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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 pursuant to standing order 61(1)(b):

- **Environment**—Climate change—G20 Summit in Brisbane—Letter to the President of the Senate from the Prime Minister (Mr Abbott), dated 23 September 2014, responding to the resolution of the Senate of 4 September 2014.
- Renewable energy projects in South Australia—Letter to the President of the Senate from the Minister for the Environment (Mr Hunt), dated 25 September 2014, responding to the resolution of the Senate of 2 September 2014.
- **Health**—Global Fund to Fight AIDS, Tuberculosis and Malaria—Letter to the President of the Senate from the Minister for Foreign Affairs (Ms Bishop), dated 25 September 2014, responding to the resolution of the Senate of 1 September 2014.
- **Migration Act 1958**—Section 486O—Assessment of detention arrangements—Personal identifiers 1001161, 1001280, 1001296, 1001298, 1001301, 1001303, 1001307, 1001308, 1001314, 1001322, 1001325, 1001326, 1001338, 1001343, 1001344, 1001381, 1001390, 1001391, 1001398, 1001400, 1001409, 1001411, 1001471, 1001493, 1001497, 1001508, 1001530, 1001539, 1001540, 1001543, 1001559, 1001566, 1001567, 1001578, 1001579, 1001586, 1001588, 1001616, 1001618, 1001621, 1001623, 1001624, 1001652, 1001653, 1001655, 1001656, 1001659, 1001660, 1001668, 1001670 and 1001673—Commonwealth Ombudsman’s reports, dated 1 October 2014.
- Government response to Ombudsman’s reports, dated 26 September 2014.

The following document was tabled by the Clerk pursuant to statute:

- **Legislative Instruments Act 2003**—List of legislative instruments due to sunset on 1 April 2016.

The following document was tabled by the Clerk pursuant to order:


3 **COMMITTEE—LEAVE TO MEET DURING SITTING**

A committee was authorised to meet during the sitting of the Senate, as follows:

- Foreign Affairs, Defence and Trade References Committee—private meeting otherwise than in accordance with standing order 33(1) today, from 9.40 am, for the committee’s inquiry into the Korea-Australia Free Trade Agreement.
4 **SOCIAL SERVICES AND OTHER LEGISLATION AMENDMENT (2014 BUDGET MEASURES NO. 1) BILL 2014**

**SOCIAL SERVICES AND OTHER LEGISLATION AMENDMENT (2014 BUDGET MEASURES NO. 2) BILL 2014**

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

Debate resumed.

Senator Rhiannon moved the following amendment in respect of the Social Services and Other Legislation Amendment (2014 Budget Measures No. 1) Bill 2014:

At the end of the motion, add “but the Senate is of the opinion that, rather than punishing the vulnerable and most disadvantaged, revenue should be raised from big miners, bankers and polluters through:

(a) applying a ‘public insurance’ levy on the big four banks that are too big to fail;

(b) removing fossil fuel subsidised fuel for big mining companies;

(c) implementing the original super profits mining tax;

(d) imposing a millionaires’ tax; and

(e) taxing discretionary trusts as corporations”.

Debate ensued.

*At 12.45 pm: Debate was interrupted while Senator Bernardi was speaking.*

5 **SENATORS’ STATEMENTS**

Senators made statements.

6 **QUESTIONS**

Questions without notice were answered.

*Distinguished visitor: The President welcomed the Speaker of the House of Commons of the United Kingdom, the Right Honourable John Bercow MP, and, with the concurrence of honourable senators, invited him to take a seat on the floor of the chamber.*

Further questions without notice were answered.

7 **MOTIONS TO TAKE NOTE OF ANSWERS**

Senator McLucas moved—that the Senate take note of the answers given by the Minister for Indigenous Affairs (Senator Scullion) to questions without notice asked by Senators Sterle and McLucas today relating to the provision of services for Indigenous Australians and to staffing matters at the Department of the Prime Minister and Cabinet.

Debate ensued.

*Question put and passed.*
The Leader of the Australian Greens (Senator Milne) moved—That the Senate take note of the answer given by the Minister for Finance (Senator Cormann) to a question without notice asked by Senator Milne today relating to taxation policy and the Australian Taxation Office. Question put and passed.

