THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

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No. 84

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1 Meeting of Senate
The Senate met at 10 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):

Document presented by the President
1. Vacancy in the representation of Queensland—Letter from the President of the Senate to the Governor of Queensland (His Excellency the Honourable Paul de Jersey, AC), dated 8 February 2018 [copy].

Committee reports presented out of sitting
The following reports and documents were presented and authorised for publication on 9 February 2018 pursuant to standing order 38(7)(a):


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.]

Australian Capital Territory (Planning and Land Management) Act 1988—National Capital Plan – Amendment 88 – Blocks 3 and 15 Section 22 Barton [F2018L00092].
Repeal of Airworthiness Directives—CASA ADCX 002/18 [F2018L00087].
CASA ADCX 004/18 [F2018L00088].
The Clerk tabled the following documents pursuant to order:

Departmental and agency appointments and vacancies—Additional estimates 2017-18—Letter of advice pursuant to the order of the Senate of 24 June 2008—Environment and Energy portfolio.

Departmental and agency grants—Additional estimates 2017-18—Letter of advice pursuant to the order of the Senate of 24 June 2008—Environment and Energy portfolio.

Estimates hearings—Unanswered questions on notice—Budget estimates 2017-18 (Supplementary)—Statement pursuant to the order of the Senate of 25 June 2014—Environment and Energy portfolio.

3 Committees—Leave to meet during sittings

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

Community Affairs References Committee—private meeting otherwise than in accordance with standing order 33(1) today, from 11.35 am, for the committee’s inquiry into aged care assessment and accreditation.

Environment and Communications References Committee—

private meeting otherwise than in accordance with standing order 33(1) today, from 1.45 pm, for the committee’s inquiry into Aboriginal rock art of the Burrup Peninsula.

public meeting on Wednesday, 14 February 2018, from noon, to take evidence for the committee’s inquiry into the rehabilitation of mining and resources projects.

4 Vacancies in the representation of Tasmania—Election of Richard Colbeck and Steve Martin

The President tabled the following documents:

Vacancies in the representation of Tasmania—Qualification of former Senators Lambie and Parry—References to Court of Disputed Returns—Letters [2] from the Chief Executive and Principal Registrar of the High Court of Australia (Mr Phelan) to the Clerk of the Senate (Mr Pye), dated 9 February 2018, and copies of court orders, as follows—

Orders, dated 12 December 2017, declaring that there are vacancies by reason of s 44(i) of the Constitution in the representation of Tasmania in the Senate for the places for which Ms Jacqui Lambie and Mr Stephen Parry were returned, and ordering a single special count of ballot papers.
Orders, dated 9 February 2018, declaring Richard Colbeck and Steve Martin duly elected as senators for the state of Tasmania.

Senators sworn: Senators Colbeck and Martin, pursuant to the Constitution of the Commonwealth of Australia, made and subscribed the oath of allegiance at the table.

5 Customs Amendment (Safer Cladding) Bill 2017
Order of the day read for the adjourned debate on the motion—That this bill be now read a second time.
Debate resumed.
At 12.20 pm: Debate was interrupted while Senator Kitching was speaking.

6 Social Services Legislation Amendment (Cashless Debit Card) Bill 2017
Order of the day read for the adjourned debate on the motion of the Minister for International Development and the Pacific (Senator Fierravanti-Wells)—That this bill be now read a second time.

Debate resumed.

Question put.
The Senate divided—

AYES, 35

Senators—

Abetz
Anning
Bernardi
Birmingham
Brockman
Burston
Bushby
Canavan
Cash

Colbeck
Duniam
Fawcett*
Fierravanti-Wells
Fifield
Gichuhi
Griff
Hanson
Hinch

Hume
Leyonhjelm
Macdonald
Martin
McGrath
McKenzie
Molan
O’Sullivan
Paterson

Reynolds
Ruston
Ryan
Scullion
Seselja
Smith
Williams

Senators—

Bartlett
Bilyk
Brown
Cameron
Carr
Chisholm
Collins
Di Natale

Dodson
Farrell
Gallacher
Hanson-Young
Ketter
Kitching
Marshall

McCarthy
McKim
Moore
O’Neill
Polley
Pratt
Rhiannon

McCarthy
Siewert
Singh
Sterle
Sterle-John

Ayers
Rice
Stewart

NOES, 29

Senators—

Bartlett
Bilyk
Brown

Chisholm
Collins
Di Natale

Gallacher
Hanson-Young
Ketter
Kitching
Marshall

Moore
O’Neill
Polley
Pratt
Rhiannon

McCarthy
Siewert

* Tellers

Question agreed to.
Bill read a second time.
The Senate resolved itself into committee for the consideration of the bill.

