETWORK

Senator Ludlam amended general business notice of motion no. 663 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

(a) notes that:
(i) Perth is in urgent need of a light rail network to serve the metropolitan area,
(ii) the Barnett State Government committed to the Metro Area Express ‘MAX’ light rail network for Perth at the 2013 state election, and
(iii) only 18 months later, the Barnett Government walked away from the project; and
(b) calls on the Abbott Government to:
(i) reallocate the $500 million previously allocated to the Perth Light Rail and the Airport Rail Link projects, and
(ii) properly evaluate alternative options for freight projects to the proposed Perth Freight Link.

Question put and passed.

20 CERTAIN ASPECTS OF QUEENSLAND GOVERNMENT ADMINISTRATION RELATED TO COMMONWEALTH GOVERNMENT AFFAIRS—SELECT COMMITTEE—VARIATION OF APPOINTMENT

Senator Lazarus, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 664—That the resolution of the Senate of 30 September 2014 appointing the Select Committee on Certain Aspects of Queensland Government Administration related to Commonwealth Government Affairs be amended as follows:

(1) Omit paragraph (4), substitute:
(4) That the committee consist of 5 senators, 1 to be nominated by the Leader of the Government in the Senate, 2 to be nominated by the Leader of the Opposition in the Senate, 1 to be nominated by the Leader of the Australian Greens and 1 to be nominated by any minority party or independent senator.

(2) Omit paragraph (7), substitute:
(7) That the committee elect as chair a member nominated by any minority party or independent senator and, as deputy chair, a member nominated by the Leader of the Opposition in the Senate.

Question put and passed.

21 ENVIRONMENT—CLIMATE CHANGE—EXTREME WEATHER EVENTS

The Leader of the Australian Greens (Senator Milne) amended general business notice of motion no. 665 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

(a) congratulates the Australian Business Roundtable for Disaster Resilience and Safer Communities for being the first private sector organisation to win the prestigious 2015 United Nations Sasakawa Award for Disaster Risk Reduction;
(b) notes the work of the Productivity Commission that the Federal Government has spent record levels of over $13.7 billion on post-disaster relief and recovery in the past decade, while outlays on pre-disaster mitigation were only 3 per cent of this figure;
(c) notes the increasing frequency and intensity of extreme weather events as global temperatures rise; and
(d) calls on the Federal Government to invest in pre-disaster mitigation in order to reduce post-disaster spending, while saving homes, lives, critical infrastructure and reducing insurance premiums.

Statements by leave: Senator Milne and the Assistant Minister for Social Services (Senator Fifield), by leave, made statements relating to the motion. Question put and passed.

22 FAMILY AND COMMUNITY SERVICES—WORLD DOWN SYNDROME DAY
The Assistant Minister for Social Services (Senator Fifield), also on behalf of Senators Moore and Siewert, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 666—That the Senate—
(a) notes that 21 March 2015 is World Down Syndrome Day;
(b) acknowledges that the theme for the 4th World Down Syndrome Conference to be held at the United Nations (UN) headquarters in New York on Friday, 20 March 2015, is ‘My Opportunities, My Choices – Enjoying Full and Equal Rights and the Role of Families’; and
(c) expresses its congratulations, best wishes and support for the Australians attending the UN conference and all members of the Australian Down syndrome community who have been celebrating World Down Syndrome Day during the week beginning 15 March 2015 and will do so this weekend.

Question put and passed.

23 NOTICE
The Assistant Minister for Social Services (Senator Fifield), by leave, gave a notice of motion as follows: To move on the next day of sitting—That the provisions of paragraphs (5) to (8) of standing order 111 not apply to the Telecommunications (Interception and Access) Amendment (Data Retention) Bill 2014, allowing it to be considered during this period of sittings.

Document: Senator Fifield tabled the following document:
Consideration of legislation—Statement of reasons for introduction and passage of the bill in the 2015 autumn sittings.

24 MIGRATION AMENDMENT (PROTECTION AND OTHER MEASURES) BILL 2014
Order of the day read for the adjourned debate on the motion of the Assistant Minister for Social Services (Senator Fifield)—That this bill be now read a second time. Debate resumed.
Explanatory memorandum: The Assistant Minister for Immigration and Border Protection (Senator Cash) tabled an addendum to the explanatory memorandum relating to the bill.

