2016-19

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 139

WEDNESDAY, 13 FEBRUARY 2019

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1 Meeting of Senate
The Senate met at 9.30 am. The President (Senator the Honourable Scott Ryan) 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):

Government documents
   
   Defence Trade Controls Act 2012—
   
   2. Independent review on the operation of the Act, dated October 2018.

   Migration Act 1958—Section 486O—Assessment of detention arrangements—

3 Consideration of legislation
Suspension of standing orders: Senator Collins, at the request of the Leader of the Opposition in the Senate (Senator Wong) and pursuant to contingent notice, moved—That so much of the standing orders be suspended as would prevent Senator Wong moving a motion to provide for the consideration of a matter, namely a motion to provide that a motion with respect to the Home Affairs Legislation Amendment (Miscellaneous Measures) Bill 2018 be agreed to without amendment or debate.

Debate ensued.

Question put.

The Senate divided—

AYES, 32

Senators—

Bilyk
Brown
Cameron
Carr
Collins
Di Natale
Dodson
Faruqi

Gallacher
Griff
Hanson-Young
Hinch
Keneally
Ketter
Kitching
Lines

Marshall
McAllister
McKim
Moore
O’Neill
Patrick
Rice
Siewert

Singh
Smith, David
Steele-John
Storer
Urquhart*
Waters
Whish-Wilson
Wong

NOES, 31

Senators—

Anning
Bernardi
Brockman
Burston
Canavan
Cash
Colbeck
Cormann

Duniam
Fawcett
Fierravanti-Wells
Fifield
Georgiou
Gichuhi
Hanson
Hume

Leyonhjelm
Macdonald
Martin
McGrath
McKenzie
Molan
O’Sullivan
Paterson

Ruston
Ryan
Scullion
Sinodinos
Smith, Dean*
Stoker
Williams

* Tellers

Question agreed to.
Senator Collins, at the request of Senator Wong, moved—That a motion with respect to the Home Affairs Legislation Amendment (Miscellaneous Measures) Bill 2018 be agreed to without amendment or debate.

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

The Senate divided—

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* Tellers

Question agreed to.

Question—That the precedence motion be agreed to—put.

The Senate divided—

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* Tellers

Question agreed to.
Senator Collins moved—That—

(a) the message from the House of Representatives relating to the Senate amendments to the Home Affairs Legislation Amendment (Miscellaneous Measures) Bill 2018 be reported immediately;

(b) consideration of the message shall have precedence over all other business, including senators’ statements and question time, until determined;

(c) immediately after the message is reported, the following motion in respect of the message shall be proposed from the Chair and considered without amendment—That the Senate agrees to the amendments made by the House of Representatives to the Senate amendments to the bill;

(d) a senator speaking to the motion shall not speak for more than 5 minutes and, if the debate is not concluded at the expiration of 30 minutes after the motion is proposed, the question on the motion shall then be put; and

(e) at the conclusion of consideration of the message, government business order of the day no. 4 (Treasury Laws Amendment (Strengthening Corporate and Financial Sector Penalties) Bill 2018) shall be called on and have precedence over all government business until determined.

The question was divided at the request of Senators Collins and Patrick—

Question—That paragraphs (a) to (d) of the motion be agreed to—put.

The Senate divided—

AYES, 33

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*Tellers

Question agreed to.

Question—That paragraph (e) of the motion be agreed to—put.
The Senate divided—

AYES, 30

Senators—

Bilyk
Brown
Cameron
Carr
Collins
Di Natale
Dodson
Faruqi
Gallacher
Hanson-Young
Hinch
Keneally
Ketter
Kitching
Lines
Marshall
McAllister
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O’Neill
Rice
Stewart
Singh

Senators—

Anning
Bernardi
Brockman
Burston
Canavan
Cash
Colbeck
Cormann
Duniam
Fawcett
Ferravanti-Wells
Fifield
Georgiou
Gichuhi
Griff
Hanson
Hume
Macdonald
Martin
McGrath
McKenzie
Molan
O’Sullivan
Paterson
Patrick
MacDonald
Ruston
Ryan
Scullion
Sinodinos
Smith, Dean*
Stoker
Storer
Williams

NOES, 34

* Tellers

Question negatived.

4 Home Affairs Legislation Amendment (Miscellaneous Measures) Bill 2018

A message from the House of Representatives was reported as follows:

Message no. 530, dated 12 February 2019—Home Affairs Legislation Amendment (Miscellaneous Measures) Bill 2018, informing the Senate that the House of Representatives had refrained from the determination of its constitutional rights in respect of Senate amendments to the bill, agreeing to amendment no. 1 made by the Senate and agreeing to amendment no. 2 with amendments.

SCHEDULE OF THE AMENDMENTS MADE BY THE HOUSE TO AMENDMENTS MADE BY THE SENATE

Amendment (2), at the end of section 198C, add:

Note: Any transitory person who is brought to Australia for a temporary purpose must be kept in immigration detention whilst in Australia. That immigration detention must continue until the time of removal from Australia or until the Minister determines that immigration detention is no longer required.

Amendment (2), subsection 198D(2), omit “Within 24 hours of”, substitute “After”.

Amendment (2), after subsection 198D(2), insert:

(2A) The Minister must make a decision under subsection (2):
(a) as soon as practicable after being notified; and
(b) no later than 72 hours after being notified.
Amendment (2), omit subsection 198D(3), substitute:

(3) The Minister must approve the person’s transfer to Australia unless:
    (a) the Minister reasonably suspects that the transfer of the person to
        Australia would be prejudicial to security within the meaning of the
        Australian Security Intelligence Organisation Act 1979, including because
        an adverse security assessment in respect of the person is in force under
        that Act; or
    (b) the Minister knows that the person has a substantial criminal
        record (as defined by subsection 501(7) as in force at the
        commencement of this section) and the Minister reasonably
        believes the person would expose the Australian community to a
        serious risk of criminal conduct.

(3A) Within 72 hours of the Minister being notified under subsection (1),
    ASIO should advise the Minister if the transfer of the person to
    Australia may be prejudicial to security within the meaning of the
    Australian Security Intelligence Organisation Act 1979 (including
    because an adverse security assessment in respect of the person is in
    force under that Act) and if that threat cannot be mitigated.

Amendment (2), subsection 198D(5), omit the subsection, substitute:

(5) If the Minister does not make a decision under subsection (2) within
    the time required by subsection (2A), the Minister is, at the end of the
    time, taken to have approved the person’s transfer under
    subsection (2).

Amendment (2), omit subsection 198E(2), substitute:

(2) A transitory person is a relevant transitory person if:
    (a) the person:
        (i) is in a regional processing country on the day this section
            commences; or
        (ii) is born in a regional processing country; and
    (b) in the opinion of a treating doctor for the person:
        (i) the person requires medical or psychiatric assessment or
            treatment; and
        (ii) the person is not receiving appropriate medical or
            psychiatric assessment or treatment in the regional
            processing country; and
        (iii) it is necessary to remove the person from a regional
            processing country for appropriate medical or psychiatric
            assessment or treatment.

Amendment (2), subsection 198E(3), omit “Within 24 hours of”, substitute
“After”.

Amendment (2), after subsection 198E(3), insert:

(3A) The Minister must make a decision under subsection (3):
    (a) as soon as practicable after being notified; and
    (b) no later than 72 hours after being notified.
Amendment (2), omit subsection 198E(4), substitute:

(4) The Minister must approve the person’s transfer to Australia unless:
   (a) the Minister reasonably believes that it is not necessary to remove the person from a regional processing country for appropriate medical or psychiatric assessment or treatment; or
   (b) the Minister reasonably suspects that the transfer of the person to Australia would be prejudicial to security within the meaning of the *Australian Security Intelligence Organisation Act 1979*, including because an adverse security assessment in respect of the person is in force under that Act; or
   (c) the Minister knows that the person has a substantial criminal record (as defined by subsection 501(7) as in force at the commencement of this section) and the Minister reasonably believes the person would expose the Australian community to a serious risk of criminal conduct.

(4A) Within 72 hours of the Minister being notified under subsection (1), ASIO should advise the Minister if the transfer of the person to Australia may be prejudicial to security within the meaning of the *Australian Security Intelligence Organisation Act 1979* (including because an adverse security assessment in respect of the person is in force under that Act) and if that threat cannot be mitigated.

Amendment (2), omit subsection 198E(5), substitute:

(5) If the Minister does not make a decision under subsection (3) within the time required by subsection (3A), the Minister is, at the end of the time, taken to have approved the person’s transfer under subsection (3).

Amendment (2), subsection 198F(2), omit “Within 24 hours of”, substitute “As soon as practicable, and no later than 72 hours, after”:

Amendment (2), subsection 198F(4), omit “Within 24 hours of”, substitute “After”.

Amendment (2), after subsection 198F(4), insert:

(4A) The Minister must make a decision under subsection (4):
   (a) as soon as practicable after being informed by the panel of its findings and recommendations; and
   (b) no later than 24 hours after being informed by the panel of its findings and recommendation.

