JOURNALS OF THE SENATE

No. 35

TUESDAY, 24 JUNE 2014

Contents

1 Meeting of Senate ............................................................... 963
2 Government Documents ...................................................... 963
3 Environment Protection and Biodiversity Conservation Amendment (Cost Recovery) Bill 2014 ..................................................... 963
4 Australian Workforce and Productivity Agency Repeal Bill 2014 .......... 963
5 Questions .............................................................................. 965
6 Motions to Take Note of Answers ........................................... 965
7 Notices .................................................................................. 965
8 Leave of Absence ................................................................. 974
9 Postponement ........................................................................ 974
10 Environment and Communications Legislation Committee—Extension of Time to Report ......................................................... 974
11 Notice of Motion Withdrawn ..................................................... 974
12 Questions Without Notice—Standing Order 72—Amendment ........... 974
13 Consideration of Private Senators’ Bills—Temporary Order .............. 975
14 Aboriginal and Torres Strait Islander Amendment (A Stronger Land Account) Bill 2014 ............................................................... 976
15 Legal and Constitutional Affairs Legislation Committee—Reference .... 976
16 School Funding—Select Committee—Extension of Time to Report .......... 977
17 Notice .................................................................................. 977
18 Environment—Nuclear Disarmament........................................... 977
19 Australian Parliamentary Delegation to the Republic of Cyprus and the Russian Federation—Document ......................................................... 978
20 Official Visit to Estonia—Official Visit to the Federal Republic of Brazil and Argentine Republic—Official Visit to Italy, Austria and Germany—Official Visit to the Kingdom of Thailand and the Republic of the Union of Myanmar—Documents ........................................................................ 978
21 Auditor-General—Audit Reports Nos 49 and 50 of 2013-14—Documents .... 978
22 Trade—Trade in Services Agreement—Answer to Question—Document .... 978
24 Treaties—Joint Standing Committee—140th Report .......................... 978
<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>25</td>
<td>Finance and Public Administration Legislation Committee—Additional Information—Asset Recycling Fund Bill 2014 and Related Bill</td>
</tr>
<tr>
<td>26</td>
<td>Human Rights—Joint Statutory Committee—8th Report of 44th Parliament</td>
</tr>
<tr>
<td>27</td>
<td>Foreign Affairs, Defence and Trade References Committee—Report—Parliamentary Delegation to Vanuatu and New Zealand</td>
</tr>
<tr>
<td>28</td>
<td>Legislation Committees—Reports—Budget Estimates 2014-15</td>
</tr>
<tr>
<td>29</td>
<td>Documents</td>
</tr>
<tr>
<td>30</td>
<td>Address by Prime Minister of Japan</td>
</tr>
<tr>
<td>31</td>
<td>Family Assistance Legislation Amendment (Child Care Measures) Bill 2014</td>
</tr>
<tr>
<td>32</td>
<td>Appropriation (Parliamentary Departments) Bill (No. 1) 2014-2015</td>
</tr>
<tr>
<td></td>
<td>Appropriation Bill (No. 2) 2014-2015</td>
</tr>
<tr>
<td>33</td>
<td>Appropriation Bill (No. 5) 2013-2014</td>
</tr>
<tr>
<td></td>
<td>Appropriation Bill (No. 6) 2013-2014</td>
</tr>
<tr>
<td>34</td>
<td>Health Insurance Amendment (Extended Medicare Safety Net) Bill 2014</td>
</tr>
<tr>
<td></td>
<td>Regulatory Powers (Standard Provisions) Bill 2014</td>
</tr>
<tr>
<td>35</td>
<td>Valedictory Statements</td>
</tr>
<tr>
<td>36</td>
<td>Government Documents—Consideration</td>
</tr>
<tr>
<td>37</td>
<td>Adjournment</td>
</tr>
<tr>
<td>38</td>
<td>Attendance</td>
</tr>
</tbody>
</table>
1 **MEETING OF SENATE**

The Senate met at 12.30 pm. The President (Senator the Honourable John Hogg) took the chair, read prayers and made an acknowledgement of country.

2 **GOVERNMENT DOCUMENTS**

The following documents were tabled:


3 **ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION AMENDMENT (COST RECOVERY) BILL 2014**

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

Debate resumed.

Question put and passed.

Bill read a second time.

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

The Minister for Finance (Senator Cormann) moved—That this bill be now read a third time.

Question put.

The Senate divided—

**AYES, 40**

<table>
<thead>
<tr>
<th>Senators</th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Back</td>
<td>Dastyari</td>
<td>Marshall</td>
<td>Ronaldson</td>
<td></td>
</tr>
<tr>
<td>Bernardi</td>
<td>Edwards</td>
<td>McEwen</td>
<td>Ruston</td>
<td></td>
</tr>
<tr>
<td>Bilyk</td>
<td>Farrell</td>
<td>McKenzie (Teller)</td>
<td>Seselja</td>
<td></td>
</tr>
<tr>
<td>Boyce</td>
<td>Faulkner</td>
<td>McLucas</td>
<td>Singh</td>
<td></td>
</tr>
<tr>
<td>Bushby</td>
<td>Fumer</td>
<td>Moore</td>
<td>Smith</td>
<td></td>
</tr>
<tr>
<td>Cameron</td>
<td>Gallacher</td>
<td>O’Neill</td>
<td>Stephens</td>
<td></td>
</tr>
<tr>
<td>Carr</td>
<td>Kroger</td>
<td>O’Sullivan</td>
<td>Sterle</td>
<td></td>
</tr>
<tr>
<td>Colbeck</td>
<td>Lines</td>
<td>Payne</td>
<td>Thorp</td>
<td></td>
</tr>
<tr>
<td>Collins</td>
<td>Ludwig</td>
<td>Peris</td>
<td>Tillem</td>
<td></td>
</tr>
<tr>
<td>Cormann</td>
<td>Lundy</td>
<td>Pratt</td>
<td>Urquhart</td>
<td></td>
</tr>
</tbody>
</table>

**NOES, 8**

<table>
<thead>
<tr>
<th>Senators</th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Di Natale</td>
<td>Ludlam</td>
<td>Siewert (Teller)</td>
<td>Whish-Wilson</td>
<td></td>
</tr>
<tr>
<td>Hanson-Young</td>
<td>Rhiannon</td>
<td>Waters</td>
<td>Wright</td>
<td></td>
</tr>
</tbody>
</table>

Question agreed to.

