2013-15

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 98

THURSDAY, 18 JUNE 2015

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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.]

- Australian Prudential Regulation Authority Act 1998—Australian Prudential Regulation Authority (confidentiality) determination—No. 10 of 2015 [F2015L00806].
- Financial Sector (Collection of Data) Act 2001—Financial Sector (Collection of Data) (reporting standard) determination No. 1 of 2015 – SRS 001.0 – Profile and Structures (Baseline) [F2015L00807].
- Financial Sector (Collection of Data) (reporting standard) determination No. 3 of 2015 – SRS 160.0 – Defined Benefit Matters [F2015L00809].
- Financial Sector (Collection of Data) (reporting standard) determination No. 4 of 2015 – SRS 160.1 – Defined Benefit Member Flows [F2015L00810].
- Financial Sector (Collection of Data) (reporting standard) determination No. 5 of 2015 – SRS 161.0 – Self-Insurance [F2015L00811].
- Financial Sector (Collection of Data) (reporting standard) determination No. 6 of 2015 – SRS 250.0 – Acquired Insurance [F2015L00812].
- Financial Sector (Collection of Data) (reporting standard) determination No. 9 of 2015 – SRS 331.0 – Services [F2015L00815].
- Financial Sector (Collection of Data) (reporting standard) determination No. 10 of 2015 – SRS 410.0 – Accrued Default Amounts [F2015L00816].
- Financial Sector (Collection of Data) (reporting standard) determination No. 14 of 2015 – SRS 540.0 – Fees [F2015L00817].
- Financial Sector (Collection of Data) (reporting standard) determination No. 15 of 2015 – SRS 600.0 – Profile and Structure (RSE Licensee) [F2015L00818].
- Financial Sector (Collection of Data) (reporting standard) determination No. 16 of 2015 – SRS 601.0 – Profile and Structure (RSE) [F2015L00819].
- Financial Sector (Collection of Data) (reporting standard) determination No. 17 of 2015 – SRS 602.0 – Wind-up [F2015L00820].

3 COMMITTEES—LEAVE TO MEET DURING SITTING

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

Committee of Privileges and Public Affairs—private meeting otherwise than in accordance with standing order 33(1), from 9.35 am.

Committee of the Privileges and Conduct of Members—private meeting otherwise than in accordance with standing order 33(1), from 10 am.

Committee of Privileges and Public Affairs—public meeting, from 11.30 am, to take evidence for the committee’s inquiry into the provisions of the National Health Amendment (Pharmaceutical Benefits) Bill 2015.

Recent Allegations relating to Conditions and Circumstances at the Regional Processing Centre in Nauru—Select Committee—private meeting otherwise than in accordance with standing order 33(1), from 11 am.

4 FREEDOM OF INFORMATION AMENDMENT (REQUESTS AND REASONS) BILL 2015

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

Debate resumed.

Time expired: The time for general business orders of the day for the consideration of bills reached the limit of 2 hours 20 minutes.

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

5 NOTICES

The Leader of the Australian Greens (Senator Di Natale): To move on the next day of sitting—That the Senate—

(a) notes that:

(i) on 13 February 2015, health professionals, academics and policy makers met to sign the Melbourne Declaration on Building Integration and Reducing Migration Related Health Inequity,

(ii) the health status of migrants and their access to health care is influenced by their channel of migration (voluntary, humanitarian or seeking asylum), language proficiency and circumstances in their countries of origin, and

(iii) immigration presents challenges to the health systems of the host country in the delivery of culturally-competent health and social services, and exacerbates disparities in health status between the migrant and host populations; and

(b) calls on the Abbott Government to:

(i) protect the health of, ensure health service provision for, and reduce health inequities of, people from migrant and refugee backgrounds, including forced and undocumented migrants,

(ii) ensure the provision of culturally-appropriate health care, both within existing service systems and also through specialised services where needed, and
improve health communication, health information and health literacy for people from culturally and linguistically diverse communities, and of migrant, refugee and asylum seeker background. (general business notice of motion no. 750)

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

(a) the Senate notes that:

(i) a significant number of video game development companies have recently experienced financial difficulties with their Australian operations,

(ii) this has led to a substantial loss of jobs and companies exiting the country,

(iii) the industry has been further negatively affected by the Abbott Government’s decision to close the Australian Interactive Games Fund just 12 months after it was established, and

(iv) comparable countries, such as Canada, have seen a rapid expansion of their video game development industry over the same time frame; and

(b) the following matter be referred to the Environment and Communications References Committee for inquiry and report by 1 April 2016:

The future of Australia’s video game development industry, with particular reference to:

(i) how Australia can best set regulatory and taxation frameworks that will allow the local video game development industry to grow and fully meet its potential as a substantial employer,

(ii) how Australia can attract video game companies to set up development operations in Australia and employ local staff,

(iii) how export opportunities from Australia’s local video game industry can be maximised, and

(iv) any other related matters.