Amendment (2), omit subsection 198F(5), substitute:

(5) If the panel recommends that the person’s transfer be approved, the Minister must approve the person’s transfer to Australia unless:
   (a) the Minister reasonably suspects that the transfer of the person to Australia would be prejudicial to security within the meaning of the *Australian Security Intelligence Organisation Act 1979*, including because an adverse security assessment in respect of the person is in force under that Act; or
(b) the Minister knows that the person has a substantial criminal record (as defined by subsection 501(7) as in force at the commencement of this section) and the Minister reasonably believes the person would expose the Australian community to a serious risk of criminal conduct.

Amendment (2), omit subsection 198F(6), substitute:

(6) If the Minister does not make a decision under subsection (4) within the time required by subsection (4A), the Minister is, at the end of that time, taken to have approved the person’s transfer under subsection (4).

Amendment (2), subsection 198G(2), omit “Within 24 hours of”, substitute “After”.

Amendment (2), after subsection 198G(2), insert:

(2A) The Minister must make a decision under subsection (2):
(a) as soon as practicable after being informed; and
(b) no later than 72 hours after being informed.

Amendment (2), omit subsection 198G(3), substitute:

(3) The Minister must approve the person’s transfer to Australia unless:
(a) the Minister reasonably suspects that the transfer of the person to Australia would be prejudicial to security within the meaning of the Australian Security Intelligence Organisation Act 1979, including because an adverse security assessment in respect of the person is in force under that Act; or
(b) the Minister knows that the person has a substantial criminal record (as defined by subsection 501(7) as in force at the commencement of this section) and the Minister reasonably believes the person would expose the Australian community to a serious risk of criminal conduct.

(3A) Within 72 hours of the Minister being informed under subsection (1), ASIO should advise the Minister if the transfer of the person to Australia may be prejudicial to security within the meaning of the Australian Security Intelligence Organisation Act 1979 (including because an adverse security assessment in respect of the person is in force under that Act) and if that threat cannot be mitigated.

Amendment (2), section 198H, after “198E(4)(b)” insert “or (c)”.

Amendment (2), at the end of section 199B, add:

(4) A person is not entitled to remuneration in respect of their position as a member of the panel.

Pursuant to order, the following motion was proposed from the Chair—That the Senate agrees to the amendments made by the House of Representatives to the Senate amendments to the bill.

Debate ensued.

Time expired: The time for debate reached the limit of 30 minutes.

Question—That the motion be agreed to—put.
The Senate divided—

AYES, 36

Senators—

Bilyk
Brown
Cameron
Carr
Chisholm
Collins
Di Natale
Dodson
Farrell
Faruqi
Gallacher
Griff
Hanson-Young
Hinch
Keneally
Ketter
Kitching
Lines
Marshall
McAllister
McKim
Moore
Patrick
Polley
Pratt
Rice
Siewert

Singh
Sterle
Storer
Steele-John
Waters
Watt
Whish-Wilson

NOES, 34

Senators—

Anning
Bernardi
Birmingham
Brockman
Burston
Canavan
Cash
Colbeck
Cormann
Duniam
Fawcett
Ferravanti-Wells
Fifield
Georgiou
Gichuhi
Hanson
Hume
Leyonhjelm

Macdonald
Martin
McGrath
McKenzie
Molan
O’Sullivan
Paterson
Payne
Reynolds
Ruston
Ryan
Scullion
Simondos
Smith, Dean*
Stoker
Williams

* Tellers

Question agreed to.

5 Documents

The Clerk tabled the following documents pursuant to statute:

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

Aboriginal and Torres Strait Islander Heritage Protection Act 1984—Aboriginal and Torres Strait Islander Heritage Protection (Butterfly Cave, West Wallsend, NSW) Declaration 2019 [F2019L00120].*


Defence Act 1903—Defence Honours and Awards Appeals Tribunal Amendment Procedural Rule (No. 1) 2019 [F2019L00119].

Industry Research and Development Act 1986—


Lands Acquisition Act 1989—Statement describing property acquired by agreement for specified purposes.

Public Governance, Performance and Accountability Act 2013—Commonwealth acquired shares and became a member of Tribute Resources Ltd—6 February 2019.

Taxation Administration Act 1953—

Single Touch Payroll – Determination of Amounts to be Notified [F2019L00122].

The Clerk tabled the following documents pursuant to order:

Departmental and agency appointments and vacancies—Additional estimates 2018–19—Letters of advice pursuant to the order of the Senate of 24 June 2008—Communications and the Arts portfolio.  
Department of Human Services.  
Education and Training portfolio.  

Departmental and agency grants—Letters of advice pursuant to the order of the Senate of 24 June 2008—Communications and the Arts portfolio.  
Department of Health.  
Department of Human Services.  
Environment and Energy portfolio.  
National Blood Authority.  

Estimates hearings—Unanswered questions on notice—Budget estimates 2018–19 (Supplementary)—Statements pursuant to the order of the Senate of 25 June 2014—Department of Human Services.  
Digital Transformation Agency.

6 Committees—Leave to meet during sittings

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

Charity Fundraising in the 21st Century—Select Committee—private meeting otherwise than in accordance with standing order 33(1) today, from 11.40 am.  
Education and Employment Legislation and References Committees—private meetings otherwise than in accordance with standing order 33(1) today, from 11.30 am.  
Electoral Matters—Joint Standing Committee—public meeting today, from 9.40 am.  
Environment and Communications References Committee—public meeting on Thursday, 14 February 2019, from 4 pm, to take evidence for the committee’s inquiry into Australia’s faunal extinction crisis.  
Intelligence and Security—Joint Statutory Committee—private meeting otherwise than in accordance with standing order 33(1) today.  
Law Enforcement—Joint Statutory Committee—private briefing today, from 3.30 pm.
Legal and Constitutional Affairs Legislation Committee—private meetings otherwise than in accordance with standing order 33(1)—
   Today.
   Thursday, 14 February 2019, from 4 pm.
Legal and Constitutional Affairs References Committee—private meeting otherwise than in accordance with standing order 33(1) on Thursday, 14 February 2019, from 4 pm.
Royal Commission into Institutional Responses to Child Sexual Abuse—Joint Select Committee—private meeting otherwise than in accordance with standing order 33(1) today, from midday.

7 Agricultural and Veterinary Chemicals Legislation Amendment (Operational Efficiency) Bill 2017
Order of the day read for the adjourned debate on the motion of the Minister for Indigenous Affairs (Senator Scullion)—That this bill be now read a second time.
Debate resumed.
At 12.45 pm: Debate was interrupted while Senator McCarthy was speaking.

8 Senators’ statements
Senators made statements.

At 2 pm—

9 Questions
Questions without notice were answered.

10 Motions to take note of answers
Senator Cameron moved—That the Senate take note of the answers given by the Minister for Small and Family Business, Skills and Vocational Education (Senator Cash) and the Minister for Finance and the Public Service (Senator Cormann) to questions without notice asked by Senator Cameron and the Leader of the Opposition in the Senate (Senator Wong) today relating to the execution of a search warrant on Australian Workers’ Union premises and to the Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry.
Debate ensued.
Question put and passed.
Senator Hanson-Young moved—That the Senate take note of the answer given by the Minister for Resources and Northern Australia (Senator Canavan) to a question without notice asked by Senator Hanson-Young today relating to the Murray-Darling Basin.
Question put and passed.

11 Notices
Senator Anning: To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the Social Security Act 1991, and for related purposes. Social Security Amendment (A Fair Go for Age Pensioners) Bill 2019. (general business notice of motion no. 1399)
The Minister for Regional Services, Sport, Local Government and Decentralisation (Senator McKenzie): To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the Australian Sports Anti-Doping Authority Act 2006, and for related purposes, Australian Sports Anti-Doping Authority Amendment (Enhancing Australia’s Anti-Doping Capability) Bill 2019.

The Minister for Communications and the Arts (Senator Fifield): To move on the next day of sitting—That the hours of meeting for Tuesday, 2 April 2019 be from midday to 6.30 pm and 8.30 pm to adjournment and that the routine of business from 8.30 pm shall be:

(a) Budget statement and documents 2019-20; and
(b) adjournment.