Bill read a third time.

4 **AUSTRALIAN WORKFORCE AND PRODUCTIVITY AGENCY REPEAL BILL 2014**

Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary to the Minister for the Environment (Senator Birmingham)—That this bill be now read a second time.

Debate resumed.
Senator Lines moved the following amendment:

At the end of the motion, add “but the Senate notes that the Government has failed to guarantee that the critical independent research to Government and industry in relation to Australia’s current, emerging and future skills and workforce development needs will continue to be carried out and made public”.

Debate ensued.

Question—That the amendment be agreed to—put.

The Senate divided—

AYES, 36

Bilyk
Cameron
Carr
Conroy
Dastyari
Di Natale
Farrell
Faulkner
Furner
Gallacher
Hanson-Young
Hogg
Lines
Ludlam
Ludwig
Marshall
McEwen (Teller)
McLucas
Milne
Moore
O’Neill
Peris
Polley
Pratt
Rhiannon
Siewert
Singh
Stephens
Sterle
Thorp
Tillem
Urqhart
Waters
Whish-Wilson
Wright
Xenophon

NOES, 30

Abetz
Back
Bernardi
Birmingham
Boswell
Boyce
Brandis
Bushby
Cash
Colbeck
Cormann
Edwards
Eggleston
Farrell
Faulkner
Fieravanti-Wells
Fifield
Johnston
Kroger (Teller)
Macdonald
McKenzie
O’Sullivan
Parry
Rhiannon
Siewert
Singh
Seselja
Scullion
Sinodinos
Smth
Williams

Question agreed to.

Main question, as amended, put.

The Senate divided—

AYES, 59

Abetz
Back
Bernardi
Bilyk
Birmingham
Boswell
Boyce
Brandis
Bushby
Cameron
Carr
Cash
Colbeck
Colins
Conroy
Cormann
Dastyari
Edwards
Eggleston
Farrell
Faulkner
Fieravanti-Wells
Fifield
Fisher
Gallacher
Hogg
Johnston
Kroger (Teller)
Lines
Ludwig
Lundy
Macdonald
Marshall
McKenzie
McEwen
Moore
O’Neill
Parry
Polley
Pratt
Rhiannon
Smith
Stirling
Seselja
Scullion
Sinodinos
Smith
Stephens
Sterle
Thorp
Tillem
Urqhart
Urquhart
Wong
No. 35—24 June 2014

NOES, 10

<table>
<thead>
<tr>
<th>Senators</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Di Natale</td>
<td>Milne</td>
<td>Waters</td>
<td>Wright</td>
</tr>
<tr>
<td>Hanson-Young</td>
<td>Rhiannon</td>
<td>Whish-Wilson</td>
<td>Xenophon</td>
</tr>
<tr>
<td>Ludlam</td>
<td>Siewert (Teller)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Question agreed to.

Bill read a second time.

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

On the motion of the Minister for Veterans’ Affairs (Senator Ronaldson) the bill was read a third time.

_____

After 2 pm—

5 QUESTIONS

Questions without notice were answered.

6 MOTIONS TO TAKE NOTE OF ANSWERS

Senator Thorp moved—That the Senate take note of the answer given by the Minister for Employment (Senator Abetz) to a question without notice asked by Senator Thorp today relating to the Tasmanian Wilderness World Heritage Area. Debate ensued.

Question put and passed.

Senator Siewert 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 Siewert today relating to income support arrangements.

Question put and passed.

7 NOTICES

Senator Xenophon: To move on the next day of sitting—That the following matter be referred to the Economics References Committee for inquiry and report by 30 October 2014:

The need for a national approach to retail leasing arrangements to create a fairer system and reduce the burden on small to medium businesses with associated benefits to landlords, with particular reference to:

(a) the first right of refusal for tenants to renew their lease;
(b) affordable, effective and timely dispute resolution processes;
(c) a fair form of rent adjustment;
(d) implications of statutory rent thresholds;
(e) bank guarantees;
(f) a need for a national lease register;
(g) full disclosure of incentives;
(h) provision of sales results;
(i) contractual obligations relating to store fit-outs and refits; and
(j) any related matters.
Senator Whish-Wilson: To move on the next day of sitting—That the following matter be referred to the Economics References Committee for inquiry and report by 27 October 2014:
The structure and development of forestry managed investment schemes (MIS), including:
(a) the motivation and drivers that established the framework for the schemes initially;
(b) the role of governments in administering and regulating forestry MIS;
(c) the current policy and regulatory framework of forestry MIS;
(d) the role of some in the financial services industry in promoting and selling forestry MIS;
(e) compensation arrangements for small investors in forestry MIS who have lost life savings and their homes in the face of the collapse of forestry MIS;
(f) the burden on farmers and other agricultural producers who have been left with the uncertainty of timber plantations linked to forestry MIS on their land;
(g) options for reforming forestry MIS to protect investors and rural communities; and
(h) any other related matters.
Senator Conroy: To move on the next day of sitting—That the Foreign Affairs, Defence and Trade Legislation Committee be required to convene a supplementary estimates meeting on Thursday, 26 June 2014 from 10 am for a period of no less than one hour for the purpose of asking for explanations from the Managing Director, Chief Operating Officer, Chief Financial Officer, and the General Manager Property and Tenancy Services of Defence Housing Australia concerning the performance of the agency and the scoping study investigating options for future ownership. (general business notice of motion no. 293)
Senators Wright, Boyce and McLucas: To move on the next day of sitting—That the Senate—
(a) notes that:
   (i) at any point in time, about 1.8 per cent of the general population experiences Borderline Personality Disorder,
   (ii) the disorder can be characterised by overwhelming emotions, problems with relationships, impulsive and risk-taking behaviour and a fragile sense of self, and
   (iii) a history of trauma, abuse or deprivation is common among those with the disorder; and
(b) 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, acknowledges that 5 October 2014 is Borderline Personality Disorder Awareness Day. (general business notice of motion no. 294)
Senator Moore: To move on the next day of sitting—