Question put.
The Senate divided—

**AYES, 36**

- Back
- Bullock
- Bushby
- Cameron
- Carr
- Cash
- Day
- Edwards
- Fawcett
- Fifield
- Gallacher
- Lambie
- Lazarus
- Leyonhjelm
- Lines
- Ludwig
- Landy
- Macdonald
- Marshall
- Mason
- McEwen
- McGeath
- McKenzie
- McLucas
- Moore
- Muir
- O'Neil
- O'Sullivan
- Peris
- Reynolds
- Ryan
- Smith
- Sterle
- Wang
- Xenophon

**NOES, 11**

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

Question agreed to.
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 memoranda: Senator Cash tabled a supplementary explanatory memorandum and a further supplementary explanatory memorandum relating to the government amendments to be moved to the bill.

Bill debated.
Senator Hanson-Young moved the following amendments together by leave:
Schedule 1, page 4 (before line 2), before Part 1, insert:

Part 1A—Amendments commencing on Royal Assent

Migration Act 1958

1A After section 35A

Insert:

35B Protection visas—advice and application assistance

Scope

(1) This section applies to an applicant for a protection visa who meets the criteria prescribed by the regulations for the purposes of this subsection.

Entitlement to advice and assistance

(2) Subject to subsection (3), the applicant is entitled to receive independent immigration legal advice and assistance in relation to his or her application.

Limitation on assistance

(3) The applicant is not entitled to any assistance after:
   (a) the protection visa has been granted; or
   (b) if the protection visa is not granted and the application applies to have the decision reviewed—the review has been finally determined.

Clause 2, page 2 (after table item 1), insert:

1A. Schedule 1, The day this Act receives the Royal Assent.

Part 1A

Debate ensued.

Question—That the amendments be agreed to—put.

The committee divided—

AYES, 11

Senators—

Di Natale
Hanson-Young
Ludlam

Madigan
Milne
Rhiannon

Rice
Siewert (Teller)
Waters

Whish-Wilson
Wright

NOES, 35

Senators—

Bullock
Bushby
Canavan
Carr
Cash
Colbeck
Collins
Conroy
Dastyari

Edwards
Gallacher
Ketter
Lazarus
Ludwig
Lundy
Macdonald
Marshall
Mason

McEwen (Teller)
McGrath
McKenzie
McLucas
Moore
Muir
O’Neill
O’Sullivan
Polley

Reynolds
Ruston
Seselja
Smith
Sterle
Urquhart
Wang
Williams

Question negatived.
No. 86—19 March 2015

Question—That the bill stand as printed—divided, at the request of Senator Hanson-Young, in respect of Schedule 1, Part 1.

Schedule 1, Part 1 debated.

Question—That Schedule 1, Part 1 stand as printed—put.

The committee divided—

**AYES, 35**

- Back
- Bullock
- Bushby (Teller)
- Canavan
- Carr
- Cash
- Colbeck
- Collins
- Edwards
- Gallacher
- Ketter
- Lazarus
- Lines
- Ludwig
- Macdonald
- Marshall
- McEwen
- McGrath
- McKenzie
- McLucas
- Moore
- Muir
- O’Neill
- O’Sullivan
- Polley
- Reynolds
- Ruston
- Singh
- Sinodinos
- Smith
- Sterle
- Urquhart
- Wang
- Williams

**NOES, 10**

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

Part agreed to.

Question—That the bill stand as printed—divided, at the request of Senator Hanson-Young, in respect of Schedule 1, items 2, 4 to 10, 12 and 13; and item 11, section 91WA.

Schedule 1, items 2, 4 to 10, 12 and 13; and item 11, section 91WA debated.

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At 12.45 pm: The Deputy President (Senator Marshall) resumed the chair and the Chair of Committees reported progress.

25 **AUSTRALIAN RIVER CO. LIMITED BILL 2015**

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.