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

(a) notes that:

(i) this week, Adani has confirmed that it released contaminated water into the Caley Valley Wetlands from its Abbot Point Operations last week at twice the rate it is licensed for,
(ii) this is the second time Adani has breached licence requirements at the site and exceeded pollution limits into the wetlands area,
(iii) the Queensland Government is prosecuting Adani for the first known contaminated water release, which occurred in 2017,
(iv) Adani Mining, as part of the Adani Group, has been investigated by the Department of the Environment and Energy for potential breach of its approval conditions for the Carmichael Mine, under the Environment Protection and Biodiversity Conservation Act 1999 (EBPC Act), for unlawfully clearing vegetation and sinking groundwater dewatering bores,
(v) Adani Infrastructure, as part of the Adani Group, has applied for EPBC Act approval for a pipeline to bring water to the mine site for washing of the coal,
(vi) Adani donated $35,000 to the Liberal Party and $15,000 to One Nation in the 2017-18 financial year, and
(vii) opening up the Galilee Basin for the Adani Carmichael coal mine would release low-quality thermal coal carbon emissions into the atmosphere, with catastrophic impacts on our climate, manifesting in heatwaves, storms, fires and floods of even greater magnitude than what we have seen this summer; and

(b) calls on the Federal Government to:

(i) return the $35,000 donation made by Adani to the Liberal Party,
(ii) review Adani’s environmental approval under section 145 of the EPBC Act, based on new information, including the Intergovernmental Panel on Climate Change’s 2018 Special Report: Global warming of 1.5°C, and the evidence of Adani’s breaches of environmental law, both in Australia and overseas,
(iii) refuse to approve Adani’s draft groundwater management plan,
(iv) refuse approval under the EPBC Act for the pipeline the mine requires, the North Galilee Water scheme, and
(v) revoke all federal approvals for the Adani Carmichael mine, and not approve any new coal in Australia. \textit{(general business notice of motion no. 1400)}

The Chair of the Joint Select Committee on oversight of the implementation of redress related recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse (Senator Hinch): To move on the next day of sitting—That—

\begin{itemize}
  \item[(a)] the time for the presentation of the report of the Joint Select Committee on oversight of the implementation of redress related recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse be extended to 2 April 2019; and
  \item[(b)] a message be forwarded to the House of Representatives seeking the concurrence of the House in this variation to the resolution of appointment of the committee. \textit{(general business notice of motion no. 1401)}
\end{itemize}

The Leader of Derryn Hinch’s Justice Party (Senator Hinch): To move on the next day of sitting—That the Senate—

\begin{itemize}
  \item[(a)] notes that:
    \begin{itemize}
      \item[(i)] on 9 January 2019, the Federal Government announced a plan to create a public register of child sex offenders,
      \item[(ii)] the community wants, and rightly deserves, strengthened measures aimed at better protecting children from known child sex offenders, including access to a national child sex offender register, and
      \item[(iii)] such a register would rely on states and territories feeding information into the national database, meaning the Commonwealth would need them to sign on to the scheme; and
    \end{itemize}
  \item[(b)] calls on:
    \begin{itemize}
      \item[(i)] all state and territory governments to negotiate in good faith in the development of this public register, and
      \item[(ii)] when legislated, federally and by states and territories, this policy should be known as ‘Daniel’s Law’, in memory of Daniel Morcombe. \textit{(general business notice of motion no. 1402)}
    \end{itemize}
\end{itemize}

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

\begin{itemize}
  \item[(a)] notes that:
    \begin{itemize}
      \item[(i)] in a February 2017 speech, ‘Progressive politics in the age of Trump’, New South Wales Secretary of the Australian Manufacturing Workers Union, Mr Tim Ayers, who is also a member of the Australian Labor Party’s National Executive, supported the introduction of an inheritance tax,
      \item[(ii)] in an address to the National Press Club on 15 March 2017, the Leader of the Australian Greens, Senator Richard Di Natale, stated ‘And speaking of levelling the playing field, if we are going to avoid turning this intergenerational divide into a chasm, it is time we had a debate around inheritance taxes for the super wealthy. Australia is one of the countries who does not tax pre-existing wealth’,
      \item[(iii)] in an article in \textit{New Matilda} on 7 March 2006, Labor’s Shadow Assistant Treasurer, Dr Andrew Leigh, wrote an article entitled, \textit{Bring back the inheritance tax}, in which he stated ‘From a pure economic rationalist perspective … what is often not recognised is that inheritance taxes are also an efficient form of revenue raising’, and
    \end{itemize}
\end{itemize}
(iv) farming families are especially disadvantaged by an inheritance tax, with much of the wealth of their farms tied up in land—this means that when heirs do have to pay inheritance taxes, there is often a need to sell-off land (or other assets) to pay off the death tax; and

(b) rejects any introduction of an inheritance tax, which only serves to punish the hard work, risk-taking and success of families and individuals who have built small businesses and family farms. (general business notice of motion no. 1403)

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

(a) notes that 17 December 2018 marked the 111th National Day of Bhutan;

(b) acknowledges the significance of this day of commemoration for the Bhutanese community who mark the occasion by reflecting on the profound sacrifices of their forefathers, and expressing gratitude to all who have worked for the wellbeing of their independent nation; and

(c) notes that the National Day of Bhutan commemoration is an annual opportunity for the Bhutanese people to reaffirm their pledge to uphold their civic responsibilities and serve their traditions and customs. (general business notice of motion no. 1404)

Senator Cameron: To move on the next day of sitting—That the Fair Work Amendment (Casual Loading Offset) Regulations 2018, made under the Fair Work Act 2009, be disallowed [F2018L01770].

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

(a) notes that:

(i) 24 March 2019 is World Tuberculosis Day and marks the anniversary of German Nobel Laureate Dr Robert Koch’s 1882 discovery of the bacterium that causes Tuberculosis (TB),

(ii) TB, including drug-resistant TB, has overtaken HIV and AIDS to become the infectious disease responsible for the most deaths globally,

(iii) in 2017 alone, 1.6 million people died from TB worldwide and 10 million people became sick with the disease,

(iv) large gaps in TB detection and treatment remain, with 4.1 million cases of active TB that were not diagnosed and treated in 2016, including 600,000 children,

(v) according to the World Health Organisation, in 2017, 62% of the world’s new TB cases occurred in the Asia-Pacific region,

(vi) in 2016, Papua New Guinea (PNG) had one of the highest rates of TB infection in the Pacific, with an estimated 35,000 total cases, including 2,000 drug-resistant cases,

(vii) Australia signed onto a new set of Global Goals for Sustainable Development, including a target to end the TB epidemic by 2030,

(viii) the theme for World TB Day 2019 is ‘It’s time....to keep the promise’, and

(ix) the promises made by the global community at the United Nations High-Level Meeting on TB, in September 2018, included a commitment by Australia to accelerate action towards ending TB as an epidemic through increased efforts and leadership on research and development, prevention, testing and treatment;
(b) recognises Australia’s 3-year $220 million pledge to the Global Fund to Fight AIDS, TB and Malaria (2017-19), which has supported TB testing and treatment to 17.4 million people since 2002, including over 8.2 million people in the Indo-Pacific region; and

(c) calls on the Australian Government to renew its commitment to the Global Fund, in line with the requests to be made at the 6th replenishment conference on 10 October 2019, which aims to raise a further US$14 billion for 2020 to 2022. (general business notice of motion no. 1405)

Senators Faruqi and Waters: To move on the next day of sitting—That the Senate—

(a) notes that:
   (i) North Queensland is being ravaged by floods, and Townsville received more than a year’s worth of rain before the end of the first week of February 2019, and
   (ii) the floods have been devastating for livestock, with more than 500,000 cattle estimated to have been killed, and another 150,000 in danger of starving to death; and

(b) calls on the Commonwealth Government to:
   (i) increase assistance to people affected by the Townsville floods, and to provide emergency assistance to save the lives of cattle that are currently starving, and
   (ii) more effectively plan for animal welfare in natural disaster responses. (general business notice of motion no. 1406)

Senators Hanson-Young and Carr: To move on the next day of sitting—That the Senate—

(a) notes:
   (i) the decision of the University of Melbourne Council to change the focus of Melbourne University Press away from its current 70% academic, 30% trade model, to a more narrow academic publisher of research in approved areas, and
   (ii) with concern, that this will result in Melbourne University Press no longer continuing to publish serious, topical and popular books of political, social and cultural significance, from both the academy and public thinkers and writers; and

(b) calls on Australian universities to consider a contribution to a national, non-partisan publishing endeavour so that the nation continues to have a strong, independent voice with a mandate to publish books in the public interest, through consortia similar to a funding model like that behind The Conversation. (general business notice of motion no. 1407)
Senators Pratt and Storer: To move on the next day of sitting—That the following matter be referred to the Legal and Constitutional Affairs References Committee for inquiry and report by 8 April 2019:

The ability of consumers and small businesses to exercise their legal rights through the justice system, and whether there are fair, affordable and appropriate resolution processes to resolve disputes with financial service providers, in particular the big four banks considering:

(a) whether the way in which banks and other financial service providers have used the legal system to resolve disputes with consumers and small businesses has reflected fairness and proportionality, including:

(i) whether banks and other financial service providers have used the legal system to pressure customers into accepting settlements that did not reflect their legal rights,

(ii) whether banks and other financial service providers have pursued legal claims against customers despite being aware of misconduct by their own officers or employees that may mitigate those claims, and

(iii) whether banks generally have behaved in a way that meets community standards when dealing with consumers trying to exercise their legal rights;

(b) the accessibility and appropriateness of the court system as a forum to resolve these disputes fairly, including:

(i) the ability of people in conflict with a large financial institution to attain affordable, quality legal advice and representation,

(ii) the cost of legal representation and court fees,

(iii) costs risks of unsuccessful litigation, and

(iv) the experience of participants in a court process who appear unrepresented;

(c) the accessibility and appropriateness of the Australian Financial Complaints Authority (AFCA) as an alternative forum for resolving disputes including:

(i) whether the eligibility criteria and compensation thresholds for AFCA warrant change,

(ii) whether AFCA has the powers and resources it needs,

(iii) whether AFCA faces proper accountability measures, and

(iv) whether enhancement to their test case procedures, or other expansions to AFCA’s role in law reform, is warranted;

(d) the accessibility of community legal centre advice relating to financial matters; and

(e) any other related matters.