(1) That a select committee, to be known as the Select Committee on Health, be established to inquire into and report on health policy, administration and expenditure, with particular reference to:

(a) the impact of reduced Commonwealth funding for hospital and other health services provided by state and territory governments, in particular, the impact on elective surgery and emergency department waiting times, hospital bed numbers, other hospital-related care and cost shifting;

(b) the impact of additional costs on access to affordable healthcare and the sustainability of Medicare;

(c) the impact of reduced Commonwealth funding for health promotion, prevention and early intervention;

(d) the interaction between elements of the health system, including between aged care and health care;

(e) improvements in the provision of health services, including Indigenous health and rural health;

(f) the better integration and coordination of Medicare services, including access to general practice, specialist medical practitioners, pharmaceuticals, optometry, diagnostic, dental and allied health services;

(g) health workforce planning; and

(h) any related matters.

(2) That the committee present its final report on or before 20 June 2016, with interim reports as the committee sees fit.

(3) That the committee consist of 7 senators, as follows:

(a) 3 nominated by the Leader of the Government in the Senate;

(b) 3 nominated by the Leader of the Opposition in the Senate; and

(c) 1 nominated by the Leader of the Australian Greens.

(4) That:

(a) participating members may be appointed to the committee on the nomination of the Leader of the Government in the Senate, the Leader of the Opposition in the Senate or any minority party or independent senator; and

(b) participating members may participate in hearings of evidence and deliberations of the committee, and have all the rights of members of the committee, but may not vote on any questions before the committee.

(5) That 3 members of the committee constitute a quorum of the committee.

(6) That the committee may proceed to the dispatch of business notwithstanding that not all members have been duly nominated and appointed and notwithstanding any vacancy.

(7) That the committee elect as chair one of the members nominated by the Leader of the Opposition in the Senate and, as deputy chair, a member nominated by the Leader of the Australian Greens.

(8) That the deputy chair shall act as chair when the chair is absent from a meeting of the committee or the position of chair is temporarily vacant.
(9) That, in the event of an equality of voting, the chair, or the deputy chair when acting as chair, have a casting vote.

(10) That the committee and any subcommittee have power to send for and examine persons and documents, to move from place to place, to sit in public or in private, notwithstanding any prorogation of the Parliament or dissolution of the House of Representatives, and have leave to report from time to time its proceedings and the evidence taken and such interim recommendations as it may deem fit.

(11) That the committee have power to appoint subcommittees consisting of 3 or more of its members, and to refer to any such subcommittee any of the matters which the committee is empowered to consider.

(12) That the committee be provided with all necessary staff, facilities and resources and be empowered to appoint persons with specialist knowledge for the purposes of the committee with the approval of the President.

(13) That the committee be empowered to print from day to day such papers and evidence as may be ordered by it, and a daily Hansard be published of such proceedings as take place in public. (general business notice of motion no. 295)

Senator Conroy: To move on the next day of sitting—That the future sustainability of Australia’s strategically vital naval ship building industry be referred to the Economics References Committee for inquiry and report by 1 July 2015.

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

(a) applauds the World Heritage Committee’s decision in Doha on 23 June 2014 to uphold the current boundaries of the Tasmanian Wilderness World Heritage Area;

(b) notes the damage to Australia’s international reputation and Tasmanian tourism as a result of the Abbott Government’s attempt to reduce the World Heritage Area by 74 000 hectares so it can be logged; and

(c) calls on the Abbott Government to abide by the requirements of the World Heritage Convention to fund the rehabilitation of degraded areas and a cultural assessment of the area. (general business notice of motion no. 296)

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

(a) acknowledges the proposal to build community-scale solar thermal plants and install solar photovoltaic panels in western New South Wales, known as the Solar Energy eXchange Initiative (the Initiative), has received in-principle support from 22 councils in the target area, including the unincorporated area;

(b) notes the Initiative would boost local economies, create local jobs, reduce greenhouse gas emissions, reduce the need for investment in transmission and distribution infrastructure and, in the long run, reduce power bills;

(c) supports those councils involved in the Initiative and the value that such projects can bring to long-term energy security and the economy in New South Wales; and

(d) encourages all levels of government to work cooperatively to see plans such as the Initiative harness the power of the sun in inland New South Wales to the benefit of ratepayers and residents, the economy and the environment. (general business notice of motion no. 297)
The Leader of the Opposition in the Senate (Senator Wong): To move on the next day of sitting—That the Senate—

(a) notes the frequency with which freedom of information legislation is invoked to withhold information from senators and the Senate, not only by reference to grounds of exemption in the legislation but also apparently on the basis that an answer will not be provided if a Freedom of Information (FOI) request has been lodged for the same information;

(b) recalls the observations of the Procedure Committee in its Third Report of 1992 that:

(i) there is no basis in law for the application of the FOI Act to the production of documents to a House,

(ii) if a minister were to regard all of the exemption provisions in the FOI Act as grounds on which to claim a privilege against disclosure of information to a House, this would considerably expand the grounds of executive privilege hitherto claimed, and

(iii) the use of the provisions of the FOI Act as a checklist of grounds for non-disclosure does not relieve a minister of the responsibility of carefully considering whether the minister should seek to withhold documents from a House, or from considering the question in the context of the importance of the matters under examination by the House;

(c) resolves that the same principles apply to the provision of information to committees in response to questions asked by senators, which require the same careful consideration by ministers;

(d) declares that declining to provide documents or answer questions on the basis that an FOI request has been made for the same information is an unacceptable response, is not supported by the FOI Act and shows a profound lack of respect for the Senate and its committees. (general business notice of motion no. 298)

The Leader of the Opposition in the Senate (Senator Wong): To move on the next day of sitting—That—

(1) There be laid on the table, by each minister in the Senate, in respect of each department or agency administered by that minister, or by a minister in the House of Representatives represented by that minister, by not later than 10 days before the commencement of the budget estimates, supplementary budget estimates and additional estimates hearings, a statement showing:

(a) the number of questions taken on notice at the previous round of estimates hearings;

(b) the number of answers provided to the committee by the date set by the committee for answers; and

(c) of those answers not provided to the committee by the due date, the dates on which answers were provided to the approving minister’s office.