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

(a) the Australian beef industry contributed $8.5 billion to the national economy in 2013-14;

(b) in 2014, the United States became our largest beef export market, worth $2.44 billion, or around 32 per cent of the total value of our beef exports; and

(c) this is an important sign of our rural producers capitalising effectively on opportunities in overseas markets, delivering real returns at the farm gate and for our nation’s economy. (general business notice of motion no. 751)

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

(a) notes that a Queensland man has been caught with more than 3 000 shark fins, likely destined for the black market, and that we do not know the origin of the shark fins or how they were caught;

(b) acknowledges that the high prices that shark fins fetch plays a significant role in encouraging illegal fishing and import in Australia; and

(c) calls on the Government to:

(i) ban the possession, sale and/or trade of imported shark fin in Australia, and

(ii) appoint a working group to determine how to implement this policy. (general business notice of motion no. 752)
Senator Hanson-Young: To move on 24 June 2015—that the following matter be referred to the Legal and Constitutional Affairs References Committee for inquiry and report by 18 August 2015:

The payment of bribes by the Commonwealth of Australia in exchange for the turn back of asylum seeker boats, with reference to:

(a) the reply of the Government to the order for production of documents ordered by the Senate in the amended general business notice of motion no. 724 moved by Senator Hanson-Young on 16 June 2015;
(b) any money paid to anyone on board a vessel en route to Australia or New Zealand by any Customs, Immigration or other Commonwealth officer from September 2013 to date;
(c) the facilitation or authorisation of the payment of any money to anyone on board a vessel en route to Australia or New Zealand by any Customs, Immigration or other Commonwealth officer from September 2013 to date;
(d) any orders to turn back or take back any such vessels, their passengers or crew;
(e) any payments made to any such vessels’ captain, crew or passengers;
(f) any payments made in relation to the passage of any such vessels, their passengers or crew;
(g) the legality, under international and domestic law, of the above matters;
(h) the damage caused by the above matters to the bilateral relationship between Australia and Indonesia;
(i) the extent to which any such bribes constitute an incentive for people-smuggling operations to Australia;
(j) whether it is standard practice for Australia to pay cash to the captains or crew of boats carrying asylum seekers and, if so, how long this practice has been carried on and how much has been spent on this policy in the past, including what payments have been made to particular individuals and the amount of any such payments;
(k) the interception of a vessel en route to Australia or New Zealand in May or June 2015; and
(l) any related matters.

6 SELECTION OF BILLS—STANDING COMMITTEE—REPORT NO. 7 OF 2015

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

SELECTION OF BILLS COMMITTEE
REPORT NO. 7 OF 2015

1. The committee met in private session on Wednesday, 17 June 2015 at 7.16 pm.

2. The committee resolved to recommend—that the Australian Small Business and Family Enterprise Ombudsman Bill 2015 and the Australian Small Business and Family Enterprise Ombudsman (Consequential and Transitional Provisions) Bill 2015 be referred immediately to the Legal and Constitutional Affairs Legislation Committee but was unable to reach agreement on a reporting date.
3. The committee resolved to recommend—That the following bills not be referred to committees:
   Imported Food Charges (Collection) Bill 2015
   Imported Food Charges (Imposition—Customs) Bill 2015
   Imported Food Charges (Imposition—Excise) Bill 2015
   Imported Food Charges (Imposition—General) Bill 2015.

The committee recommends accordingly.

4. The committee deferred consideration of the following bills to its next meeting:
   Australian Centre for Social Cohesion Bill 2015
   Australian Radiation Protection and Nuclear Safety Amendment Bill 2015
   Competition and Consumer Amendment (Australian Country of Origin Food Labelling) Bill 2015
   Corporations Amendment (Publish What You Pay) Bill 2014
   Gene Technology Amendment Bill 2015
   Motor Vehicle Standards (Cheaper Transport) Bill 2014
   Passports Legislation Amendment (Integrity) Bill 2015
   Social Security and Other Legislation Amendment (Caring for Single Parents) Bill 2014.

David Bushby
Chair
18 June 2015.

Senator Bushby moved—That the report be adopted.
Senator Moore moved the following amendment:

At the end of the motion, add “and, in respect of the Australian Small Business and Family Enterprise Ombudsman Bill 2015 and the Australian Small Business and Family Enterprise Ombudsman (Consequential and Transitional Provisions) Bill 2015, the Legal and Constitutional Affairs Legislation Committee report by 11 August 2015”.

Debate ensued.

The Assistant Minister for Social Services (Senator Fifield) moved the following amendment to Senator Moore’s proposed amendment:

Omit “11 August 2015”, substitute “24 June 2015”.

Debate ensued.

Question—That Senator Fifield’s amendment to Senator Moore’s proposed amendment be agreed to—put.

The Senate divided—

AYES, 28

Senators—

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NOES, 31

Senators—

Bilyk  Hanson-Young  McLucas  Singh
Bullock  Ketter  Milne  Sterle
Cameron  Lambie  Moore  Urquhart
Carr  Leyonhjelm  O’Neill  Waters
Dastyari  Ludlam  Peris  Whish-Wilson
Di Natale  Ludwig  Rhiannon  Wright
Gallacher  McAllister  Rice  Xenophon
Gallagher  McEwen (Teller)  Siewert

Question negatived.