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

(a) notes with deep concern that:

(i) Turkish MP, Leyla Guven, has been on a hunger strike for almost 100 days, and she is in a critical condition, and

(ii) almost 300 other Kurds held in Turkish prisons are now also on indefinite hunger strikes, and they have reportedly not been given sufficient water or vitamin supplements;
(b) expresses regret that the central demand of the hunger strikers – an end to the total isolation of imprisoned Kurdish leader Abdullah Ocalan, and an end to the persecution of the Kurdish people in Turkey – has gone unheard; and
(c) urges the Australian Government to advocate for urgent dialogue between the Turkish authorities and the hunger strikers, so that tragedy can be avoided.  
*(general business notice of motion no. 1408)*

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

(a) congratulates the Australian Government for recognising and supporting the President of the Venezuelan National Assembly, Juan Guaidó, as the country’s interim President;
(b) notes that Venezuela, once one of the world’s wealthiest nations, is now one of the world’s poorest; and
(c) urges all parties to work towards a peaceful resolution to the dire economic and political situation in Venezuela.  
*(general business notice of motion no. 1409)*

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

(a) notes that under the previous Labor Government:
   (i) 800 boats arrived illegally, carrying 50,000 illegal maritime arrivals, and
   (ii) 1200 human lives, including children, were tragically lost at sea;
(b) recognises the success of the Liberal-National Coalition Government’s Operation Sovereign Borders, which has stopped the arrival of illegal maritime arrivals and ended the loss of life at sea;
(c) further recognises that under the Liberal-National Coalition Government integrity has been restored to Australia’s migration programme and the refugee intake has been increased by more than 35%, making Australia one of the most generous resettlement programs in the world;
(d) notes that the current Labor Opposition has supported legislation that undermines the successful work of Operation Sovereign Borders; and
(e) notes the Liberal-National Coalition Government’s commitment to keeping Australia’s borders secure and its citizens safe.  
*(general business notice of motion no. 1410)*

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

(a) notes that the biannual Chinchilla Melon Festival, the world’s largest such festival, is held this year from 14 February to 17 February;
(b) further notes that the festival brings tourists from across the nation to Chinchilla and the surrounds, which is a boon to the local economy, as well as serving to highlight the region’s excellent agricultural produce;
(c) recognises the important role that festivals, such as the Chinchilla Melon Festival, play in sustaining remote, regional and rural communities through regional tourism; and
(d) congratulates the organisers of the Chinchilla Melon Festival on organising another tremendous event.  
*(general business notice of motion no. 1411)*

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

(a) notes that:
   (i) the cotton industry consists of around 90% family-owned farms,
(ii) there are more than 1200 cotton farms in Australia, including 636 in New South Wales, directly employing over 10,000 Australians in a non-drought year,

(iii) in 2017-18, more than 90% of cotton was exported with a value of $2.1 billion,

(iv) in 2017-18, cotton accounted for 5% of the gross value of agricultural production, or $2.8 billion,

(v) the cotton industry helps to support more than 150 rural communities, and

(vi) Australian cotton maintains a global reputation for very high quality;

and

(b) supports Australian cotton farmers and the cotton industry as a whole. (general business notice of motion no. 1412)

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

(a) notes Coroner Michael Holmes has found the property at 91 Beardy Street in Armidale, the site later chosen for the premises of the Australian Pesticides and Veterinary Medicines Authority, had been destroyed by fire on or around 16 September 2016 in an arson attack caused when an unknown person or persons poured petrol in the building and ignited it; and

(b) orders that there be laid on the table by the Minister representing the Minister for Agriculture and Water Resources, by no later than noon on 18 February 2019:

(i) all internal departmental documents held by the Department of Agriculture and Water Resources and its agencies about the New South Wales Police investigation into arson at 91 Beardy Street, Armidale, and

(ii) any correspondence between the Department for Agriculture and Water Resources and the Minister for Agriculture and Water Resources, or his office, about the New South Wales Police arson investigation. (general business notice of motion no. 1413)

Senators Colbeck, Duniam and Abetz: To move on the next day of sitting—That the Senate—

(a) notes:

(i) the hardship suffered by all Tasmanian communities affected by bushfires over the last two months, including the Huon Valley, Derwent Valley, West Coast, Central Highlands and North West communities,

(ii) the loss of homes, property and livelihoods, as well as the damage caused to approximately 200,000 hectares of land, including productive forests and also areas in the Wilderness World Heritage Area, and

(iii) the extraordinary resilience of our community and emergency service personnel in responding to these tragic circumstances;

(b) acknowledges:

(i) the Tasmanian Fire Service and all their personnel for the professionalism and dedication they have shown in keeping Tasmanians safe,

(ii) the volunteer fire brigades who have sacrificed so much to protect their neighbours and put themselves in harm’s way for their communities,
(iii) the Parks and Wildlife Service for their skill in protecting Tasmania’s wilderness heritage values while battling extremely remote and difficult conditions, and

(iv) the thousands of Tasmanians and Australians who have contributed their time, money, resources and assistance to caring for the victims of the bushfires, including from interstate, and also international assistance; and

(c) resolves to continue supporting the state of Tasmania as the disaster moves from response to recovery through the formal Disaster Recovery Funding Arrangements to get these families and communities back on their feet as they begin the process of rebuilding. (general business notice of motion no. 1414)

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

(a) notes that:

(i) the refresh of the Closing the Gap targets has not yet been completed, and

(ii) COAG has committed to ensuring that the design and implementation of the next phase of Closing the Gap is a true partnership;

(b) acknowledges that:

(i) self-determination is key to closing the gap, and

(ii) a Voice to Parliament would be a historic step for self-determination, justice and healing for First Nations peoples;

(c) urges the Federal, state and territory Governments to work with First Nations peoples to deliver programs that are developed and controlled by and for First Nations peoples; and

(d) calls on all Australian Governments to support the Coalition of Aboriginal and Torres Strait Islander Peak bodies to progress a formal partnership with the Council of Australian Governments on Closing the Gap. (general business notice of motion no. 1415)

Intention to withdraw: The Chair of the Standing Committee on Regulations and Ordinances (Senator Williams), pursuant to standing order 78, gave notice of his intention, at the giving of notices on the next day of sitting, to withdraw business of the Senate notices of motion standing in his name, as follows:

Business of the Senate notices of motions nos 1 and 2 for 5 sitting days after today for the disallowance of the following instruments:

English Language Proficiency Assessments Exemption 2018 [F2018L01214].
Number of Cabin Attendants (Alliance Airlines) Direction 2018 [F2018L01244].

Business of the Senate notices of motions nos 1 and 2 for 14 sitting days after today for the disallowance of the following instruments:

Industry Research and Development (Artificial Intelligence Capability Program) Instrument 2018 [F2018L01419].
Inspector-General of the Australian Defence Force Amendment Regulations 2018 [F2018L01428].
12 **Postponement**

Business was postponed as follows:

General business notice of motion no. 1361 standing in the name of the Leader of Pauline Hanson’s One Nation (Senator Hanson) for today, relating to unstunned animal slaughter, postponed till 2 April 2019.

13 **Committee—Extension of time to report**

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

Education and Employment References Committee—Jobactive, extended to 14 February 2019.

14 **Routine of business—Valedictory statements**

The Assistant Minister for International Development and the Pacific (Senator Ruston), at the request of the Minister for Communications and the Arts (Senator Fifield) and pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 1—that on Wednesday, 13 February 2019, following valedictory statements being made relating to Senator Williams, that valedictory statements be also made relating to Senator Leyonhjelm.

Question put and passed.

15 **Closing the Gap report—Ministerial statement—Consideration**

The Assistant Minister for International Development and the Pacific (Senator Ruston), at the request of the Minister for Communications and the Arts (Senator Fifield) and pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 2—that, on Thursday, 14 February 2019, contingent on the tabling of the Prime Minister’s annual report on Closing the Gap, the documents be considered at the time for general business, for not more than 2 hours.

Question put and passed.

16 **Treasury Laws Amendment (Mutual Reforms) Bill 2019**
**Wine Australia Amendment (Trade with United Kingdom) Bill 2019**
**Telecommunications and Other Legislation Amendment (Miscellaneous Amendments) Bill 2019**

The Assistant Minister for International Development and the Pacific (Senator Ruston), at the request of the Assistant Minister for Treasury and Finance (Senator Seselja), the Minister for Trade, Tourism and Investment (Senator Birmingham) and the Minister for Small and Family Business, Skills and Vocational Education (Senator Cash) and pursuant to notices of motion not objected to as formal motions, moved government business notices of motion nos 3 to 5—that the following bills be introduced:

- A Bill for an Act to amend the law relating to mutual entities, and for related purposes.
- A Bill for an Act to amend the Wine Australia Act 2013, and for related purposes.
- A Bill for an Act to amend legislation relating to telecommunications, and for other purposes.

Question put and passed.

Senator Ruston presented the bills and 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 Ruston moved—That these bills be now read a second time.

*Explanatory memoranda:* Senator Ruston tabled explanatory memoranda relating to the bills.