(2) If the Senate is not sitting when a statement is ready for presentation, the statement is to be presented to the President under standing order 166.

(3) This order is of continuing effect. (general business notice of motion no. 299)
The Leader of the Opposition in the Senate (Senator Wong): To move on the next day of sitting—That standing order 74(5) be amended as follows, with effect from the first sitting day in July 2014:

Omit paragraph 74(5), substitute:

(5) If a minister does not answer a question on notice asked by a senator within 30 days of the asking of that question, or if a question taken on notice during a hearing of a legislative and general purpose standing committee considering estimates remains unanswered after the day set for answering the question, and a minister does not, within that period, provide to the senator who asked the question an explanation satisfactory to that senator of why an answer has not yet been provided:

(a) at the conclusion of question time on any day after that period, the senator may ask the relevant minister for such an explanation; and

(b) the senator may, at the conclusion of the explanation, move without notice—That the Senate take note of the explanation; or

(c) in the event that the minister does not provide an explanation, the senator may, without notice, move a motion with regard to the minister’s failure to provide either an answer or an explanation.

(General business notice of motion no. 300)

The Leader of the Opposition in the Senate (Senator Wong): To move on the next day of sitting—

(1) That, for the purposes of any order setting out a schedule of estimates hearings by legislation committees:

(a) if the order provides for hearings, if required, on a designated Friday, an additional hearing of a committee is taken to be required on that Friday if any 3 members of the committee notify the chair in writing of a requirement for the committee to meet, including for a specified period of time; and

(b) if the order does not provide for hearings, if required, on a designated Friday, an additional hearing of a committee is taken to be required on a relevant Friday if any 3 members of the committee notify the chair in writing of a requirement for the committee to meet, including for a specified period of time.

(2) For the purposes of paragraph (1), a relevant Friday means any of the following, as the case requires:

(a) for additional estimates hearings, the Friday of a week in which committees in Groups A and B are scheduled to meet;

(b) for Budget estimates hearings, the Friday of a week in which committees in Group A are scheduled to meet;

(c) for Budget estimates hearings, the Friday of a week in which committees in Group B are scheduled to meet; and

(d) for supplementary Budget estimates hearings, the Friday of a week in which committees in Groups A and B are scheduled to meet.

(3) The operation of this order is subject to the restriction in standing order 26(3) that not more than 4 committees shall hear evidence on the estimates simultaneously.

(4) This order is of continuing effect. (General business notice of motion no. 301)
The Leader of the Opposition in the Senate (Senator Wong): To move on the next day of sitting—

(1) That an additional hearing of a legislation committee considering estimates is taken to be required if any 3 members of the committee notify the chair in writing of a requirement for the committee to meet for that purpose, including for a specified period of time.

(2) For the purposes of paragraph (1), an additional hearing means a hearing in addition to any hearing required by, or pursuant to, an order of the Senate setting out days for legislation committees to meet to consider estimates or providing for such meetings to be held on spill-over days.

(3) The operation of this order is subject to the restriction in standing order 26(3) that not more than 4 committees shall hear evidence on the estimates simultaneously.

(4) This order is of continuing effect. (general business notice of motion no. 302)

The Leader of the Opposition in the Senate (Senator Wong): To move on the next day of sitting—That the order of the Senate of 4 December 2013, as amended on 13 February 2014, providing for estimates hearings for 2014, be further amended as follows:

After paragraph (2), insert:

(2A) On the specified Mondays to Thursdays, committees shall meet from 9 am till 11 pm unless a committee completes its examination of items of proposed expenditure earlier and no senator has further explanations to seek. (general business notice of motion no. 303)

The Leader of the Opposition in the Senate (Senator Wong): To move on the next day of sitting—That the Senate—

(a) reaffirms:

(i) the principle, stated previously in resolutions of 9 December 1971, 23 October 1974, 18 September 1980, 4 June 1984, 29 May 1997 and 25 June 1998, that there are no areas in connection with the expenditure of public funds where any person has a discretion to withhold details or explanations from the Parliament or its committees unless the Parliament has expressly provided otherwise, and

(ii) its expectation that officers, including agency heads, will appear before committees in fulfilment of their accountability obligations, whenever their presence is requested by committees;

(b) in relation to the provision of exceptions to the general principle reaffirmed in paragraph (a), notes and reaffirms:

(i) Privilege Resolution 1(16) which provides that an officer of a department of the Commonwealth or of a state shall not be asked to give opinions on matters of policy, and shall be given reasonable opportunity to refer questions asked of the officer to superior officers or to a minister,

(ii) the resolution of 16 July 1975, relating to the powers of the Senate and the accountability of witnesses, and requiring any claim to withhold information from the Senate to be based on an established ground, and

(iii) the order of 13 May 2009 setting out the proper process for raising public interest immunity claims;
(c) notes that:
   (i) the statutory values which Australian Public Service agency heads and
       employees are required to uphold include a requirement to be open and
       accountable to the Australian community under the law and within the
       framework of ministerial responsibility, and
   (ii) the Constitutional framework of checks and balances under a separation
       of powers places the Parliament in prime position as the agent of
       accountability, representing the Australian people;