8 NOTICES

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

(a) notes:
   (i) the recent release of the *Who Pays for our Common Wealth?* report by Tax Justice Network and United Voice, and
   (ii) that the report found that of Australia’s largest 200 companies, 29 per cent have an effective tax rate of 10 per cent or less, and 14 per cent have an effective tax rate of 0 per cent; and

(b) urges the Government:
   (i) to act on corporate tax evasion in Australia immediately, rather than unnecessarily waiting for the G20 in November 2014, and
   (ii) introduce legislation that requires Australian corporations to disclose all foreign subsidiaries in their financial statements. (*general business notice of motion no. 465*)

The Leader of the Australian Greens (Senator Milne): To move on the next day of sitting—That the following matter be referred to the Economics References Committee for inquiry and report by the first sitting day of 2015:

Tax avoidance and aggressive minimisation by corporations registered in Australia and multinational corporations operating in Australia, with specific reference to:

(a) the adequacy of Australia’s current laws;

(b) any need for greater transparency to deter tax avoidance and provide assurance that all companies are complying fully with Australia’s tax laws;

(c) the opportunities to collaborate internationally to address the problem;

(d) the performance and capability of the Australian Taxation Office (ATO) to investigate and launch litigation, in the wake of drastic budget cuts to staffing numbers;

(e) the role and performance of the Australian Securities and Investments Commission in working with corporations and supporting the ATO to protect public revenue;

(f) any relevant recommendations or issues arising from the Government’s White Paper process on the ‘Reform of Australia’s Tax System’; and

(g) any other related matters.

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

(a) expresses concern over the audit of the National Medical Intern Data Management Working Group’s findings that approximately 240 Australian medical graduates will not be offered a state or territory internship position;

(b) notes that completing a medical internship is an essential process for a graduate to work as a doctor in Australia;
(c) recognises that:

(i) medical internship opportunities are necessary to keep doctors in Australia and to address shortages across rural and regional Australia, and

(ii) insufficient medical internship placements will impact on Australia’s ability to attract international students to Australian universities; and

(d) calls on the Government to expand funding to the Commonwealth Medical Initiative to guarantee an internship for all Australian medical students.

(general business notice of motion no. 466)

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

(a) notes that:

(i) children from New South Wales Aboriginal communities are being removed from their families at an unprecedented rate with more than 6,000 Aboriginal children, representing about one in 10 Aboriginal children, in out-of-home care in New South Wales,

(ii) Grandmothers Against Removal, based in Gunnedah, was formed to highlight the process of removal used by the New South Wales Department of Community Services,

(iii) Aboriginal children were forcibly removed from their home on 15 January 2014 in Moree by Community Services workers and police from the Operations Support Group, who handcuffed the children’s parents,

(iv) these Aboriginal children have been subsequently returned to their family home, and

(v) the New South Wales Government has failed to release film footage taken by the Operations Support Group inside the home of the children forcibly removed in Moree; and

(b) recognises that we all must do all in our power to stop the development of a new Stolen Generation.

(general business notice of motion no. 467)

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

(a) notes that:

(i) Australian Hearing Services has provided affordable hearing care services since 1947 and continues to provide services to over 450,000 children, young adults, Indigenous Australians, ex-service personnel and the elderly each year,

(ii) Australian Hearing Services provides affordable hearing care services at 468 hearing services centres and visiting sites throughout Australia, including regional and remote areas,

(iii) in the past 5 years Australian Hearing Services has paid the Government dividends totalling $22.8 million,

(iv) the National Commission of Audit recommended that Australian Hearing be privatised, and

(v) the 2014-15 Federal Budget provides an appropriation for funding a scoping study on the privatisation of Australian Hearing, of which $437,500 has already been spent on consultancies;
(b) acknowledges that:
   (i) government funding and support for the Australian Government Hearing Services Program and the role in its delivery carried out by Australian Hearing are necessary for the provision of affordable hearing care services to Australians who might not otherwise be able to afford hearing care, and
   (ii) privatisation of Australian Hearing would place the effectiveness of the Australian Government Hearing Services Program in jeopardy; and
(c) calls on the Government to:
   (i) reject the National Commission of Audit recommendation to privatise Australian Hearing,
   (ii) provide adequate funding to ensure that the Australian Government Hearing Services Program continues at current capacity or greater,
   (iii) ensure the research functions carried out by the National Acoustical Laboratories continue at current capacity or greater,
   (iv) provide guarantees that the high standard of service delivery under the Australian Government Hearing Services Program is maintained and enhanced, and
   (v) provide certainty to Australians living in regional and remote areas that their access to high quality, affordable hearing care services will not be diminished. (general business notice of motion no. 468)