*Consideration of legislation:* Pursuant to order, the debate was adjourned till the first day in the next period of sittings, 2 April 2019.

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

Question put and passed.

17 **Telecommunications Legislation Amendment (Unsolicited Communications) Bill 2019**

Senator Griff, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1363—That the following bill be introduced:

A Bill for an Act to amend the law relating to unsolicited communications, and for related purposes.

Question put and passed.

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

Question put and passed.

Bill read a first time.

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

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

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

18 **Aged Care Quality and Safety—Royal Commission**

Senator Griff, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1365—That the Senate—

(a) notes that:

(i) the Royal Commission into Aged Care Quality and Safety (the Royal Commission) commenced on 18 January 2019, and started hearing evidence from witnesses in Adelaide this week,

(ii) part of the Royal Commission’s task is to examine substandard care and the causes of any systematic failures that have affected the quality or safety of aged care services,

(iii) the Royal Commission will also examine existing policy, regulations and practices in order to consider reform and change to deliver better outcomes for those receiving aged care in Australia now and into the future,

(iv) the Honourable Richard Tracey, AM, RFD, QC stated that the Royal Commission was a ‘once in a lifetime opportunity’ and cautioned the aged care sector against instructing staff not to talk to the Royal Commission or to withhold information,
(v) aged care providers approved under the Commonwealth Aged Care Act 1997 were asked to provide information to the Royal Commission, with the largest 100 providers invited to make written submissions by 7 January 2019, and the remaining 1882 approved aged care providers to provide their written submissions by 8 February 2019, and

(vi) at the commencement of the Royal Commission, fewer than half of the 1982 approved providers had responded to the Royal Commission’s invitation for submissions;

(b) urges every approved aged care provider who has not yet put forward a submission to the Royal Commission to do so, as a matter of urgency;

(c) further notes that, under section 6M of the Royal Commissions Act 1902, it is a criminal offence for a person to punish, disadvantage or otherwise injure a person who has appeared as a witness or produced a document or given information or a statement pursuant to a summons requirement or notice issued by the Royal Commission; and

(d) denounces any attempt by aged care providers to stop current or former employees from participating freely in the Royal Commission into Aged Care Quality and Safety.

Question put and passed.

19 Victorian Prize for Literature—Award to Mr Behrouz Boochani

Senator Griff, also on behalf of Senator McKim, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1366—

That the Senate—

(a) congratulates refugee Mr Behrouz Boochani on winning Australia’s richest literary award, the $100,000 Victorian Prize for Literature, as well as claiming $25,000 for first place in the category of non-fiction;

(b) recognises that Mr Boochani won the literary prizes for his memoir, No friend but the mountains: Writing from Manus Prison, which was written on a mobile phone and charts his flight from Iran and his experiences in offshore detention;

(c) notes that Mr Boochani described his win as ‘It is a victory not only for us, but for literature and art, and above all, it is a victory for humanity – a victory for human beings and human dignity ... A victory against a system that has never recognised us as human beings. It is a victory against a system that has reduced us to numbers. This is a beautiful moment’; and

(d) expresses its dismay that Mr Boochani was not able to attend the awards ceremony as the Iranian-Kurdish journalist remains on Manus Island where he has been in detention since 2013.

Question put and passed.

20 Export Control Amendment (Banning Cotton Exports to Ensure Water Security) Bill 2019

Senator Griff, at the request of Senator Patrick and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1367—

That the following bill be introduced:

A Bill for an Act to amend the Export Control Act 1982, and for related purposes.

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

Question put and passed.

Bill read a first time.

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

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

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

### 21 Internet safety

Senator Urquhart, at the request of Senator Bilyk and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1371—

That the Senate—

(a) notes that:

(i) 5 February 2019 was Safer Internet Day, an annual, worldwide event to help raise awareness about internet safety, and empower individuals and communities to have more positive online experiences,

(ii) the internet has opened an unprecedented opportunity for people to communicate and receive information anywhere and at any time,

(iii) internet users of all ages are exposed to risks and threats online, including fraud, identity theft, unauthorised access to personal information, image-based abuse, cyberbullying, stalking and exposure to unreliable information or illicit materials, and

(iv) this year’s theme, ‘Together for a better internet’, encourages everyone to take responsibility for making the internet a positive experience by being kind and respectful to others, seeking out positive opportunities to create and connect, and reporting inappropriate or illegal content and behaviour online;

(b) encourages all Australians to promote internet safety and to help make the internet a positive experience for all users; and

(c) calls on the Australian Government, and all future Australian governments, to continue working with state and territory governments, schools, community groups, the information and communications technology industry and the wider community to make the internet safer.

Question put and passed.

### 22 World Cholangiocarcinoma Day

Senator Urquhart, at the request of Senator Bilyk and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1372—

That the Senate—

(a) notes that:

(i) 12 February 2019 was World Cholangiocarcinoma Day, an international effort to raise awareness of a form of liver cancer that develops in the bile duct cells,

(ii) 1 in 67,000 Australians are diagnosed each year with cholangiocarcinoma – around one per day,
(iii) in Australia, cholangiocarcinoma generally has a five-year survival rate of around 30%, and
(iv) many cholangiocarcinoma patients are diagnosed too late for potentially curative surgery; and
(b) recognises the need for continued efforts to improve the diagnosis, treatment and survival rates for rare and less common cancers, such as cholangiocarcinoma.

Question put and passed.

23 **Ochre Ribbon Week**

Senator Urquhart, at the request of Senators McCarthy and Siewert and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1373—That the Senate—

(a) observes that:
(i) this week marks Ochre Ribbon Week, raising awareness of the devastating impacts of family violence in First Nations communities and calling for action to end the violence against First Nations, especially our women and children, and
(ii) the Ochre Ribbon Campaign is an initiative supported by the National Family Violence Prevention Legal Services Forum and its member organisations across Australia;

(b) recognises:
(i) that First Nations women are 32 times more likely to be hospitalised from family violence, and 10 times more likely to be killed as a result of violent assault,
(ii) the damaging impacts of intergenerational trauma, invasion and racism on First Nations communities, and
(iii) that First Nations men and women are working to address family violence and community safety at the grassroots and their efforts should be supported; and

(c) calls on the Morrison Government to:
(i) ensure all First Nations women have access to culturally-safe, specialist legal services, regardless of where they live, and
(ii) develop justice targets to reduce family violence and incarceration rates in First Nations communities.

*Statement by leave:* The Assistant Minister for International Development and the Pacific (Senator Ruston), by leave, made a statement relating to the motion.

Question put and passed.

24 **Corporations and Financial Services—Joint Statutory Committee—Extension of time to report**

The Deputy Chair of the Parliamentary Joint Committee on Corporations and Financial Services (Senator O’Neill), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1375—That the time for the presentation of the report of the Parliamentary Joint Committee on Corporations and Financial Services on its inquiry into the Franchising Code of Conduct and Oil Code of Conduct be extended to 14 March 2019.

Question put and passed.
25 **Ovarian Cancer Awareness Month**

Senator Polley, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1376—That the Senate—

(a) notes that:

(i) February is Ovarian Cancer Awareness Month,
(ii) this year, Australians are being encouraged to take ‘ovary-action’ by knowing the signs, symptoms and risk factors of ovarian cancer,
(iii) there has been very little improvement in treatment in 50 years and there is still no early detection test, and
(iv) the best way of detecting ovarian cancer is to know and recognise the signs, symptoms and risk factors; and

(b) urges all levels of government to encourage Australians to become more aware of the signs and symptoms of ovarian cancer, to know their family history, where to get help, and to create communities where people openly talk about ovarian cancer.

Question put and passed.

26 **2019 Australia Day award recipients—Tasmania**

Senator Polley, also on behalf of Senator Duniam, amended general business notice of motion no. 1377 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate acknowledges and congratulates:

(a) the worthy Tasmanians who were recipients of the 2019 Australia Day honours on 26 January 2019 for their outstanding achievement and services to Tasmania, and Australia more broadly;

(b) Member of the Order of Australia (AM) recipients: Mrs Jennifer Mary Ball, Mr Ian Andrew Chesterman, Mr Graeme Bernard Lynch, Dr Donald Raymond McTaggart, Mr Kevin William Perkins and Dr Bryan Geoffrey Walpole;

(c) Officer of the Order of Australia (AO) recipients: Professor Donald Roderick Chalmers and Professor Ross Raymond Large;

(d) Order of Australia Medal (OAM) recipients: the Honourable Dick Godfrey Adams, Mrs Rachel Alamil Bessant, Mr Peter Sheu Cheong Chung, Mrs Ketrina Jane Clarke, Ms Denise Jae Delphin, Mrs Anne Margaret Fagg, Mr Michael George Gandy, Dr William Peter Holm, Mr Terry William Kay, Mr Stephen John Knight, Mr Thomas Joseph O'Halloran, Mr Adam George Marshall, Mr Robert Maurice Patterson RFD, Mr Michael Charles Perkins, Mr Phillip John Pyke, Mr Peter John Quigley, Mr Kevin John Shadbolt, Mr Peter James Tonkin and Ms Joan Lesley Wright;

(e) Australian Police Medal recipients: Constable Tania Curtis and Sergeant Rodney Stacey;

(f) Australian Fire Service Medal recipients: Tasmania Fire Service Chief Officer, Mr Chris Arnol; Leading Firefighter at Ridgley Fire Brigade and Second Officer at Burnie Volunteer Fire Brigade, Mr Scott Clarke; and Wattle Hill Fire Brigade volunteer, Mr Terrance White;

(g) Ambulance Service Medal recipient: Ms Simone Haigh;
(h) Emergency Services Medal recipients: Regional officer for the southern region, Mr Mark Dance; SES volunteer unit manager for Circular Head, Mr Lynton Free; and Huon Valley SES volunteer and deputy unit manager, Mr Alton Bond;

(i) Conspicuous Service Medal recipient: Lieutenant Colonel, Mr Paul Mellin O’Donnell; and

(j) Australian Corrections Medal recipient: Mr Shaun Patrick Wheeler.