(d) calls on the Government to issue a general instruction to all public service
agency heads and employees about their duty to cooperate with parliamentary
committee inquiries, including by formalising the revised guidelines for official
witnesses appearing before parliamentary committees (last issued in 1989), a
revised draft of which was provided to the Committee of Privileges in 2012 and
considered in its 153rd Report; and

(e) requires:
   (i) the chairs of legislation committees considering estimates to draw the
       provisions of paragraphs (a) and (b) of this resolution to the attention of
       any witness who declines to provide information to a committee on any
       basis other than those specified, and
   (ii) the Clerk to draw this resolution, and the resolutions referred to in
       paragraph (b), to the attention of the heads of all agencies appearing
       before legislation committees, prior to each round of estimates. (general
       business notice of motion no. 304)

The Leader of the Opposition in the Senate (Senator Wong): To move on the next day
of sitting—That standing order 26 be amended as follows:

   At the end of paragraph (4), add:
   
   If a senator has further explanations to seek, items of expenditure shall not be
   closed for examination unless the senator has agreed to submit written
   questions or the committee has agreed to schedule additional hearings for that
   purpose. (general business notice of motion no. 305)

Senator Boyce: To move on 26 June 2014—That the Senate acknowledges that:

(a) the week beginning 21 June 2014 is Motor Neurone Disease Global Week of
    Action when the International Association of ALS/MND highlights research
    and action seeking a world free from Motor Neurone Disease (MND);
(b) MND Week began with the winter solstice on Saturday, 21 June 2014, a
    turning point when the global MND community comes together to express their
    hope that there will be a turning point in the search for the causes, effective
    treatments and ultimately a cure;
(c) MND is a rapidly progressive, terminal neurological disease for which there is
    no known cure and no effective treatment and that two Australians are
    diagnosed with the disease every day;
(d) the average life expectancy from diagnosis is 27 months;
(e) about 1,900 Australians have MND and thousands more families and carers
    live daily with the effects of MND;
(f) the International Association of ALS/MND seeks support for the five rights of
    people with MND:
    (i) the right to an early diagnosis and information,
    (ii) the right to access quality care and treatment,
The right to be treated as individuals with dignity and respect,
the right to maximise their quality of life, and
that their carers have the right to be valued, respected, listened to and
well supported; and

today Members of Parliament and others wear cornflowers as a symbol of the
courage of those with MND and their carers. (general business notice of motion
no. 306)

The Assistant Minister for Social Services (Senator Fifield): To move on the next day
of sitting—That the hours of meeting for Wednesday, 25 June 2014 be from 9.30 am
to 10.30 pm, and that:

(a) the routine of business from 7.20 pm shall be consideration of the following
bills:
  Appropriation Bill (No. 5) 2013-2014
  Appropriation Bill (No. 6) 2013-2014
  Appropriation (Parliamentary Departments) Bill (No. 1) 2014-2015
  Appropriation Bill (No. 1) 2014-2015
  Appropriation Bill (No. 2) 2014-2015
  Agricultural and Veterinary Chemicals Legislation Amendment (Removing
  Re-approval and Re-registration) Bill 2014
  Asset Recycling Fund Bill 2014
  Asset Recycling Fund (Consequential Amendments) Bill 2014
  Trade Support Loans Bill 2014
  Trade Support Loans (Consequential Amendments) Bill 2014
  Textile, Clothing and Footwear Investment and Innovation Programs
  Amendment Bill 2014
  Tax Laws Amendment (Research and Development) Bill 2013
  Building and Construction Industry (Improving Productivity) Bill 2013
  Building and Construction Industry (Consequential and Transitional
  Provisions) Bill 2013; and

(b) the question for the adjournment of the Senate shall be proposed at 10.30 pm.

Senator Waters: To move on the next day of sitting—That the following matters be
referred to the Community Affairs References Committee for inquiry and report by
27 October 2014:

(a) the prevalence and impact of domestic violence in Australia as it affects all
Australians and, in particular, as it affects:
  (i) women living with a disability, and
  (ii) women from Aboriginal and Torres Strait Islander backgrounds;

(b) the factors contributing to the present levels of domestic violence;

(c) the adequacy of government and societal responses to domestic violence;

(d) the effects of the budget and policy decisions regarding housing, legal services,
  and women’s economic independence on the ability of women to escape
domestic violence;

(e) how the Federal Government can best support, contribute to and drive the
  social, cultural and behavioural shifts required to eliminate violence against
  women and their children; and

(f) any other related matters.
Notice of motion withdrawn: Senator McEwen, at the request of Senator Urquhart, withdrew notice of motion no. 191 standing in the name of Senator Urquhart for today, relating to the International Year of Solidarity with the Palestinian People.

8 LEAVE OF ABSENCE
Senator Kroger, by leave, moved—That leave of absence be granted to Senator Heffernan for today, for personal reasons.
Question put and passed.

9 POSTPONEMENT
The following item of business was postponed:
General business notice of motion no. 271 standing in the name of Senator Di Natale for today, proposing the establishment of a select committee into the Abbott Government’s budget cuts, postponed till 25 June 2014.

10 ENVIRONMENT AND COMMUNICATIONS LEGISLATION COMMITTEE—EXTENSION OF TIME TO REPORT
Senator Kroger, at the request of the Chair of the Environment and Communications Legislation Committee (Senator Williams), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 288—That the time for the presentation of the report of the Environment and Communications Legislation Committee on the National Broadband Network Companies Amendment (Tasmania) Bill 2014 be extended to 16 July 2014.
Question put and passed.

11 NOTICE OF MOTION WITHDRAWN
Senator Hanson-Young withdrew general business notice of motion no. 250 standing in her name for 25 June 2014, proposing the introduction of the Migration Amendment (Protecting Babies Born in Australia) Bill 2014.