Question—That the amendment be agreed to—put and passed.

Main question, as amended, put and passed.

7 ORDER OF BUSINESS—REARRANGEMENT

The Assistant Minister for Social Services (Senator Fifield) moved—that—

(a) the following government business orders of the day be considered from 12.45 pm today:

No. 2  Customs Amendment (Australian Trusted Trader Programme) Bill 2015
No. 3  Tax and Superannuation Laws Amendment (Medicare Levy and Medicare Levy Surcharge) Bill 2015
No. 4  Superannuation Guarantee (Administration) Amendment Bill 2015
No. 5  Private Health Insurance (National Joint Replacement Register Levy) Amendment Bill 2015
No. 6  Crimes Legislation Amendment (Penalty Unit) Bill 2015
No. 7  Personal Property Securities Amendment (Deregulatory Measures) Bill 2014
No. 8  Defence Legislation (Enhancement of Military Justice) 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 Fiffield moved—that the order of general business for consideration today be as follows:

(a) general business notice of motion no. 742 standing in the name of Senator Siewert relating to marriage equality; 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. 63 (Freedom of Information Amendment (Requests and Reasons) Bill 2015) be considered on Thursday, 25 June 2015 under the temporary order relating to the consideration of private senators’ bills.

Question put and passed.
9 POSTPONEMENTS

Business was postponed as follows:

Business of the Senate notice of motion no. 1 standing in the name of Senator Xenophon for today, proposing a reference to the Rural and Regional Affairs and Transport References Committee, postponed till 25 June 2015.

Business of the Senate notice of motion no. 4 standing in the names of Senators Xenophon, Madigan and Lambie for today, proposing a reference to the Economics References Committee, postponed till 23 June 2015.

General business notice of motion no. 748 standing in the name of Senator Hanson-Young for today, relating to the failure of the Assistant Minister for Immigration and Border Protection to comply with an order for the production of documents, postponed till 22 June 2015.

10 COMMITTEE—EXTENSION OF TIME TO REPORT

The following committee was granted an extension of time to report:


11 LEGAL AND CONSTITUTIONAL AFFAIRS LEGISLATION COMMITTEE—LEAVE TO MEET DURING SITTING

Senator Bushby, by leave and at the request of the Chair of the Legal and Constitutional Affairs Legislation Committee (Senator Macdonald), moved—that the Legal and Constitutional Affairs Legislation Committee be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate today, from 3.35 pm.

Question put and passed.

12 ENVIRONMENT AND COMMUNICATIONS REFERENCES COMMITTEE—REFERENCE

Senator Whish-Wilson, 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 Environment and Communications References Committee for inquiry and report by 8 April 2016:

The threat of marine plastic pollution in Australia and Australian waters, with particular reference to:

(a) the review of current research and scientific understanding of plastic pollution in the marine environment;
(b) sources of marine plastic pollution;
(c) the impacts of marine plastic pollution, including impacts on species and ecosystems, fisheries, small business, and human health;
(d) measures and resourcing for mitigation; and
(e) any other relevant matters.

Question put and passed.
13 **RURAL AND REGIONAL AFFAIRS AND TRANSPORT REFERENCES COMMITTEE—REFERENCE**

Senator Sterle, also on behalf of Senator Rice, pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 3—That the following matter be referred to the Rural and Regional Affairs and Transport References Committee for inquiry and report by the first sitting day of 2016:

The increasing use of so-called Flag of Convenience shipping in Australia, with particular reference to:

(a) the effect on Australia’s national security, fuel security, minimum employment law standards and our marine environment;

(b) the general standard of Flag of Convenience vessels trading to, from and around Australian ports, and methods of inspection of these vessels to ensure that they are seaworthy and meet required standards;

(c) the employment and possible exposure to exploitation and corruption of international seafarers on Flag of Convenience ships;

(d) discrepancies between legal remedies available to international seafarers in state and territory jurisdictions, opportunities for harmonisation, and the quality of shore-based welfare for seafarers working in Australian waters;

(e) progress made in this area since the 1992 House of Representatives Standing Committee on Transport, Communications and Infrastructure report *Ships of shame: inquiry into ship safety*; and

(f) any related matters.

Question put and passed.

14 **COMMUNITY AFFAIRS LEGISLATION COMMITTEE—REPORTING DATE—VARIATION**

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 Community Affairs Legislation Committee report on the provisions of the Social Services Legislation Amendment (Fair and Sustainable Pensions) Bill 2015 by 22 June 2015.

Question put.

The Senate divided—

**AYES, 41**

Senators—

Back
Bernardi
Birmingham
Bushby (Teller)
Canavan
Cash
Colbeck
Cormann
Day
Di Natale
Fawcett
Fierravanti-Wells
Fifield
Hanson-Young
Johnston
Leyonhjelm
Lindgren
Ladlam
Macdonald
Madigan
McGrath
McKenzie
Milne
Muir
Nash
O’Sullivan
Reynolds
Rhiannon
Rice
Ronaldson
Ruston
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Siewert
Sinodinos
Smith
Wang
Waters
Whish-Wilson
Williams
Wright
Xenophon
NOES, 19

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Question agreed to.