Question put and passed.

27 Estimates hearings—Unanswered questions on notice—2018-19 Supplementary Budget estimates—Order for production of documents

Senator Urquhart, at the request of Senator Collins and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1379—That there be laid on the table by the Leader of the Government in the Senate (Senator Cormann), by no later than 3.30 pm on 14 February 2019, all outstanding answers to questions on notice as at 31 January 2019 from the 2018-19 supplementary Budget estimates hearings in the following portfolios:

(a) Health (210 answers);
(b) Human Services (91 answers);
(c) Industry, Innovation and Science (7 answers);
(d) Treasury (14 answers);
(e) Education and Training (22 answers);
(f) Small and Family Business, Skills and Vocational Education (4 answers);
(g) Communications and the Arts (1 answer);
(h) Environment and Energy (2 answers);
(i) Prime Minister and Cabinet (including cross-portfolio Indigenous matters and agencies) (8 answers);
(j) Defence, including Veterans’ Affairs (75 answers);
(k) Foreign Affairs and Trade (1 answer); and
(l) Infrastructure, Regional Development and Cities (1 answer).

Statement by leave: The Assistant Minister for International Development and the Pacific (Senator Ruston), by leave, made a statement relating to the motion.

Question put and passed.

28 National redress scheme for survivors of institutional sexual abuse

The Leader of Derryn Hinch’s Justice Party (Senator Hinch), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1382—That the Senate—

(a) notes that:

(i) the National Redress Scheme, which was established in response to the Royal Commission into Institutional Responses to Child Sexual Abuse, has been operating since July 2018,

(ii) as of November last year, 2335 survivors have made applications to the National Redress Scheme, but only 28 have received compensation,
(iii) the primary reason for this delay is due to institutions that are responsible for child sexual abuse not opting into the Scheme or staggering their entry into the Scheme, and

(iv) the National Redress Scheme was a key recommendation of the Royal Commission into Institutional Responses to Child Sexual Abuse in 2015, and institutions have had sufficient time to prepare for their entry into the Scheme; and

(b) calls on the Minister for Families and Social Services to:
   (i) continue encouraging all institutions within states and territories which are currently signed on to the National Redress Scheme, to opt in,
   (ii) seek a timeframe from institutions that have publically stated their intention to join the Scheme as to when they will start fully participating in the Scheme, and
   (iii) make this timeframe publically available so that survivors, many of whom are elderly or ill, can have some clarity about when they will receive the redress that is owed to them.

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

29 Estimates hearings—Return of answers

Senator Urquhart, at the request of Senator Collins and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1383—That the Senate—

   (a) requires legislation committees to set a deadline for the return of answers to questions on notice from the 2018-19 additional estimates of not later than Friday, 29 March 2019; and

   (b) for the 2019-20 Budget estimates only, varies the order of the Senate of 25 June 2014, Estimates hearings—Unanswered questions on notice, to require that the statement required under paragraph (1) of the order be laid on the table by not later than Monday, 1 April 2019.

Question put and passed.

30 Murray-Darling Basin Commission of Inquiry Bill 2019

Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1390—That the following bill be introduced:

   A Bill for an Act to establish an inquiry into the management of the Murray-Darling Basin, and for related purposes.

Question put and passed.

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

Question put and passed.

Bill read a first time.

Senator Hanson-Young moved—That this bill be now read a second time.

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

Debate adjourned till the next day of sitting, Senator Hanson-Young in continuation.
31 North Queensland and the Gulf region—Floods

Senator McGrath, also on behalf of Senators O’Sullivan, Stoker, Macdonald, Canavan, Moore, Watt, Ketter, Chisholm and Hanson, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1393—That the Senate—

(a) recognises the severe impact that flooding in North Queensland and the Gulf region has had on families, businesses, agricultural producers and the transport industry;

(b) notes with regret that in excess of an estimated 300,000 head of livestock have perished due to the floods;

(c) further notes the long-term effects this will have on the livestock industry in North Queensland and the Gulf; and

(d) commends the Federal, state and local Governments for the assistance provided to flood-stricken communities thus far, whilst noting that sustained support will be needed to allow affected communities and industries to properly recover.

Statements by leave: Senators McGrath and Chisholm, by leave, made statements relating to the motion.

Question put and passed.

32 Water Amendment (Purchase Limit Repeal) Bill 2019

Senator Urquhart, at the request of Senator Pratt and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1394—That the following bill be introduced:

A Bill for an Act to amend the Water Act 2007, and for related purposes.

Question put and passed.

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

Question put and passed.

Bill read a first time.

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

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

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

33 Human Services Amendment (Photographic Identification and Fraud Prevention) Bill 2019

The Leader of Pauline Hanson’s One Nation (Senator Hanson), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1359—That the following bill be introduced:

A Bill for an Act to require photographic identification on Medicare cards to prevent misuse and fraud, and for related purposes.

Question put and passed.

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

Question put and passed.

Bill read a first time.
Senator Hanson moved—That this bill be now read a second time.

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

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

34 Legal and Constitutional Affairs References Committee—Proposed reference

Senator McKim amended business of the Senate notice of motion no. 1 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the following matter be referred to the Legal and Constitutional Affairs References Committee for inquiry and report by 2 April 2019:

The role of the Department of Home Affairs, the Department of Foreign Affairs and Trade and the Australian Federal Police (AFP) in the recent detention in Thailand of Mr Hakeem al-Araibi, with particular reference to:

(a) processes that led to Australia notifying Thailand that Mr al-Araibi was travelling, and the subject of an INTERPOL Red Notice;

(b) the actions of the Department of Home Affairs, the Department of Foreign Affairs and Trade and the AFP following Mr al-Araibi’s arrest in Thailand;

(c) the actions of Australian authorities in relation to Mr al-Araibi’s arrest and detention;

(d) the duty of care Australia owes its citizens and permanent residents who are at risk of facing inhumane treatment overseas;

(e) the operation of the INTERPOL Red Notice system, and whether it adequately protects the rights of Australian citizens and permanent residents;

(f) measures that could be implemented to prevent similar cases from occurring in future; and

(g) any other related matters.

*Statements by leave:* The Assistant Minister for International Development and the Pacific (Senator Ruston) and Senator McKim, by leave, made statements relating to the motion.

Question put.

The Senate divided—

**AYES, 15**

*Senators—*

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NOES, 36

Senators—

Anning  Hume  McGrath  Ryan
Bilyk  Keneally  Molan  Sinodinos
Brockman  Kitching  Moore  Smith, David
Carr  Leyonhjelm  O’Neill  Smith, Dean
Colebeck  Lines  Paterson  Steele
Duniam  Marshall  Payne  Stoker
Ferravanti-Wells  Martin  Pratt  Urquhart*
Fifield  McAllister  Reynolds  Watt
Gallacher  McCarthy  Ruston  Williams

* Tellers

Question negatived.

35 Bradfield Scheme

The Leader of Pauline Hanson’s One Nation (Senator Hanson), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1362—That the Senate calls on the Federal Government immediately to allocate $10 billion to commence the construction of the much-needed hybrid Bradfield Scheme.

Statement by leave: The Assistant Minister for International Development and the Pacific (Senator Ruston), by leave, made a statement relating to the motion.

Question put.

The Senate divided—

AYES, 4

Senators—

Anning  Burston  Georgiou*  Hanson

NOES, 46

Senators—

Bilyk  Hanson-Young  Moore  Sinodinos
Brockman  Hinch  O’Neill  Smith, David
Carr  Hume  Paterson  Smith, Dean
Chisholm  Keneally  Patrick  Steele-John
Colbeck  Kitching  Payne  Steele
Di Natale  Leyonhjelm  Pratt  Storer
Duniam  Lines  Reynolds  Urquhart*
Faruqi  Marshall  Rice  Waters
Ferravanti-Wells  Martin  Ruston  Watt
Fifield  McAllister  Ryan  Whish-Wilson
Gallacher  McCarthy  Siewert  Williams
Griff  McKim

* Tellers

Question negatived.