Senator Whish-Wilson: To move on the next day of sitting—That the Senate—

(a) notes:
   (i) that the Government has included Investor State Dispute Settlement (ISDS) clauses in the Korea-Australia Free Trade Agreement,
   (ii) the concern about including ISDS clauses in trade agreements expressed by a number of legal experts, including Chief Justice French,
   (iii) reports that ISDS clauses are being negotiated by parties to the Trans Pacific Partnership Agreement, and
   (iv) that United States multinational companies are the highest users of ISDS litigation; and
(b) acknowledges that agreeing to ISDS clauses in the Trans Pacific Partnership Agreement will subject Australia to increased risk of litigation. (general business notice of motion no. 469)

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

(a) expresses concern at the proposed sale of the $29 billion Medicare payment system, which will put thousands of jobs at risk and compromise service;
(b) notes that the sale will open the door for further privatisations within the Department of Human Services and other federal government agencies, including the Australian Taxation Office; and
(c) calls on the Australian Government to protect Australian jobs and reject the privatisation of Medicare’s key administrative functions. (general business notice of motion no. 470)
Senator Ludwig: To move on the next day of sitting—That there be laid on the table by the Minister for Finance and Acting Assistant Treasurer (Senator Cormann), no later than 1 pm on Monday, 27 October 2014, the advice obtained from the Australian Government Solicitor, as referred to on p. 7 of the Regulations and Ordinances Committee’s Delegated legislation monitor no. 12 of 2014, dated 24 September 2014, where the committee reported that the Minister for Finance and Acting Assistant Treasurer advised the committee that ‘The Australian Government Solicitor has advised that the Regulation has been made in accordance with the specific regulation-making powers in the Corporations Act…’. (general business notice of motion no. 471)

Senator Wright: To move on the next day of sitting—That the Senate—
(a) acknowledges the importance of manufacturing jobs created by Tindo Solar in South Australia;
(b) recognises:
(i) any changes to the Renewable Energy Target (RET) will put Tindo Solar under significant financial pressure and may jeopardise the company’s $6 million manufacturing facility,
(ii) the current RET has been effective for South Australia, delivering lower energy costs, encouraging billions of dollars of investment and creating thousands of jobs in the state, and
(iii) these jobs are at risk if the RET is lowered or abolished; and
(c) calls on the Federal Government to give the South Australian renewable energy industry the confidence and certainty it needs by recommitting to the full RET. (general business notice of motion no. 472)

Senator Siewert: To move on the next day of sitting—That the Senate—
(a) notes that:
(i) demolition work has begun to dismantle the remote community of Oombulgurri in Western Australia,
(ii) this demolition is being conducted without consultation or permission of residents and traditional owners, and
(iii) forcing people from communities and closing essential services does not address existing social issues or the underlying causes of disadvantage affecting communities; and
(b) calls for:
(i) the suspension of the demolition of Oombulgurri and for discussions to begin with residents and traditional owners, and
(ii) increased investment in services and support for remote communities. (general business notice of motion no. 473)

Senator Siewert: To move on 27 October 2014—That the following bill be introduced:
The Chair of the Economics References Committee (Senator Dastyari): To move on the next day of sitting—That the following matter be referred to the Economics References Committee for inquiry and report by the first sitting day in March 2015:

Digital currency, with particular reference to:

(a) how to develop an effective regulatory system for digital currency that:
   (i) ascertains the most appropriate definition of digital currencies under Australian tax law,
   (ii) promotes competition and growth of the digital currency industry,
   (iii) ensures ongoing stability in the financial services industry,
   (iv) secures protection of consumers and businesses against illegal activity,
   (v) incorporates digital currencies into Australia’s national security framework, and
   (vi) ensures the financial stability of the industry;
(b) the potential impact of digital currency technology on the Australian economy, including the:
   (i) payments sector,
   (ii) retail sector, and
   (iii) banking sector;
(c) how Australia can take advantage of digital currency technology to establish itself as a market leader in this field; and
(d) any other related matters.