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

On the motion of the Parliamentary Secretary to the Minister for Education and Training (Senator Ryan) the bill was read a third time.
26 **OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE AMENDMENT (MISCELLANEOUS MATTERS) BILL 2015**
**OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE (REGULATORY LEVIES) AMENDMENT (MISCELLANEOUS MATTERS) BILL 2015**

Order of the day read for the adjourned debate on the motion of the Assistant Minister for Immigration and Border Protection (Senator Cash)—That these bills be now read a second time.

Debate resumed.

Question put and passed.

Bills read a second time.

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

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

27 **SUCCESSION TO THE CROWN BILL 2015**

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.

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

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

28 **MIGRATION AMENDMENT (PROTECTION AND OTHER MEASURES) BILL 2014**

Order read for the further consideration of the bill in committee of the whole.

**In the committee**

Consideration resumed of Schedule 1, items 2, 4 to 10, 12 and 13; and item 11, section 91WA.

Question—That Schedule 1, items 2, 4 to 10, 12 and 13; and item 11, section 91WA stand as printed—put.

The committee divided—

**AYES, 31**

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Items and section agreed to.

Senator Hanson-Young moved the following amendment:

Schedule 1, item 11, page 6 (line 26) to page 7 (line 2), omit subsection 91WA(1), substitute:

(1) The Minister may refuse to grant a protection visa to an applicant for a protection visa if:
   (a) either:
      (i) the applicant provides a bogus document as evidence of the applicant’s identity, nationality or citizenship; or
      (ii) the Minister is satisfied that the applicant has destroyed or disposed of documentary evidence of the applicant’s identity, nationality or citizenship, or has caused such documentary evidence to be destroyed or disposed of; and
   (b) other grounds exist on which the Minister may refuse to grant the protection visa.

Debate ensued.

Question—That the amendment be agreed to—put.

The committee divided—

AYES, 12

Senators—

Di Natale
Hanson-Young
Lazarus

Ludlam
Milne
Rhiannon
Rice
Waters
Whish-Wilson

NOES, 28

Senators—

Bilyk (Teller)
Bullock
Bushby
Cameron
Canavan
Carr
Cash

Colbeck
Dastyari
Fawcett
Heffernan
Ketter
Lines
Marshall

McGrath
McKenzie
McLucas
Moore
O’Neill
Peris
Reynolds

Ruston
Seselja
Singh
Smigellos
Smith
Sterle
Wang

Question—That the bill stand as printed—divided, at the request of Senator Hanson-Young, in respect of Schedule 1, item 11, section 91WB.

Schedule 1, item 11, section 91WB debated.

Question—That Schedule 1, item 11, section 91WB stand as printed—put.
The committee divided—

AYES, 42

Senators—

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</table>

NOES, 10

Senators—

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

Section agreed to.

At 2 pm: The President resumed the chair and the Chair of Committees (Senator Marshall) reported progress.

29 QUESTIONS

Questions without notice were answered.

30 MOTIONS TO TAKE NOTE OF ANSWERS

The Leader of the Opposition in the Senate (Senator Wong) moved—That the Senate take note of the answer given by the Minister for Employment (Senator Abetz) to a question without notice asked by Senator Dastyari today relating to government debt. Debate ensued.

Question put and passed.

Senator Siewert moved—That the Senate take note of the answer given by the Minister for Indigenous Affairs (Senator Scullion) to a question without notice asked by Senator Siewert today relating to the Indigenous Advancement Strategy. Question put and passed.

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

The Chair of the Select Committee on the National Broadband Network (Senator Lundy) tabled the following report:


Report ordered to be printed on the motion of Senator Lundy.
Senator Lundy moved—That the Senate take note of the report.
Debate ensued.
Debate adjourned till the next day of sitting, Senator Conroy in continuation.

The Chair of the Finance and Public Administration References Committee (Senator Lundy) tabled the following report:
Report ordered to be printed on the motion of Senator Lundy.
Senator Lundy moved—That the Senate take note of the report.
Debate ensued.
Debate adjourned till the next day of sitting, Senator Peris in continuation.

Senator McEwen, at the request of the Chair of the Economics References Committee (Senator Dastyari), tabled the following report and documents:
Economics References Committee—Privatisation of state and territory assets and new infrastructure—Report, dated March 2015, Hansard record of proceedings, additional information and submissions.
Report ordered to be printed on the motion of Senator McEwen.
Senator McEwen moved—That the Senate take note of the report.
Debate adjourned till the next day of sitting, Senator McEwen in continuation.