36 Pill testing policy

The Leader of the Australian Greens (Senator Di Natale), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1369—That the Senate—

(a) notes that:

(i) over the 2018-19 summer, more than five people have died or been injured as a result of taking illicit drugs,
(ii) there is a real possibility that these deaths could have been prevented and harm reduced if pill testing services had been offered at music festivals and in the community,

(iii) best-practice pill testing models involve a consultation with a health practitioner about the content of the pill, and a person’s choices about whether or not to consume illicit drugs,

(iv) pill testing services give health services critical information about what has been consumed and provide people with more information about what is in the pills that they are taking than they otherwise have access to,

(v) a large number of relevant medical professional organisations have declared their support for pill testing over the summer period, including the Royal College of Physicians, the Pharmaceutical Society of Australia, the Royal Australian College of General Practitioners and the Australian Medical Association, and

(vi) members of Parliament from both the Australian Labor Party and the Liberal Party have expressed support for pill testing, but the leaders of both of the parties are refusing to consider these real and critically-important benefits; and

(b) calls on the Federal Government to:

(i) urgently develop and implement a pill testing policy to prevent more deaths and harm, and

(ii) work with the medical community, community groups and all state and territory governments to implement existing models which demonstrably have worked and helped save lives.

Statements by leave: The Assistant Minister for International Development and the Pacific (Senator Ruston), Senators Chisholm and Georgiou, the Leader of Derryn Hinch’s Justice Party (Senator Hinch) and Senator Di Natale, by leave, made statements relating to the motion.

Question put.

The Senate divided—

AYES, 14

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NOES, 38

Senators—

Anning  Gallacher  McGrath  Ruston
Bilyk    Georgiou  Molan    Ryan
Brockman Gichihi   Moore    Sinodinos
Burston  Hanson   O’Neill  Smith, David
Carr     Hume     O’Sullivan Smith, Dean
Chisholm Keneally  Paterson Sterle
Colbeck  Kitching Payne    Stoker
Duniam   Marshall Pratt    Urquhart*
Fierravanti-Wells Martin   Reynolds Williams
Fifield  McCarthy

* Tellers

Question negatived.

37 Political donations—Gambling industry

Senator Waters, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1380—That the Senate—

(a) notes that:

(i) the gambling industry donated almost $3 million dollars to the Liberal, Labor and Australian Conservatives political parties in 2017-18,
(ii) these donations came from sports betting companies, casinos and poker machine operators,
(iii) the Australian Hotels Association was the second largest political donor in the country for the 2017-18 year, with declared political gifts leaping from $153,000 in 2016-17 to $1.1 million last financial year,
(iv) Australia has the world’s worst per-capita gambling losses of $1000 a head,
(v) there are at least 115,000 Australians at the moment who are directly and seriously harmed by gambling, and another 280,000 experiencing significant risk,
(vi) for every person directly harmed by gambling, between 5 and 10 friends, family and others, including employers, are also affected – this means that up to 5 million Australians could be negatively affected,
(vii) online wagering is the fastest growing gambling segment, with over $1.4 billion gambled online each year,
(viii) pokies cause the most harm, with three out of four people being harmed by gambling, principally using poker machines, and
(ix) enormous donations from the gambling lobby to the major political parties has resulted in consecutive Australian governments failing to support harm-minimisation reforms that would help protect people from predatory gambling; and

(b) calls on the Federal Government to:

(i) ban corporate donations from the gambling industry,
(ii) introduce evidence-based harm-minimisation and product safety measures to reduce the development of problem gambling, and to assist gamblers to limit their expenditure,
(iii) phase out poker machines, and, in the meantime, implement $1 maximum bets per spin, $20 machine load-up limits, and $500 jackpot limits, and mandatory pre-commitment for pokies and sports betting, and

(iv) ban sports betting advertisements during the broadcast of sporting events and children’s viewing times.

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

Question put.

The Senate divided—

| AYES, 12 |
|---|---|---|---|
| Di Natale | Hanson-Young | Rice | Storer |
| Faruqi | McKim | Stier* | Waters |
| Griff | Patrick | Steele-John | Whish-Wilson |

| NOES, 40 |
|---|---|---|---|
| Anning | Gallacher | Martin | Reynolds |
| Bilyk | Georgiou | McCarthy | Ruston |
| Brockman | Gichuhi | McGrath | Ryan |
| Burston | Hanson | Molan | Sinodinos |
| Carr | Hinch | Moore | Smith, David |
| Chisholm | Hume | O’Neill | Smith, Dean |
| Colbeck | Keneally | O’Sullivan | Sterle |
| Duniam | Kitching | Paterson | Stoker |
| Fierravanti-Wells | Leyonhjelm | Payne | Urquhart* |
| Fifield | Marshall | Pratt | Williams |

* Tellers

Question negatived.

38 **Australian Defence Force—LGBTQ people—Impact of past policies**

Senator Rice, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1386—That the Senate—

(a) notes that:

(i) until 24 November 1992, gay, lesbian and bisexual people were explicitly banned from serving in the Australian Defence Force (ADF),

(ii) between 1953 and 1992, at least 489 men and 165 women in the ADF were investigated for being LGBT – data provided to Parliament in 1992 on discharges between 1987 to 1992 revealed 73 honourable discharges of lesbian, gay and bisexual people and 21 dishonourable discharges of LGB people across Army, Navy and Royal Australian Air Force,

(iii) a recent report by Australian Catholic University Associate Professor Noah Riseman, indicates that LGBT personnel were subject to harrowing interviews that probed intimate personal details and surveillance of movements during and outside of service hours – these practices saw LGBT service members humiliated and intimidated, forcing many of them to resign their posts or be dishonourably discharged,
(iv) lifting the ban in 1992 ended the threat of dismissal for lesbians, gays and bisexuals, but it did not grant equal treatment to LGB service members – many Defence members still kept their same-sex relationships a secret for fear of bullying or other persecution, and

(v) transgender people continued to be subject to policies, until September 2010, that required them to discharge if they intended to affirm their gender; and

(b) calls on all parliamentarians to:

(i) acknowledge the personal and professional harm that these policies have caused,

(ii) recognise that discriminatory dismissals on account of sexuality or gender identity, suspected or otherwise, continue to impact the mental health and wellbeing of some affected ex-service members, and

(iii) celebrate the contribution of the LGBTQ people who bravely served in the ADF despite these discriminatory policies.

Statement by leave: The Assistant Minister for International Development and the Pacific (Senator Ruston), by leave, made a statement relating to the motion.

Question put and passed.

39 Murray-Darling Basin Plan—Legal advice—Proposed order for production of documents

Senator Hanson-Young amended general business notice of motion no. 1389 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—

(1) That the Senate notes that:

(a) the South Australian Royal Commission handed down its findings on 29 January 2019; and

(b) Commissioner Bret Walker, SC found that the construction of the Murray-Darling Basin Plan was unlawful.

(2) That there be laid on the table by the Minister representing the Minister for Agriculture and Water Resources, by no later than 5 pm on Friday, 15 February 2019, all legal advice received by the Department or relevant agencies, including the Murray-Darling Basin Authority, Commonwealth Environmental Water Holder and the National Water Commission, relating to the development of the Murray-Darling Basin Plan and the 2750GL water recovery target.

Question put.

The Senate divided—

AYES, 13

Senators—

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Senator Faruqi, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1392—That the Senate—

(a) notes the decision of the New South Wales Land and Environment Court to block the proposed Rocky Hill coal mine on the ground that it will contribute to climate change – Chief Judge Brian Preston, SC noted in his judgment that the proposed coal mine ‘will be a material source of greenhouse gas emissions and contribute to climate change’;

(b) acknowledges the link between burning coal and climate change;

(c) recognises the power of grassroots community activism and the outstanding work by Groundswell Gloucester and the Environmental Defenders Office; and

(d) congratulates the community and Groundswell Gloucester on this landmark decision.

Statements by leave: Senators Faruqi and Chisholm, the Assistant Minister for International Development and the Pacific (Senator Ruston) and Senator Georgiou, by leave, made statements relating to the motion.

Question put and negatived.

Self defence and the use of force

Senator Anning, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1395—That the Senate—

(a) affirms the right of every citizen to feel safe in their own home;

(b) recognises the sad reality that the police cannot be everywhere at every time;

(c) accepts that Australian citizens have the absolute right to defend themselves and their family from harm;

(d) notes that, due to the failure of the current Government to restrict immigration from lawless Third World countries, criminal types are being allowed to come here and subsequently terrorise the Australian public with home invasions;

(e) acknowledges the growing public outrage at Sudanese gang crime as expressed at the recent rally of concerned citizens at St Kilda; and

(f) calls on the Commonwealth and state Governments to legislate Castle Doctrine into Australian law to allow Australian citizens the right to defend their families and homes with, up to and including, lethal force against Sudanese gangs and other criminals.
Statements by leave: The Assistant Minister for International Development and the Pacific (Senator Ruston) and Senator Chisholm, by leave, made statements relating to the motion.

Question put and negatived.