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

(a) notes:
   (i) the Attorney-General has stated that the Government would introduce legislation to support a mandatory data retention policy before the end of the 2014 calendar year,
   (ii) the Government has not yet provided a full definition of metadata that would be covered under the policy, and
   (iii) media reports suggest that the Attorney-General’s department has provided an updated discussion paper on the data retention issue to industry; and

(b) orders that there be laid on the table by the Attorney-General, no later than noon on Monday, 20 October 2014, the latest discussion paper on data retention which has been distributed by the Attorney-General’s department to industry.

(General business notice of motion no. 475)

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

Australian Transaction Reports and Analysis Centre Supervisory Cost Recovery Levy Amendment Bill 2014
Document: Senator Fifield tabled the following document:
Consideration of legislation—Statement of reasons for introduction and passage of the bills in the 2014 spring sittings.

Notice of motion withdrawn: Senator Bushby, at the request of the Chair of the Standing Committee on Regulations and Ordinances (Senator Williams) and pursuant to notice of intention given on 30 September 2014, withdrew business of the Senate notice of motion no. 2 standing in the name of Senator Williams for today for the disallowance of the Farm Household Support Secretary’s Rule 2014, made under the Farm Household Support Act 2014.

9 Postponement
Business was postponed as follows:
General business notice of motion no. 434 standing in the name of the Chair of the Procedure Committee (Senator Marshall) for today, proposing a variation to the order of the Senate relating to photography in the chamber, postponed till 2 December 2014.

10 Corporations Amendment (Streamlining Future of Financial Advice) Regulation—Disallowance Motion—Consideration
The Assistant Minister for Social Services (Senator Fifield) amended government business notice of motion no. 1 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That—
(a) so much of the standing orders be suspended as would prevent the succeeding provisions of this resolution having effect;
(b) on Wednesday, 1 October 2014, the business of the Senate notice of motion proposing the disallowance of the Corporations Amendment (Streamlining Future of Financial Advice) Regulation 2014, standing in the name of Senator Dastyari, for that day be called on no later than 5.15 pm; and
(c) if consideration of the motion listed in paragraph (b) is not concluded at 6.30 pm, the questions on the unresolved motion shall then be put.
Question put and passed.

11 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. 2—That the provisions of paragraphs (5) to (8) of standing order 111 not apply to the following bills, allowing them to be considered during this period of sittings:
Customs Amendment (Korea-Australia Free Trade Agreement Implementation) Bill 2014
Customs Tariff Amendment (Korea-Australia Free Trade Agreement Implementation) Bill 2014.
Question put and passed.
12 **HEALTH—BORDERLINE PERSONALITY DISORDER**

Senator Wright, also on behalf of Senator Mclucas, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 460—That the Senate—

(a) notes that:

(i) at any one point in time, between 1 and 4 per cent of the general population experiences Borderline Personality Disorder (BPD),

(ii) the disorder can be characterised by overwhelming emotions, relationship problems, impulsive and risk-taking behaviour and a fragile sense of self,

(iii) a history of trauma, abuse or deprivation is common among those with the disorder,

(iv) despite its prevalence, enormous public health costs and devastating toll on individuals and families, recovery from BPD is possible,

(v) BPD is a leading cause of suicide, with an estimated 10 per cent of individuals with this diagnosis taking their own lives, and

(vi) an increased understanding of BPD is required among health professionals and the general public by promoting education, research, funding, early detection, and effective treatments; and

(b) acknowledges that the Australian BPD Foundation, through ongoing advocacy from Ms Janne McMahon OAM, Dr Martha Kent and Associate Professor Andrew Chanen, has declared the first week of October each year as Borderline Personality Disorder Awareness Week with the aim of promoting understanding of the disorder in the community and working towards better treatment options and quality of life for those affected by the disorder.

Question put and passed.

13 **FOREIGN AFFAIRS—DISABILITY-INCLUSIVE DEVELOPMENT POLICY**

Senator Rhiannon, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 461—That the Senate—

(a) notes that:

(i) 80 per cent of people with a disability live in developing countries,

(ii) over 20 per cent of the world’s poorest people in developing countries have a disability,

(iii) children with a disability are much less likely to attend school than children without a disability, and

(iv) it is estimated that armed conflict will be the eighth most common cause of disability worldwide by 2020; and

(b) urges the Department of Foreign Affairs and Trade and all those involved in progressing development policy and programs to ensure budget and accountability measures are in place with reference to implementing a multi-partisan commitment to disability-inclusive development.