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

15 **FOREIGN AFFAIRS—EGYPT—MR PETER GRESTE**

Senator Milne, also on behalf of Senators Back and Xenophon and the Leader of the Opposition in the Senate (Senator Wong), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 739—That the Senate—

(a) notes with deep concern:

(i) that the Australian journalist, Mr Peter Greste, remains subject to an ongoing re-trial in Egypt,

(ii) that, having been deported from Egypt under Presidential Decree, Mr Greste continues to be subject to ongoing proceedings,

(iii) the nature of the charges and allegations made against Mr Greste, and

(iv) the nature and the lack of evidence presented before the Court by the prosecution in respect of those charges;

(b) acknowledges:

(i) the important role journalists perform internationally in their work, and

(ii) the extensive efforts of parliamentarians across the political spectrum and the ongoing efforts made by the Australian Government, including the Prime Minister (Mr Abbott), the Minister for Foreign Affairs (Ms Bishop) and others, to make representations to the Egyptian Government to ensure that Mr Greste’s case is dealt with justly, and in accordance with due process; and

(c) supports Mr Greste’s bid to clear himself of the charges, and the Government’s continuing efforts to make representations on his behalf.

Question put and passed.

16 **HEALTH—MENTAL HEALTH—HEADSPACE GOVERNANCE ARRANGEMENTS—PROPOSED ORDER FOR PRODUCTION OF DOCUMENT**

Senator Wright, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 744—That there be laid on the table by the Minister representing the Minister for Health, no later than 3.30 pm on Thursday, 25 June 2015, the report on the governance arrangements of Headspace, conducted by an independent reviewer and received by the Department of Health, as outlined by the Primary and Mental Health Care Division First Assistant Secretary, Mr Mark Booth, in the Community Affairs Legislation Committee estimates hearing on Monday, 1 June 2015.

Question put and negatived.
17 **TRANSPORT—MOTORCYCLE SAFETY STRATEGY**

Senator Leyonhjelm, also on behalf of Senators Wang and Day, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 743—That the Senate—

(a) recognises that:

(i) the growing popularity of motorcycling is helping to ease congestion in our cities, both on the roads and with parking,

(ii) motorbikes use less fuel, produce fewer emissions and cause less road wear than other vehicles, while up to five motorbikes can occupy the same parking space as a single car, and

(iii) state and territory governments could do much more to promote motorcycling by reducing direct costs and addressing factors that discourage motorcycle adoption; and

(b) calls on the Government to develop a motorcycle strategy through the Motorcycle Safety Consultative Committee to address:

(i) the social and economic benefits of greater use of motorcycles,

(ii) the social and economic cost of road-related motorcycle injury and death, and

(iii) the need for a satisfactory national standard for motorcycle helmet certification.

*Statement by leave*: The Assistant Minister for Social Services (Senator Fifield), by leave, made a statement relating to the motion. Question put and passed.

18 **PRIMARY INDUSTRIES—EGG LABELLING**

Senator Williams, also on behalf of Senators O’Sullivan and Canavan, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 737—That the Senate—

(a) notes that:

(i) 408 million dozen eggs are produced by Australian growers annually,

(ii) at current growth rates it is forecast that 971 million dozen eggs, an increase of 138 per cent, will have to be produced by Australian growers by the year 2055,

(iii) the average Australian consumes 220 eggs annually,

(iv) Australians have a choice of cage, barn or free-range eggs,

(v) there is no national farming standard for free range eggs, and

(vi) the Australian Competition and Consumer Commission (ACCC) has launched legal action against a number of free-range egg producers for allegedly misleading consumers; and

(b) further notes that at the Legislative and Governance Forum on Consumer Affairs (CAF) meeting on Friday, 12 June 2015:

(i) ministers agreed to direct officials to prepare a draft national standard on egg labelling, for consideration by ministers later in 2015, to enhance consumer confidence and certainty around egg labelling,
(ii) CAF officials will consult with affected stakeholders and industry in preparing a cost benefit analysis, with the draft standard to include a statement of when the free-range label may be used, having regard to recent ACCC case law, and

(iii) CAF officials were asked by the ministers to include in the draft standard other potential category labels.

Question put and passed.

19 EDUCATION—HIGHER EDUCATION—COMPETITION

Senator Wang, also on behalf of Senators Day and Leyonhjelm, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 745—that the Senate notes that:

(a) public universities currently do not sufficiently compete with one another to lower fees for domestic undergraduate students, instead, they routinely charge the maximum amount allowed by the current government, thus rewarding inefficiency and keeping tuition artificially high for students;

(b) competition brings down tuition fees for students, for example, government funding would allow private not-for-profit colleges, such as Sheridan College in Perth, to deliver current and future courses without a charge to students, and many other private colleges and universities would also reduce fees;

(c) students would have the choice to earn an undergraduate degree without incurring a crushing debt burden;

(d) the Government would be under no obligation to provide capital grants, such as land, building, equipment etc. to such colleges;

(e) extending funding to private colleges and private universities would both benefit students and save government money; and

(f) a proposal to extend the Commonwealth Grants Scheme (CGS) to not-for-profit private colleges and universities should be considered irrespective of the rest of the Government’s higher education deregulation agenda, as funding private not-for-profit colleges, such as Sheridan College, levels the playing field leading to the possibility of free education for Australian students.