12 QUESTIONS WITHOUT NOTICE—STANDING ORDER 72—AMENDMENT
Senator Kroger, at the request of the Chair of the Procedure Committee (Senator Parry) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 289—That standing order 72 be amended, with effect from the next day of sitting, as follows:
Omit paragraph (3), substitute:
(3) (a) The asking of each primary question shall not exceed one minute and answers to them shall not exceed two minutes.
(b) Two supplementary questions shall be allowed to each questioner, each supplementary question shall be limited to thirty seconds and the answers to them shall be limited to one minute each.
(c) Answers shall be directly relevant to each question.
Question put and passed.
13 **CONSIDERATION OF PRIVATE SENATORS’ BILLS—TEMPORARY ORDER**

Senator Kroger, at the request of the Chair of the Procedure Committee (Senator Parry) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 290—

(1) That:

(a) standing orders 55(1), 57(1)(d) and 59 be modified as follows to provide for the consideration of general business orders of the day relating to bills on Thursdays from 9.30 am for not more than 2 hours and 20 minutes; and

(b) this order operate as a temporary order until 30 June 2015 with effect from 7 July 2014.

55 **Times of meetings**

(1) The days and times of meeting of the Senate in each sitting week shall be:

<table>
<thead>
<tr>
<th>Day</th>
<th>Times</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monday</td>
<td>10 am – 6.30 pm, 7.30 pm – 10.30 pm</td>
</tr>
<tr>
<td>Tuesday</td>
<td>12.30 pm – adjournment</td>
</tr>
<tr>
<td>Wednesday</td>
<td>9.30 am – 8 pm</td>
</tr>
<tr>
<td>Thursday</td>
<td>9.30 am – 8.40 pm</td>
</tr>
</tbody>
</table>

57 **Routine of business**

(1) The routine of business shall be:

(d) On Thursday:

(i) General business orders of the day for consideration of bills only for up to 2 hours 20 minutes

(ii) Notices of motion

(iii) Postponement and rearrangement of business

(iv) Formal motions – discovery of formal business

(v) Consideration of committee reports under standing order 62(4)

(vi) Government business

(vii) At 12.45 pm, non-controversial government business only

(viii) At 2 pm, questions

(ix) Motions to take note of answers

(x) Any proposal to debate a matter of public importance or urgency

(xi) Not later than 4.30 pm, general business

(xii) Not later than 6 pm, consideration of government documents under general business

(xiii) Not later than 7 pm, consideration of committee reports and government responses under standing order 62(1)

(xiv) At 8 pm, adjournment proposed

(xv) At 8.40 pm, adjournment.
Government and general business

Government business shall take precedence over general business, except that general business shall take precedence over government business on Thursday as follows:

(a) from 9.30 am, for a period not exceeding 2 hours and 20 minutes, general business orders of the day for the consideration of bills shall be considered; and

(b) from not later than 4.30 pm, for a period not exceeding 2½ hours, and general business orders of the day shall take precedence over general business notices of motion on alternate Thursdays.

Statement by Deputy President: Senator Parry made a statement relating to the proposed temporary order.

Question put and passed.

Aboriginal and Torres Strait Islander Amendment (A Stronger Land Account) Bill 2014

Senator Siewert, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 291—That the following bill be introduced:

A Bill for an Act to amend the Aboriginal and Torres Strait Islander Act 2005, and for related purposes.

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

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

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

Legal and Constitutional Affairs Legislation Committee—Reference

Senator Di Natale 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 Legislation Committee for inquiry and report by 27 October 2014:

The exposure draft of the Medical Services (Dying with Dignity) Bill 2014, with particular reference to the rights of terminally ill people to seek assistance in ending their lives, and an appropriate framework and safeguards with which to do so.
Document: Senator Di Natale, by leave, tabled the following document:
Medical Services (Dying with Dignity) Bill 2014—Exposure draft, dated 24 June 2014.

Question put and passed.

16 SCHOOL FUNDING—SELECT COMMITTEE—EXTENSION OF TIME TO REPORT
Senator McEwen, at the request of the Chair of the Select Committee on School Funding (Senator Collins) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 287—That the time for the presentation of the final report of the Select Committee on School Funding be extended to 9 July 2014.
Question put and passed.

17 NOTICE
Senator Ludlam, by leave, gave a notice of motion as follows: To move on the next day of sitting—That—
(a) the Senate notes:
(i) the budget provides for payment to the Western Australian Government of $925 million for the Perth Freight Link which includes the Roe Highway extension,
(ii) Infrastructure Australia has not assessed this project despite the promise by the Prime Minister (Mr Abbott) that all Commonwealth-funded infrastructure projects worth more than $100 million would undergo a cost-benefit analysis by Infrastructure Australia,
(iii) the Minister has not received a full business case for this project, and
(iv) the modelling for the Roe 8 extension by the proponent, the Western Australian Government, demonstrates negligible impact on passenger traffic or heavy vehicle traffic on local roads; and
(b) there be laid on the table, by the Minister representing the Minister for Infrastructure and Regional Development, no later than noon on Monday, 7 July 2014:
(i) all communications between Western Australia’s Minister for Transport, Assistant Minister, Treasurer and Premier and the Federal Government in relation to the project being included in the budget, and
(ii) the cost-benefit analysis submitted to the Government that demonstrates a 5:1 benefit to cost ratio and underlies the decision for Commonwealth funding. (general business notice of motion no. 307)

18 ENVIRONMENT—NUCLEAR DISARMAMENT
Motion determined as not formal: Senator Ludlam requested that general business notice of motion no. 292 standing in his name for today, relating to nuclear disarmament, be taken as formal.
An objection was raised and the motion was not proceeded with as a formal motion.
19 **AUSTRALIAN PARLIAMENTARY DELEGATION TO THE REPUBLIC OF CYPRUS AND THE RUSSIAN FEDERATION—DOCUMENT**

The Deputy President (Senator Parry) tabled the following document:


20 **OFFICIAL VISIT TO ESTONIA—OFFICIAL VISIT TO THE FEDERAL REPUBLIC OF BRAZIL AND ARGENTINE REPUBLIC—OFFICIAL VISIT TO ITALY, AUSTRIA AND GERMANY—OFFICIAL VISIT TO THE KINGDOM OF THAILAND AND THE REPUBLIC OF THE UNION OF MYANMAR—DOCUMENTS**

The Deputy President (Senator Parry) tabled the following documents:

- Reports by the President of the Senate of official visits to—
  - Estonia, 2 to 5 October 2013.
  - Federal Republic of Brazil, 28 May to 2 June 2013, and Argentine Republic, 2 to 7 June 2013.
  - Italy, Austria and Germany, 25 April to 8 May 2013.
  - Kingdom of Thailand, 23 to 27 April 2013, and the Republic of the Union of Myanmar, 27 April to 1 May 2013.