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

Question put and passed.
14 COMMUNICATIONS—COMMUNITY BROADCASTING SECTOR

Senator Ludlam, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 462—that the Senate—

(a) notes that:

(i) Australia’s community broadcasters are a vital part of Australia’s increasingly concentrated media landscape, providing space for diverse voices not found in commercial media,

(ii) some 25 000 Australians volunteer at their community radio or television station each year, gaining critical commercial skills and experience that they would not be able to access elsewhere, and

(iii) the future of the sector has been called into question by the Minister for Communications’ recent announcement that spectrum licensing to community stations will be cancelled at the end of 2015; and

(b) calls on the Australian Government to:

(i) immediately commence a public consultation process regarding the future of Australia’s community broadcasting sector, and

(ii) reconsider the decision to cancel spectrum allocation to the community broadcasting sector.

Question put.

The Senate divided—

AYES, 35

Senators—

Bullock Lamie Milne Singh
Cameron Lazarus Moore Sterle
Carr Lines Muir Urquhart
Conroy Ludlam O’Neill Wang
Dastyari Ludwig Peris Waters
Di Natale Lundy Polley Whish-Wilson
Gallacher Madigan Rhiannon Wright
Hanson-Young Marshall Rice Xenophon
Ketter McEwen (Teller) Siewert

NOES, 29

Senators—

Back Day Mason Ryan
Bernardi Edwards McGrath Scullion
Birmingham Fawcett McKenzie Seselja
Brandis Fifield O’Sullivan Sinodinos
Bushby (Teller) Heffernan Parry Williams
Canavan Johnston Payne
Cash Leyonhjelm Reynolds
Colbeck Macdonald Ruston

Question agreed to.
15 IMMIGRATION—ASYLUM SEEKERS—NAURU DETENTION CENTRE—ORDER FOR PRODUCTION OF DOCUMENTS

Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 463—that there be laid on the table by the Assistant Minister for Immigration and Border Protection, no later than 3 pm on Thursday, 2 October 2014, the following documents:

(a) all incident reports logged at the Nauru detention centre relating to the misconduct of centre staff for the past 12 months; and
(b) all complaints of sexual assault, exploitation and child abuse made to case workers at the Nauru detention centre in the past 12 months.

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

Question put.

The Senate divided—

AYES, 35

Senators—


NOES, 29

Senators—

Back                  Day                    Mason                  Ryan                  Bernardi                  Edwards                  McGrath                Scullion                  Birmingham              Fawcett                McKenzie                Seselja                  Brandis                  Fifield                O’Sullivan                Smidinios                  Bushby (Teller)              Heffernan                Parry                    Williams                  Canavan                  Johnston                Payne

Cash                    Leyonhjelm                  Reynolds                  Colbeck                  Macdonald                Reynolds

Question agreed to.

16 FOREIGN AFFAIRS—PAPUAN PROVINCES—ARREST OF JOURNALISTS

Senator Di Natale amended general business notice of motion no. 464 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—that the Senate—

(a) notes that:

(i) freedom of the press is an important element of any functioning democracy, and

(ii) access to Papuan provinces by foreign journalists has been tightly restricted by the Indonesian Government;
(b) expresses its concern at the ongoing detention of French journalists, Mr Thomas Dandois and Ms Valentine Bourrat, on 6 August 2014, while they were filming a documentary for the Franco-German television channel Arte, noting that they entered Indonesia on a tourist visa;
(c) welcomes public statements from Indonesia’s President-elect, Mr Joko Widodo, that Papuan provinces should be open to foreign journalists; and
(d) calls on the Australian Government to request that the Indonesian Government release Mr Dandois and Ms Bourrat as a sign of its commitment to more open Papuan provinces.

Statement by leave: Senator Di Natale, by leave, made a statement relating to the motion. Question put and passed.

17 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—IMMIGRATION—ASYLUM SEEKER POLICY

The Acting Deputy President (Senator Lines) informed the Senate that Senator Siewert had proposed that the following matter of public importance be submitted to the Senate for discussion:

The Abbott Government’s treatment of asylum seekers detained offshore in Nauru and Manus Island and the recently signed deal with Cambodia.

The proposal was supported by four senators and the matter was discussed.