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

Question put.

The Senate divided—

AYES, 28

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NOES, 31

Senators—

Bilyk  Hanson-Young  McLucas  Siewert
Brown  Lambie  Milne  Singh
Bullock  Lazarus  Moore  Sterle
Cameron  Ludlam  Muir  Urquhart
Carr  Ludwig  O'Neill  Waters
Di Natale  Madigan  Peris  Whish-Wilson
Gallacher  McAllister  Rhiannon  Wright
Gallagher  McEwen (Teller)  Rice

Question negatived.

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

Senator Bushby, 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. 734—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 from 10 am, as follows:

(a) Thursday, 13 August 2015;
(b) Thursday, 10 September 2015;
(c) Thursday, 15 October 2015;
(d) Thursday, 12 November 2015; and
(e) Thursday, 26 November 2015.

Question put and passed.

21 **LAW ENFORCEMENT—JOINT STATUTORY COMMITTEE—LEAVE TO MEET DURING SITTINGS**

Senator Bushby, 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. 735—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, 12 August 2015;
(b) Wednesday, 9 September 2015;
(c) Wednesday, 14 October 2015;
(d) Wednesday, 11 November 2015; and
(e) Wednesday, 25 November 2015.

Question put and passed.
22 **PUBLIC ACCOUNTS AND AUDIT—JOINT STATUTORY COMMITTEE—LEAVE TO MEET DURING Sittings**
Senator Bushby, at the request of Senator Smith and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 736—That the Joint Committee of Public Accounts and Audit be authorised to hold private meetings otherwise than in accordance with standing order 33(1) during the sittings of the Senate, followed by public meetings, from 10.30 am, as follows:
(a) Thursday, 13 August 2015;
(b) Thursday, 20 August 2015;
(c) Thursday, 10 September 2015;
(d) Thursday, 17 September 2015;
(e) Thursday, 15 October 2015;
(f) Thursday, 12 November 2015;
(g) Thursday, 26 November 2015; and
(h) Thursday, 3 December 2015.
Question put and passed.

23 **LAW AND JUSTICE—NEW SOUTH WALES ABORIGINAL LEGAL SERVICE—PHONE HOTLINE**
Senator Siewert, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 749—That the Senate—
(a) notes that:
(i) the 24-hour phone hotline staffed by lawyers provided by the New South Wales Aboriginal Legal Service has had its funding cut by the Federal Government, and
(ii) New South Wales legislation requires police to call an Aboriginal legal hotline when arresting an Indigenous person, and that this service was a recommendation of the Royal Commission into Aboriginal Deaths in Custody; and
(b) calls on the Government to restore the funding to this critical service.
Statement by leave: The Assistant Minister for Social Services (Senator Fifield), by leave, made a statement relating to the motion.
Question put and passed.

24 **LAW AND JUSTICE—TASMANIAN ABORIGINAL LEGAL SERVICE—FUNDING**
Senator Whish-Wilson, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 740—That the Senate—
(a) condemns the decision of the Government to reject the application for funding made by the Tasmanian Aboriginal Legal Service; and
(b) calls on the Government to restore annual funding to the Tasmanian Aboriginal Legal Service so that local Indigenous people can be provided with locally-based assistance.
Statements by leave: Senator Whish-Wilson and the Assistant Minister for Social Services (Senator Fifield), by leave, made statements relating to the motion.
Question put and passed.
25 **MINING—QUEENSLAND—CURTIS ISLAND LIQUEFIED NATURAL GAS PLANT**

Senator O’Sullivan, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 741—That the Senate—

(a) welcomes the commencement of gas exports from QCLNG’s Curtis Island Queensland Liquefied Natural Gas (LNG) plant, the first in the world to produce LNG from coal seam gas; and

(b) notes that these plants will eventually produce roughly 8 per cent of global LNG production, transforming Australia into the world’s largest gas exporter by 2017 and potentially generating $53 billion in export earnings between 2013 and 2017.

Question put and passed.

26 **FOREIGN AFFAIRS—Greece—Austerity Measures**

Senator Ludlam, 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. 747—That the Senate—

(a) notes:

(i) the perilous state of the Greek economy and the misery being endured by many in the Greek community as a result of economic conditions,

(ii) that in May 2010 the Eurozone countries, the European Central Bank and the International Monetary Fund (IMF) launched a €110 billion bailout that was conditional on implementation of austerity measures, and

(iii) tripartite lenders to Greece are currently demanding further austerity measures, without future debt relief, in order to release the remaining funds from the current lending program agreement; and

(b) calls on the Australian Treasurer (Mr Hockey), a member of the International Monetary and Financial Committee of the IMF, and Governor of the IMF and the World Bank Group to:

(i) express concern at the continued support by IMF officials for the austerity program for Greece,

(ii) seek the support of other IMF member states for alternative measures that will better address social and humanitarian challenges in Greece, and

(iii) insist the IMF refrain from imposing policy conditions upon Greece which will potentially lead to a default of more than AUD$40 billion debt to the IMF.