21 **AUDITOR-GENERAL—AUDIT REPORTS NOS 49 AND 50 OF 2013-14—DOCUMENTS**

The Deputy President (Senator Parry) tabled the following documents:

- Auditor-General—Audit reports for 2013-14—
  - No. 49—Performance audit—The management of physical security: Australian Crime Commission; Geoscience Australia; Royal Australian Mint.
  - No. 50—Performance audit—Cyber attacks: Securing agencies’ ICT systems: Across agencies.

22 **TRADE—TRADE IN SERVICES AGREEMENT—ANSWER TO QUESTION—DOCUMENT**

The Assistant Minister for Social Services (Senator Fifield) tabled the following document:

- Trade—Trade in Services Agreement—Letter from the Minister for Finance (Senator Cormann) to the Leader of the Opposition in the Senate (Senator Wong), dated 23 June 2014, providing additional information relating to the question asked by Senator Wong on 23 June 2014.

23 **PUBLIC WORKS—JOINT STATUTORY COMMITTEE—4TH REPORT OF 2014**

Senator Kroger, on behalf of the Parliamentary Standing Committee on Public Works, tabled the following report:


24 **TREATIES—JOINT STANDING COMMITTEE—140TH REPORT**

Senator Kroger, on behalf of the Joint Standing Committee on Treaties, tabled the following report:

25 **FINANCE AND PUBLIC ADMINISTRATION LEGISLATION COMMITTEE—ADDITIONAL INFORMATION—ASSET RECYCLING FUND BILL 2014 AND RELATED BILL**

Senator Kroger, at the request of the Chair of the Finance and Public Administration Legislation Committee (Senator Bernardi), tabled the following document:


26 **HUMAN RIGHTS—JOINT STATUTORY COMMITTEE—8TH REPORT OF 44TH PARLIAMENT**

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 Smith.

Senator Smith, by leave, moved—That the Senate take note of the report.

Question put and passed.

27 **FOREIGN AFFAIRS, DEFENCE AND TRADE REFERENCES COMMITTEE—REPORT—PARLIAMENTARY DELEGATION TO VANUATU AND NEW ZEALAND**

The Chair of the Foreign Affairs, Defence and Trade References Committee (Senator Stephens) tabled the following report:

Foreign Affairs, Defence and Trade References Committee—Report—Parliamentary delegation to Vanuatu and New Zealand, 30 April to 9 May 2014, dated June 2014.

Senator Stephens, by leave, moved—That the Senate take note of the report.

Debate ensued.

Question put and passed.

28 **LEGISLATION COMMITTEES—REPORTS—BUDGET ESTIMATES 2014-15**

Pursuant to order, Senator Ruston, at the request of the chairs of the respective committees, tabled the following reports, dated June 2014, and documents:

Budget estimates 2014-15—

- Economics Legislation Committee—Report, Hansard record of proceedings, documents presented to the committee and additional information.
- Education and Employment Legislation Committee—Report, Hansard record of proceedings and documents presented to the committee.
- Environment and Communications Legislation Committee—Report, Hansard record of proceedings and document presented to the committee.
- Finance and Public Administration Legislation Committee—Report, Hansard record of proceedings, documents presented to the committee and additional information.
- Foreign Affairs, Defence and Trade Legislation Committee—Report, Hansard record of proceedings and documents presented to the committee.
Legal and Constitutional Affairs Legislation Committee—Report, Hansard record of proceedings, documents presented to the committee and additional information.
Rural and Regional Affairs and Transport Legislation Committee—Report, Hansard record of proceedings, documents presented to the committee and additional information.

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

29 DOCUMENTS

The following documents were tabled by the Clerk:

<table>
<thead>
<tr>
<th>Instrument</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Australian Prudential Regulation Authority Act 1998—</td>
<td>Australian Prudential Regulation Authority (confidentiality) determination—No. 8 of 2014 [F2014L00779].</td>
</tr>
<tr>
<td>Australian Prudential Regulation Authority instrument fixing charges—</td>
<td>No. 2 of 2014 [F2014L00776].</td>
</tr>
<tr>
<td>Civil Aviation Act 1988—</td>
<td>Civil Aviation Regulations 1988—</td>
</tr>
<tr>
<td></td>
<td>Direction — number of cabin attendants (Tiger Airways)—CASA 131/14 [F2014L00790].</td>
</tr>
<tr>
<td></td>
<td>Direction — number of cabin attendants (Virgin Australia Airlines)—CASA 128/14 [F2014L00788].</td>
</tr>
<tr>
<td></td>
<td>Direction — number of cabin attendants (Virgin Australia International Airlines)—CASA 130/14 [F2014L00789].</td>
</tr>
<tr>
<td></td>
<td>Fair Work Act 2009—Fair Work (State Declarations — employer not to be national system employer) Endorsement 2014 (No. 2) [F2014L00778].</td>
</tr>
<tr>
<td></td>
<td>Health Insurance Act 1973—Health Insurance (Gippsland, Rockhampton and Gladstone Mobile MRI Service) Determination 2014 (No. 1) [F2014L00775].</td>
</tr>
<tr>
<td></td>
<td>Higher Education Support Act 2003—</td>
</tr>
<tr>
<td></td>
<td>Revocation of Approval as a VET provider (State of Queensland as represented by Brisbane North Institute of TAFE) [F2014L00768].</td>
</tr>
<tr>
<td></td>
<td>Revocation of Approval as a VET provider (State of Queensland as represented by Gold Coast Institute of TAFE) [F2014L00755].</td>
</tr>
<tr>
<td></td>
<td>Revocation of Approval as a VET provider (State of Queensland as represented by Metropolitan South Institute of TAFE) [F2014L00764].</td>
</tr>
<tr>
<td></td>
<td>Revocation of Approval as a VET provider (State of Queensland as represented by SkillsTech Australia) [F2014L00770].</td>
</tr>
<tr>
<td></td>
<td>Revocation of Approval as a VET provider (State of Queensland as represented by Southern Queensland Institute of TAFE) [F2014L00772].</td>
</tr>
</tbody>
</table>
Revocation of Approval as a VET Provider (State of Queensland as represented by Sunshine Coast Institute of TAFE) [F2014L00767].
Revocation of Approval as a VET provider (State of Queensland as represented by The Bremer Institute of TAFE) [F2014L00774].
Revocation of Approval as a VET Provider (State of Queensland as represented by Tropical North Queensland Institute of TAFE) [F2014L00765].
Revocation of Approval as a VET provider (State of Queensland as represented by Wide Bay Institute of TAFE) [F2014L00760].