18 DOCUMENTS—CONSIDERATION

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

Health—Global Fund to Fight AIDS, Tuberculosis and Malaria—Letter to the President of the Senate from the Minister for Foreign Affairs (Ms Bishop) responding to the resolution of the Senate of 1 September 2014. Motion to take note of document moved by Senator Rhiannon and agreed to.

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

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

Regulations and Ordinances—Standing Committee—Delegated legislation monitor no. 13 of 2014, dated 1 October 2014.

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

Scrutiny of Bills—Standing Committee—
13th report of 2014, dated 1 October 2014.
Alert Digest No. 13 of 2014, dated 1 October 2014.

Report ordered to be printed on the motion of Senator Bilyk.
Senator Bilyk, at the request of the Chair of the Foreign Affairs, Defence and Trade References Committee (Senator Gallacher), tabled the following report and documents:

Foreign Affairs, Defence and Trade References Committee—Korea-Australia Free Trade Agreement—Report, dated October 2014, Hansard record of proceedings, additional information and submissions.

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

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

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

At 5.15 pm—

20 CORPORATIONS AMENDMENT (STREAMLINING FUTURE OF FINANCIAL ADVICE) REGULATION—PROPOSED DISALLOWANCE

Pursuant to the order of the Senate agreed to earlier today (see entry no. 10), Senator Dastyari, pursuant to notice, moved business of the Senate notice of motion no. 1—That items 1 to 27 inclusive and item 30 of the Corporations Amendment (Streamlining Future of Financial Advice) Regulation 2014, as contained in Select Legislative Instrument 2014 No. 102 and made under the Corporations Act 2001, be disallowed.

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

Corporations Amendment (Streamlining Future of Financial Advice) Regulation 2014—Transcript of 2GB Radio interview with the Minister for Finance (Senator Cormann) by Mr Jones, dated 30 September 2014.

Debate ensued.

At 6.30 pm: Pursuant to the order of the Senate agreed to earlier today (see entry no. 10), the question was put.

The Senate divided—

AYES, 32

Senators—

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NOES, 34

Senators—

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Birmingham
Bushby
Canavan
Cash
Colbeck
Cormann
Day

Edwards
Fawcett (Teller)
Fierravanti-Wells
Fifield
Heffernan
Lambie
Lazarus
Leyonhjelm
Macdonald

Mason
McGrath
Muir
Nash
Parry
Payne
Reynolds
Ronaldson
Ruston

Ryan
Scullion
Seselja
Sindonos
Smith
Wang
Williams

Question negatived.

21 NOTICE

Senator Rhiannon, also on behalf of the Minister for Human Services (Senator Payne), Senator Moore and the Leader of the Palmer United Party in the Senate (Senator Lazarus), by leave, gave a notice of motion as follows: To move on the next day of sitting—That the Senate—

(a) notes:

(i) that the National Rugby League (NRL) grand final, to be held on Sunday 5 October 2014, between the two great clubs, South Sydney and Canterbury-Bankstown, will bring outstanding entertainment to thousands of supporters around the world,

(ii) the importance of family friendly scheduling for future grand finals, and

(iii) the importance of sport to the good health of the nation; and

(b) thanks the NRL players for another outstanding season of exciting football.

(General business notice of motion no. 476)

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

Tabling and consideration of committee reports and government responses pursuant to standing order 62(4) resumed (see entry no. 19).

Senator Fawcett, at the request of the Chair of the Parliamentary Joint Committee on Human Rights (Senator Smith), tabled the following report:


Report ordered to be printed on the motion of Senator Fawcett.
23 **FOREIGN AFFAIRS—MALAYSIA AIRLINES FLIGHT MH17—MINISTERIAL STATEMENT—DOCUMENTS**

The Assistant Minister for Immigration and Border Protection (Senator Cash) tabled the following documents:

- Foreign affairs—Malaysia Airlines Flight MH17—Tabling of the Treaty between Australia and the Kingdom of the Netherlands on the presence of Australian personnel in the Netherlands for the purpose of responding to the downing of Malaysia Airlines Flight MH17—Ministerial statement by the Minister for Foreign Affairs (Ms Bishop), dated 30 September 2014.
- Treaty—Bilateral—Treaty between Australia and the Kingdom of the Netherlands on the presence of Australian personnel in the Netherlands for the purpose of responding to the downing of Malaysia Airlines Flight MH17 (The Hague, 1 August 2014)—Text, together with national interest analysis.