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

Question put and negatived.

27 **TRANSPORT—Western Australia—Perth Freight Link**

Senator Ludlam, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 738—That the Senate—

(a) notes that:

(i) the planning for the Perth Freight Link is in absolute chaos,
(ii) the project is counter to current state planning priorities set out in ‘Perth @ 3.5 million & beyond’ which aims for renewal and infill of existing urban areas,

(iii) over 18 groups and three local councils are now part of a formal alliance against this project, and

(iv) no matter how the freight arrives at Fremantle Port it will be at capacity within a decade; and

(b) calls on the Government to commit to suspending federal environmental assessment and all federal funding for the project until such time as the Western Australian Barnett Government:

(i) publicly releases the business case for the project,

(ii) releases a detailed plan for stage 2 and 3 of the Perth Freight Link, showing how it proposes to build the road through Fremantle all the way to the port,

(iii) undertakes formal assessment and community engagement on those plans, and

(iv) formally investigates all alternative options, including the Outer Harbour.

Statements by leave: The Minister for Finance (Senator Cormann) and Senator Ludlam, by leave, made statements relating to the motion.

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

Question put.

The Senate divided—

AYES, 27

Senators—

Bilyk  Gallacher  McLucas  Singh
Brown  Hanson-Young  Milne  Sterle
Bullock  Lines  Moore  Urquhart (Teller)
Cameron  Ludlam  O’Neill  Waters
Carr  Ludwig  Rhiannon  Whish-Wilson
Di Natale  McAllister  Rice  Wright
Gallacher  McEwen  Siewert

NOES, 31

Senators—

Back  Fawcett  Madigan  Ruston
Bernardi  Fierravanti-Wells  McGrath  Ryan
Bushby (Teller)  Fifield  McKenzie  Seselja
Canavan  Johnston  Muir  Sinodinos
Cash  Lambie  Nash  Smith
Colbeck  Leyonhjelm  O’Sullivan  Wang
Cormann  Lindgren  Reynolds  Williams
Day  Macdonald  Ronaldson

Question negatived.
After 12.45 pm—

28 CUSTOMS AMENDMENT (AUSTRALIAN TRUSTED TRADER PROGRAMME) BILL 2015
Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary to the Minister for Education and Training (Senator Ryan)—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 Senator Ryan the bill was read a third time.

29 TAX AND SUPERANNUATION LAWS AMENDMENT (MEDICARE LEVY AND MEDICARE LEVY SURCHARGE) BILL 2015
Order of the day read for the adjourned debate on the motion of the Minister for Human Services (Senator Payne)—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 and agreed to.
Bill to be reported without amendment.

The Acting Deputy President (Senator O’Neill) resumed the chair and the Temporary Chair of Committees reported accordingly.
On the motion of the Parliamentary Secretary to the Minister for Education and Training (Senator Ryan) the report from the committee was adopted and the bill read a third time.

30 SUPERANNUATION GUARANTEE (ADMINISTRATION) AMENDMENT BILL 2015
Order of the day read for the adjourned debate on the motion of the Assistant Minister for Social Services (Senator Fifield)—That this bill be now read a second time.
Debate resumed.
Question put and passed.
Bill read a second time.
No amendments to the bill were circulated and no senator required that it be considered in committee.
On the motion of the Parliamentary Secretary to the Minister for Education and Training (Senator Ryan) the bill was read a third time.
31 **PRIVATE HEALTH INSURANCE (NATIONAL JOINT REPLACEMENT REGISTER LEVY) AMENDMENT BILL 2015**

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

Debate resumed.

Question put and passed.

Bill read a second time.

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

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

32 **CRIMES LEGISLATION AMENDMENT (PENALTY UNIT) BILL 2015**

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

Debate resumed.

Question put and passed.

Bill read a second time.

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

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

33 **PERSONAL PROPERTY SECURITIES AMENDMENT (DEREGULATORY MEASURES) BILL 2014**

Order of the day read for the adjourned debate on the motion of the Minister for Human Services (Senator Payne)—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.

34 **DEFENCE LEGISLATION (ENHANCEMENT OF MILITARY JUSTICE) BILL 2015**

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

Debate resumed.

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

35 **QUESTIONS**

Questions without notice were answered.

*Leave refused:* Senator Urquhart sought leave to table a document.

An objection was raised and leave was not granted.
36 MOTIONS TO TAKE NOTE OF ANSWERS

Senator Polley moved—That the Senate take note of the answers given by the Attorney-General (Senator Brandis) to questions without notice asked by senators today.

Debate ensued.

Senator McEwen, pursuant to standing order 168, moved—That the document quoted by Senator Sterle be tabled.

Question put.

The Senate divided—

**AYES, 29**

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**NOES, 28**

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Question agreed to.

Documents: Senator Sterle tabled the following documents:

Renewable Energy (Electricity) Amendment Bill 2015—Copy of draft letter from the Minister for the Environment (Mr Hunt) to senators and attachments.