Senator Fawcett, on behalf of the Parliamentary Joint Committee on Intelligence and Security, tabled the following report:
Senator Fawcett moved—That the Senate take note of the report.
Debate adjourned till the next day of sitting, Senator Fawcett in continuation.

Senator Fawcett, on behalf of the Parliamentary Joint Committee on Human Rights, tabled the following report:
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 Human Services (Senator Payne) tabled the following document:

National Capital and External Territories—Joint Standing Committee—Report—

32 COMMITTEE MEMBERSHIP

The Acting Deputy President (Senator Smith) informed the Senate that the President had received a letter requesting changes in the membership of a committee.

The Minister for Human Services (Senator Payne), by leave, moved—That Senator Siewert replace Senator Rice on the Finance and Public Administration References Committee for the committee’s inquiry into Indigenous Advancement Strategy tendering processes, and Senator Rice be appointed as a participating member.

Question put and passed.

33 LIMITATION OF LIABILITY FOR MARITIME CLAIMS AMENDMENT BILL 2015

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


The Minister for Human Services (Senator Payne) 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 Payne moved—That this bill be now read a second time.

Consideration of legislation: Pursuant to order, the debate was adjourned and the resumption of the debate made an order of the day for the first day in the next period of sittings, 11 May 2015.

General business was called on.

34 ENVIRONMENT—COAL AND COAL SEAM GAS MINING

The Leader of the Australian Greens (Senator Milne), at the request of Senator Siewert and pursuant to notice, moved general business notice of motion no. 653—That the Senate—

(a) notes:

(i) the negative impacts of coal and coal seam gas mining on Australia’s environment, including prime agricultural land and water, and the wellbeing of regional communities, and

(ii) the concerning relationship between these mining activities and political corruption, particularly in New South Wales, as evidenced by the findings of the Independent Commission Against Corruption; and

(b) calls on all parties contesting the New South Wales state election to commit to a ban on coal and coal seam gas mining.

Debate ensued.

At 6 pm: Debate was interrupted.
The following orders of the day relating to documents were considered:


Climate Change Authority—Report for 2013-14. Motion of Senator Bilyk to take note of document agreed to.


*Charter of Budget Honesty Act 1998*—Intergenerational report 2015—

A compact between the generations: The 2015 intergenerational report—Ministerial statement by the Treasurer (Mr Hockey), dated 5 March 2015.

Report, dated March 2015.

—Motion of Senator Siewert to take note of documents agreed to.


*General business concluded.*

The following orders of the day relating to committee reports and government responses were considered:


Foreign Affairs, Defence and Trade—Joint Standing Committee—Report—Australia’s trade and investment relationship with Japan and the Republic of Korea—Government response. Motion of Senator Bilyk to take note of document called on. On the motion of Senator Gallacher the debate was adjourned till the next day of sitting.

Economics References Committee—Need for a national approach to retail leasing arrangements—Report. Motion of Senator Bilyk to take note of report debated. Debate adjourned till the next day of sitting, Senator Xenophon in continuation.

National Disability Insurance Scheme—Joint Standing Committee—Progress report—Implementation and administration of the National Disability Insurance Scheme—Government response. Motion of Senator Siewert to take note of document debated. Debate adjourned till the next day of sitting, Senator Gallacher in continuation.

Foreign Affairs, Defence and Trade References Committee—Report—Korea-Australia Free Trade Agreement—Government response. Motion of Senator Bilyk to take note of document debated. Debate adjourned till the next day of sitting, Senator Gallacher in continuation.

Abbott Government’s Budget Cuts—Select Committee—First interim report. Motion of Senator Bilyk to take note of report debated. Debate adjourned till the next day of sitting, Senator Cameron in continuation.
ADJOURNMENT

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

Declaration of interest: Senator McKenzie declared an interest in relation to the matter under discussion.

Debate continued.
The Senate adjourned at 8.15 pm till Monday, 23 March 2015 at 10 am.

ATTENDANCE

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

ROSEMARY LAING
Clerk of the Senate