24 **TRANSPORT—QUEENSLAND—TOOWOOMBA BYPASS—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENTS**

The Assistant Minister for Immigration and Border Protection (Senator Cash) tabled the following documents:

- Transport—Queensland—Toowoomba Bypass—Letters to the Clerk of the Senate, dated 1 October 2014, responding to the order of the Senate of 30 September 2014 from—Minister for Defence (Senator Johnston).
- Minister for Infrastructure and Regional Development (Mr Truss), raising a public interest immunity claim, and attachments.

25 **COMMITTEE MEMBERSHIP**

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

The Assistant Minister for Immigration and Border Protection (Senator Cash), by leave, moved—That senators be discharged from and appointed to committees as follows:

- **Certain Aspects of Queensland Government Administration related to Commonwealth Government Affairs—Select Committee**—Appointed—Senators Ketter, Ludwig and Macdonald
  Participating members: Senators Back, Bernardi, Bushby, Canavan, Edwards, Fawcett, Heffernan, McGrath, McKenzie, O’Sullivan, Reynolds, Ruston, Seselja, Smith and Williams

- **Education and Employment Legislation Committee**—Appointed—Substitute member: Senator Waters to replace Senator Rhiannon for the committee’s inquiry into the provisions of the Higher Education and Research Reform Amendment Bill 2014
  Participating member: Senator Rhiannon.

Question put and passed.
26 **AUSTRALIAN TRANSACTION REPORTS AND ANALYSIS CENTRE SUPERVISORY COST RECOVERY LEVY AMENDMENT BILL 2014**

**AUSTRALIAN TRANSACTION REPORTS AND ANALYSIS CENTRE SUPERVISORY COST RECOVERY LEVY (COLLECTION) AMENDMENT BILL 2014**

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


The Assistant Minister for Immigration and Border Protection (Senator Cash) 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 Cash moved—That these bills be now read a second time.

*Consideration of legislation:* Pursuant to order, the debate was adjourned and the resumption of the debate made an order of the day for the first day in the next period of sittings, 27 October 2014.

27 **FAIR ENTITLEMENTS GUARANTEE AMENDMENT BILL 2014**

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


The Assistant Minister for Immigration and Border Protection (Senator Cash) 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 Cash 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, 27 October 2014.

28 **NATIONAL SECURITY LEGISLATION AMENDMENT BILL (NO. 1) 2014**

A message from the House of Representatives was reported agreeing to the following bill without amendment:

29 ORDER OF BUSINESS—REARRANGEMENT
The Assistant Minister for Immigration and Border Protection (Senator Cash) moved—That intervening business be postponed till after consideration of the government business order of the day relating to the Customs Amendment (Korea-Australia Free Trade Agreement Implementation) Bill 2014 and related bill. Question put and passed.

30 CUSTOMS AMENDMENT (KOREA-AUSTRALIA FREE TRADE AGREEMENT IMPLEMENTATION) BILL 2014
CUSTOMS TARIFF AMENDMENT (KOREA-AUSTRALIA FREE TRADE AGREEMENT IMPLEMENTATION) BILL 2014
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.
The Leader of the Opposition in the Senate (Senator Wong) moved the following amendment in respect of the Customs Amendment (Korea-Australia Free Trade Agreement Implementation) Bill 2014:

At the end of the motion, add “but the Senate urges the Government to:

(a) seek to re-negotiate the Korea-Australia Free Trade Agreement to omit provisions relating to investor state dispute settlement;

(b) provide clarity on proposed changes to copyright and assurance that any proposed changes as a result of the Korea-Australia Free Trade Agreement do not create adverse impacts for intellectual property owners or users;

(c) protect Australia’s right to regulate labour market entry and promote labour standards;

(d) reverse its cuts to automotive industry programs and work with employers and unions to ensure Australia has a sustainable automotive components sector; and

(e) address business concerns about complex rules of origin in the Korea-Australia Free Trade Agreement and lack of harmonisation with other preferential trade agreements”.

Debate ensued.
Question—That the amendment be agreed to—put and passed.
Main question, as amended, 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 Senator Cash the bills were read a third time.
At 7.20 pm—

31 **ADJOURNMENT**

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

Debate ensued.

The Senate adjourned at 8 pm till Thursday, 2 October 2014 at 9.30 am.

32 **ATTENDANCE**

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

**ROSEMARY LAING**

Clerk of the Senate