Question—That the Senate take note of the answers—put and passed.

Senator Whish-Wilson moved—That the Senate take note of the answer given by the Minister for Human Services (Senator Payne) to a question without notice asked by Senator Whish-Wilson today relating to the Trans-Pacific Partnership Agreement.

Question put and passed.

37 COMMITTEE MEMBERSHIP

The Deputy President (Senator Marshall) 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 Whish-Wilson replace Senator Wright on the Legal and Constitutional Affairs Legislation Committee for the committee’s inquiry into the Australian Small Business and Family Enterprise Ombudsman Bill 2015 and related bill, and Senator Wright be appointed as a participating member.

Question put and passed.

38 PRIMARY INDUSTRIES—RURAL INDUSTRIES DEVELOPMENT CORPORATION—
KANGAROO MANAGEMENT—ORDER FOR PRODUCTION OF DOCUMENT—
DOCUMENTS

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

Primary industries—Rural Industries Development Corporation—Kangaroo management—Letter to the President of the Senate from the Minister for Indigenous Affairs (Senator Scullion), dated 18 June 2015, responding to the order of the Senate of 17 June 2015.

Rural Industries Research and Development Corporation—Characterising the Australian public and communicating about kangaroo management—Report, dated October 2014.

39 COMMUNICATIONS—NBN—CORPORATE PLANS AND STRATEGIC REVIEW—
ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENTS

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

Communications—NBN—Corporate plans and strategic review—Letter to the President of the Senate from the Minister for Finance (Senator Cormann), dated 18 June 2015, responding to the order of the Senate of 17 June 2015 and raising a public interest immunity claim.

NBN Co Limited—Corporate plan 2014-17.

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

The Chair of the Select Committee on Wind Turbines (Senator Madigan) tabled the following report:

Wind Turbines—Select Committee—Interim report, dated June 2015.

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

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

Debate ensued.

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

41 COPYRIGHT AMENDMENT (ONLINE INFRINGEMENT) BILL 2015
TAX AND SUPERANNUATION LAWS AMENDMENT (2015 MEASURES NO. 3) BILL 2015

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

Message no. 395, dated 17 June 2015—A Bill for an Act to amend the Copyright Act 1968, and for related purposes.

Message no. 402, dated 17 June 2015—A Bill for an Act to amend the law relating to taxation, and for related purposes.
The Minister for Human Services (Senator Payne) 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 Payne moved—That these bills be now read a second time.

Explanatory memorandum: Senator Payne tabled a revised explanatory memorandum relating to the Copyright Amendment (Online Infringement) Bill 2015.

On the motion of Senator Payne the debate was adjourned till the next day of sitting.

Consideration of legislation: Senator Payne moved—That the bills be listed on the Notice Paper as separate orders of the day.
Question put and passed.

42 IMPORTED FOOD CHARGES (IMPOSITION—GENERAL) BILL 2015
IMPORTED FOOD CHARGES (IMPOSITION—CUSTOMS) BILL 2015
IMPORTED FOOD CHARGES (IMPOSITION—EXCISE) BILL 2015
IMPORTED FOOD CHARGES (COLLECTION) BILL 2015

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

Message no. 398, dated 17 June 2015—A Bill for an Act to impose, as taxes, charges in relation to matters connected with the administration of the Imported Food Control Act 1992, so far as those charges are neither duties of customs nor duties of excise, and for related purposes.

Message no. 401, dated 17 June 2015—A Bill for an Act to impose, as taxes, charges in relation to matters connected with the administration of the Imported Food Control Act 1992, so far as those charges are duties of customs, and for related purposes.

Message no. 399, dated 17 June 2015—A Bill for an Act to impose, as taxes, charges in relation to matters connected with the administration of the Imported Food Control Act 1992, so far as those charges are duties of excise, and for related purposes.

Message no. 400, dated 17 June 2015—A Bill for an Act to provide for the collection of imported food charges, and for related purposes.

The Minister for Human Services (Senator Payne) 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 Payne moved—That these bills be now read a second time.
On the motion of Senator Payne the debate was adjourned till the next day of sitting.
43 **GOVERNOR-GENERAL’S MESSAGES—ASSENT TO LAWS**

Messages from His Excellency the Governor-General were reported, informing the Senate that he had assented to the following laws:

16 June 2015—Messages Nos—

25—

Biosecurity Act 2015 (Act No. 61, 2015)

27—Judiciary Amendment Act 2015 (Act No. 64, 2015).


44 **LEGAL AND CONSTITUTIONAL AFFAIRS LEGISLATION COMMITTEE—REPORT— LAW ENFORCEMENT LEGISLATION AMENDMENT (POWERS) BILL 2015**

Pursuant to order, Senator Ruston, at the request of the Chair of the Legal and Constitutional Affairs Legislation Committee (Senator Macdonald), tabled the following report and documents:


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

*General business was called on.*

45 **SOCIAL ISSUES—MARRIAGE LAWS**

Senator Rice, at the request of Senator Siewert and pursuant to notice, moved general business notice of motion no. 742—That the Senate affirms that people should be able to marry the person they love, in accordance with the principles of equality and personal freedom, to end discrimination, and to support the mental health and wellbeing of lesbian, gay, bisexual, transgender and intersex Australians and their families.