42 Standing order 50—Proposed amendment

Senator Anning, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1396—That the Senate—

(a) notes that:

(i) in the past 15 years, Labor governments around Australia have progressively forced parliaments and every government department and instrumentality to begin public meetings with a secular genuflection to Aboriginal prior settlement called ‘acknowledgement of country’,
(ii) this practice constitutes a tokenistic exercise invented by left-wing white activists, with absolutely no relationship to any authentic Aboriginal tradition, and simply seeks to co-opt Aboriginal identity as a political weapon to undermine European settlement,
(iii) the bogus nature of this manufactured ‘tradition’ is highlighted by the fact that the wording used in Federal Parliament acknowledges the Ngunnawal people as the so-called ‘traditional custodians’ when in fact the Kamberri people were the original Aboriginal inhabitants of the region from which Canberra took its name, and
(iv) while the Gillard Labor Government imposed this left-wing tokenism on the Federal Parliament in 2010, subsequent Liberal-National Governments have notably failed to remove it from the standing orders, and this stands as a metaphor for their lack of conservative commitment and weakness of political will;

(b) seeks to assist the current Liberal-National Government to listen to its conservative conscience, and its political constituency, by proposing the removal of this socialist mantra for them; and

(c) amends standing order 50, by omitting the following:

(i) the words “and acknowledgement of country” in the title of standing order 50, and
(ii) “The President shall then make an acknowledgement of country in the following terms: I acknowledge the Ngunnawal and Ngambri peoples who are the traditional custodians of the Canberra area and pay respect to the elders, past and present, of all Australia’s Indigenous peoples”.

Question put and negatived.

43 Importation and carrying of pepper spray—Legalisation

Senator Leyonhjelm, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1397—That the Senate—

(a) notes:

(i) recent violent crimes against numerous women,
(ii) that blame for these crimes rests with the perpetrators, not the victims,
(iii) that despite all policy efforts and wishful thinking, there will always be some individual men in our community intent on violence against women,
(iv) that the first duty of government is to protect citizens from harm, but police cannot be everywhere at all times, so citizens must be allowed, if they choose, to deter and defend against attacks,

(v) that the innate ability of individuals to deter and defend against attacks varies, with women and the elderly generally more vulnerable,

(vi) that pepper spray can assist deterrence and self-defence, particularly for the vulnerable,

(vii) that the use of pepper spray is generally non-lethal and does not require prior training,

(viii) that pepper spray is unlikely to be used for criminal attacks, and

(ix) that, in most other countries, pepper sprays are not even regulated, let alone prohibited; and

(b) calls on the Australian Government to legalise the importation of pepper spray, subject to the state governments legalising the carrying of pepper spray to deter and defend against attacks.

Statements by leave: The Assistant Minister for International Development and the Pacific (Senator Ruston), Senator Waters and the Leader of Derryn Hinch’s Justice Party (Senator Hinch), by leave, made statements relating to the motion.

Question put.

The Senate divided—

   AYES, 4

   Senators—

   Anning  Burston  Hinch  Leyonhjelm*

   NOES, 45

   Senators—

   Bilyk
   Birmingham
   Brockman
   Carr
   Chisholm
   Colbeck
   Di Natale
   Duniam
   Farravanti-Wells
   Fifield
   Gallacher

   Georgiou  Griff  Hanson  Hanson-Young  Hume  Keneally  Ketter  Lines  Marshall  McCarthy

   McGrath  McKim  Moore  O’Neill  Paterson  Patrick  Payne  Pratt  Reynolds  Ruston

   Ryan  Siewert  Smidilos  Smith, David  Smith, Dean  Steele-John  Sterle  Storer  Unquhart*  Whish-Wilson

* Tellers

Question negatived.

44 Murray-Darling Basin—Royal Commission—Recommendations

Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1398—That the Senate—

(a) notes that:

(i) the South Australian Royal Commission into the Murray-Darling Basin has recently reported to the South Australian Governor, and

(ii) the Commissioner made 44 recommendations to address the ill-health and mismanagement of the Basin; and

(b) calls on the Federal Government to adopt the recommendations in full.
Question put.
The Senate divided—

AYES, 13

Senators—

Di Natale Hinch Rice* Storer
Faruq McKim Siewert* Waters
Griff Patrick Steele-John Whish-Wilson
Hanson-Young

NOES, 37

Senators—

Anning Georgiou McCarthy Reynolds
Bilyk Hanson McGrath Ruston
Brockman Hume Molan Ryan
Burston Keneally Moore Sinodinos
Carr Ketter O’Neill Smith, David
Chisholm Leyonhjelm O’Sullivan Smith, Dean
Colbeck Lanes Paterson Sterle
Duniam Marshall Payne Stoker
Fierravanti-Wells Martin Pratt Urquhart*
Gallacher

* Tellers

Question negatived.

45 Captain Cook’s voyage to Australia—250th anniversary—Proposed expenditure

Senator Siewert amended general business notice of motion no. 1387 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

(a) notes that the Federal Government is spending $48.7 million to commemorate the 250th anniversary of James Cook’s first voyage to Australia and the Pacific, of which $6.7 million is being spent on a replica of the HMB Endeavour to circumnavigate Australia;

(b) recognises that First Nations peoples are still feeling the impacts of ongoing dispossession and oppression and continue to have poor health, employment, justice, housing and education outcomes, and high rates of child removals; and

(c) calls on the Federal Government to reallocate the $48.7 million towards meeting our Closing the Gap targets and a truth telling process.

Statements by leave: Senator Chisholm and the Assistant Minister for International Development and the Pacific (Senator Ruston), by leave, made statements relating to the motion.

The question was divided at the request of Senator Chisholm—

Question—That paragraphs (a) and (b) of the motion be agreed to—put and passed.

Question—That paragraph (c) of the motion be agreed to—put.

The Senate divided—

AYES, 9

Senators—

Di Natale McKim Siewert* Waters
Faruq Rice Steele-John Whish-Wilson
Hanson-Young
46 Minster for Small and Family Business, Skills and Vocational Education—
Statement

The Leader of the Opposition in the Senate (Senator Wong) amended general business notice of motion no. 1384 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—that the Senate—

(a) notes that on 25 October 2017, the then Minister for Jobs and Small Business (Senator Cash) told a supplementary Budget estimates hearing that her media adviser, Mr De Garis, had received information that raids on the AWU may take place ‘from a media source’;

(b) further notes that, in court proceedings on 12 February 2019, Mr De Garis has now named the Minister’s then-Chief of Staff as the source of the information; and

(c) orders the Minister for Small and Family Business, Skills and Vocational Education, to attend the Senate at 2 pm on Thursday, 14 February 2019, prior to questions being called on, to make a statement of not more than five minutes to explain this apparent inconsistency.

Question put.
The Senate divided—

AYES, 35

[Names of senators voting in favor]

NOES, 43

[Names of senators voting against]
NOES, 27

Senators—

- Anning
- Birmingham
- Brockman
- Burston
- Canavan
- Colbeck
- Duniam
- Fierravanti-Wells
- Fifield
- Gichuhi
- Hume
- Leyonhjelm
- Macdonald
- Martin
- McGrath
- McKenzie
- Molan
- O’Sullivan
- Paterson
- Payne
- Reynolds
- Ruston
- Ryan
- Scullion
- Sinodinos
- Smith, Dean
- Stoker

* Tellers

Question agreed to.

At 5 pm—

47 Valedictory statements

Pursuant to order, senators made statements relating to the retirement of Senators Leyonhjelm and Williams.

48 Committee membership

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

The Minister for Trade, Tourism and Investment (Senator Birmingham), by leave, moved—That senators be discharged from and appointed to committees as follows:

- Appropriations, Staffing and Security—Standing Committee—
  Discharged—Senator Dean Smith
  Appointed—Senator Hume
- Australian Commission for Law Enforcement Integrity—Joint Statutory Committee—
  Appointed—Senator Stoker
- Broadcasting of Parliamentary Proceedings—Joint Statutory Committee—
  Appointed—Senator Dean Smith
- Corporations and Financial Services—Joint Statutory Committee—
  Discharged—Senator O’Neill
  Appointed—Senator Chisholm
- Economics Legislation Committee—
  Appointed—Senator Sinodinos
- Electoral Matters—Joint Standing Committee—
  Discharged—Senator Waters on 4 March 2019
  Appointed—Senator Steele-John on 4 March 2019
  Discharged—Senator Steele-John on 6 March 2019
  Appointed—Senator Waters on 6 March 2019
- Foreign Affairs, Defence and Trade Legislation Committee—
  Discharged—Senator Abetz on 13 February 2019
  Appointed—Senator Duniam on 13 February 2019
  Discharged—Senator Duniam on 25 February 2019
  Appointed—Senator Abetz on 25 February 2019
- House—Standing Committee—
  Appointed—Senator Hume
Privileges—Standing Committee—
Discharged—Senator Collins
Appointed—Senator Kitching

Procedure—Standing Committee—
Discharged—Senator Hume
Appointed—Senators Duniam and Dean Smith

Selection of Bills—Standing Committee—
Appointed—Senator Hume

Senators’ Interests—Standing Committee—
Discharged—Senator Faruqi
Appointed—Senator Waters.

Question put and passed.

At 7.20 pm—

49 Adjournment

The Acting Deputy President (Senator Marshall) proposed the question—That the Senate do now adjourn.
Debate ensued.
The Senate adjourned at 7.50 pm till Thursday, 14 February 2019 at 9.30 am.

50 Attendance

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

Richard Pye
Clerk of the Senate

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