National Health Act 1953—
National Health Determination under paragraph 98C(1)(b) Amendment 2014 (No. 6)—PB 46 of 2014 [F2014L00761].
National Health (Highly specialised drugs program for hospitals) Special Arrangement Amendment Instrument 2014 (No. 6)—PB 48 of 2014 [F2014L00766].
National Health (Listed drugs on F1 or F2) Amendment Determination 2014 (No. 5)—PB 47 of 2014 [F2014L00762].

Ozone Protection and Synthetic Greenhouse Gas Management Act 1989—Grant of exemptions under section 40—
Hawker Pacific Pty Ltd—No. S40E28535608.
Jetstar Airways Pty Ltd—No. S40E79007098.


Radiocommunications Act 1992—Radiocommunications (Field Trial by Corrective Services NSW of PMTS Jamming Devices at Lithgow Correctional Centre) Exemption Amendment Determination 2014 (No. 1) [F2014L00771].

Social Security Act 1991—
Social Security (Class of Visas – Qualification for Special Benefit) Determination 2014 [F2014L00783].


30 Address by Prime Minister of Japan
A message from the House of Representatives was reported informing the Senate of a resolution of that House:
Message no. 159, dated 24 June 2014, inviting senators to attend a meeting of the House for an address by the Honourable Shinzo Abe, Prime Minister of Japan.

31 Family Assistance Legislation Amendment (Child Care Measures) Bill 2014
A message from the House of Representatives was reported agreeing to the amendment made by the Senate to the following bill:
Message no. 156, dated 23 June 2014—Family Assistance Legislation Amendment (Child Care Measures) Bill 2014.

32 Appropriation (Parliamentary Departments) Bill (No. 1) 2014-2015
Appropriation Bill (No. 1) 2014-2015
Appropriation Bill (No. 2) 2014-2015
Messages from the House of Representatives were reported transmitting for the concurrence of the Senate the following bills:
Message no. 153, dated 23 June 2014—A Bill for an Act to appropriate money out of the Consolidated Revenue Fund for expenditure in relation to the Parliamentary Departments, and for related purposes.
Message no. 151, dated 23 June 2014—A Bill for an Act to appropriate money out of the Consolidated Revenue Fund for the ordinary annual services of the Government, and for related purposes.
Message no. 152, dated 23 June 2014—A Bill for an Act to appropriate money out of the Consolidated Revenue Fund for certain expenditure, and for related purposes.

The Parliamentary Secretary to the Minister for Agriculture (Senator Colbeck) 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 Colbeck moved—That these bills be now read a second time.
On the motion of Senator Colbeck the debate was adjourned till the next day of sitting.

33 Appropriation Bill (No. 5) 2013-2014
Appropriation Bill (No. 6) 2013-2014
Messages from the House of Representatives were reported transmitting for the concurrence of the Senate the following bills:
Message no. 154, dated 23 June 2014—A Bill for an Act to appropriate additional money out of the Consolidated Revenue Fund for the ordinary annual services of the Government, and for related purposes.
Message no. 155, dated 23 June 2014—A Bill for an Act to appropriate additional money out of the Consolidated Revenue Fund for certain expenditure, and for related purposes.

The Parliamentary Secretary to the Minister for Agriculture (Senator Colbeck) 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 Colbeck moved—That these bills be now read a second time.

Explanatory memorandum: Senator Colbeck tabled a revised explanatory memorandum relating to the Appropriation Bill (No. 6) 2013-2014.

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

34 Health Insurance Amendment (Extended Medicare Safety Net) Bill 2014


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


Message no. 158, dated 23 June 2014—A Bill for an Act in relation to monitoring, investigation and enforcement by regulatory agencies, and for related purposes.

The Parliamentary Secretary to the Minister for Agriculture (Senator Colbeck) 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 Colbeck moved—That these bills be now read a second time.

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

Consideration of legislation: Senator Colbeck moved—That the bills be listed on the Notice Paper as separate orders of the day.

Question put and passed.

At 4.30 pm—

35 Valedictory Statements

Pursuant to order, senators made statements relating to the retirement of Senators Tillem, Thorp, Pratt and Stephens.
36 **GOVERNMENT DOCUMENTS—CONSIDERATION**

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

37 **ADJOURNMENT**

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

Debate ensued.

The Senate adjourned at 10.05 pm till Wednesday, 25 June 2014 at 9.30 am.

38 **ATTENDANCE**

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

**ROSEMARY LAING**

Clerk of the Senate

---

Printed by authority of the Senate