Debate ensued.

At 6 pm: Debate was interrupted while Senator Back was speaking.

*General business concluded.*

46 **COMMITTEE REPORTS AND GOVERNMENT RESPONSES—ORDERS OF THE DAY— CONSIDERATION**

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

Rural and Regional Affairs and Transport References Committee—Grain export networks, including the on- and off-farm storage, transport, handling and export of Australian grain—Report. Motion of Senator Smith to take note of report debated. Debate adjourned till the next day of sitting, Senator Smith in continuation.


Legal and Constitutional Affairs References Committee—Incident at the Manus Island Detention Centre from 16 February to 18 February 2014—Government responses to interim and final reports. Motion of Senator Siewert to take note of documents called on. On the motion of Senator Ruston the debate was adjourned till the next day of sitting.


Community Affairs References Committee—Impact on service quality, efficiency and sustainability of recent Commonwealth community service tendering processes by the Department of Social Services—Interim report. Motion of the chair of the committee (Senator Siewert) to take note of report called on. On the motion of Senator McEwen the debate was adjourned till the next day of sitting.

Public Accounts and Audit—Joint Statutory Committee—Statement on the 2015-16 draft budget estimates for the Australian National Audit Office and the Parliamentary Budget Office. Motion of Senator Smith to take note of document agreed to.

Environment and Communications References Committee—Environmental biosecurity—Report. Motion of the chair of the committee (Senator Urquhart) to take note of report called on. On the motion of Senator McEwen the debate was adjourned till the next day of sitting.


Economics References Committee—Report—Future of Australia’s naval shipbuilding industry: Tender process for the navy’s new supply ships (part 1)—Government response. Motion to take note of document moved by Senator McEwen. Debate adjourned till the next day of sitting, Senator McEwen in continuation.


Economics References Committee—Out of reach? The Australian housing affordability challenge—Interim and final reports. Motion of Senator McLucas to take note of reports debated. Debate adjourned till the next day of sitting, Senator Edwards in continuation.

Legal and Constitutional Affairs References Committee—Ability of Australian law enforcement authorities to eliminate gun-related violence in the community—Report. Motion to take note of report moved by the chair of the committee (Senator Wright). On the motion of Senator McKenzie the debate was adjourned till the next day of sitting.


Environment and Communications References Committee—National Landcare Program—Report. Motion of Senator McEwen to take note of report called on. Debate adjourned till the next day of sitting, Senator McEwen in continuation.


Economics References Committee—Privatisation of state and territory assets and new infrastructure. Motion of Senator McEwen to take note of report agreed to.

Finance and Public Administration References Committee—Domestic violence in Australia—Interim report. Motion to take note of report called on. Debate adjourned till the next day of sitting, Senator McEwen in continuation.

National Broadband Network—Select Committee—Second interim report. Motion to take note of report called on. Debate adjourned till the next day of sitting, Senator McEwen 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 called on. Debate adjourned till the next day of sitting, Senator McEwen 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 agreed to.
Environment and Communications References Committee—Report—Environmental offsets—Government response. Motion of Senator Bilyk to take note of document called on. On the motion of Senator McEwen the debate was adjourned till the next day of sitting.

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

Legal and Constitutional Affairs References Committee—Incident at the Manus Island Detention Centre from 16 February to 18 February 2014—Interim and final reports. Motion of Senator Bilyk to take note of reports called on. On the motion of Senator Ruston the debate was adjourned till the next day of sitting.

Community Affairs References Committee—Extent of income inequality in Australia—Bridging our growing divide: inequality in Australia—Report. Motion of the chair of the committee (Senator Siewert) to take note of report agreed to.

Orders of the day nos 11, 13 to 15, 17 to 19 and 24 to 26 relating to committee reports and government responses were called on but no motion was moved.

47 AUDITOR-GENERAL’S REPORTS—ORDERS OF THE DAY—CONSIDERATION

The following orders of the day relating to reports of the Auditor-General were considered:

Auditor-General—Audit report no. 28 of 2014-15—Performance audit—Management of interpreting services: Department of Immigration and Border Protection; Department of Social Services. Motion to take note of document moved by Senator Ruston. Debate adjourned till the next day of sitting, Senator Ruston in continuation.


Auditor-General—Audit report no. 37 of 2014-15—Performance audit—Management of Smart Centres’ Centrelink telephone services: Department of Human Services. Motion of Senator Bilyk to take note of document debated. Debate adjourned till the next day of sitting, Senator Cameron in continuation.

Orders of the day nos 2, 6 to 14 and 16 to 23 relating to reports of the Auditor-General were called on but no motion was moved.
48 **ADJOURNMENT**

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

Debate ensued.

The Senate adjourned at 6.41 pm till Monday, 22 June 2015 at 10 am.

49 **ATTENDANCE**

Present, all senators except Senators Abetz* and Conroy* (*on leave).

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**ROSEMARY LAING**

Clerk of the Senate