In the committee

Bill, taken as a whole by leave, debated.
Explanatory memorandum: Senator Fierravanti-Wells tabled a supplementary explanatory memorandum relating to the government amendment to be moved to the bill.

Debate continued.

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

7 Questions
Questions without notice were answered.

8 Motions to take note of answers
Senator Dodson moved—That the Senate take note of the answers given by the Minister for Indigenous Affairs (Senator Scullion) to questions without notice asked by Senators Dodson and McCarthy today relating to funding for remote housing services.
Debate ensued.
Question put and passed.

Senator Whish-Wilson 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 Whish-Wilson today relating to the Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry.
Question put and passed.

9 Notices
The Minister for Education and Training (Senator Birmingham): To move on the next day of sitting—That—

(a) as soon as practicable after the High Court orders a special count of the ballots from the 2016 Senate election for any state and makes an order declaring that a person identified by that count is duly elected as a senator for that state, there be laid on the table a copy of the statement of results report for that count; and

(b) if such a report is tabled in relation to any state, then the order of the Senate of 31 August 2016 made pursuant to section 13 of the Constitution have effect in relation to senators from that state as if a reference to the certificate of election were a reference to the most recent statement of results report.

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

(a) the provision of local community sporting facilities is integral to ensuring grassroots participation in sport;

(b) the upcoming National Sports Plan, due for release in May this year, must allocate significant funds to supporting local sporting infrastructure;

(c) many suburban areas, such as within the City of Darebin, Victoria, are struggling to provide high quality sport and recreation facilities, due to high levels of projected growth;

(d) in the case of the City of Darebin, this growth has been projected at 25% over the next 20 years;
(e) the Victorian State Labor Government is yet to deliver on their promise of 64 competition-compliant netball courts within the City of Darebin; and

(f) the Federal Government has a responsibility to fund multi-sport stadiums, such as the Darebin Multi Sports Stadium at John Cain Memorial Park in the suburb of Thornbury, Victoria. (general business notice of motion no. 703)

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

(a) notes the success of the Child Dental Benefits Schedule (CDBS), which has provided Medicare-funded dental care to children aged between 2 and 17 since the Greens negotiated it when in balance of power government with the Gillard Labor Government;

(b) recognises that cost is a major barrier to access to dental care across the community, and that the lower a person’s income the more likely they are to have chronic oral health problems;

(c) notes that Aboriginal and Torres Strait Islander People, those living in rural and regional Australia, and low income earners have more than twice the rate of untreated dental decay as high income earners;

(d) acknowledges that untreated dental disease can have very serious health consequences, such as leading to low birth weight and premature babies, increased risk of heart disease and potentially life-threatening infections—poor dental health can also lead to social isolation, poor diet and depression; and

(e) calls on the Government to expand Denticare access to other vulnerable groups, including aged pension recipients and full benefit income support recipients, and holders of the Commonwealth Seniors Health Card and all other concession cards. (general business notice of motion no. 704)

Senators McKim and Rice: To move on the next day of sitting—That the Senate—

(a) notes that:

   (i) on 14 December 2017, Prime Minister Turnbull announced the terms of reference for the Religious Freedom Review, chaired by the Honourable Philip Ruddock,

   (ii) despite the Department of the Prime Minister and Cabinet originally confirming that submissions to the inquiry would not be published, it later stated that decisions on releasing submissions would depend on whether or not submitters have given consent,

   (iii) hearings which were not disclosed publicly have commenced with evidence taken in private, and

   (iv) members of the LGBTIQ community in Australia have publicly raised concerns about the lack of transparency of these private hearings; and

(b) agrees that public confidence in the Religious Freedom Review is being compromised by secrecy and lack of transparency, and calls on Prime Minister Turnbull and Mr Ruddock to conduct a transparent review, and publicise dates and locations of hearings and open them to the public. (general business notice of motion no. 705)
Senator Rhiannon: To move on the next day of sitting—That the Senate—
(a) notes that:
   (i) in McCloy v New South Wales (2015), the High Court found that prohibiting political donations from a certain industry was permissible if the prohibition was proportionate to the risk of actual or perceived corruption,
   (ii) a 2016 report from 350.org found that fossil fuel companies would receive $7.7 billion in rebates and credits for the 2016-17 financial year, had made $3.7 million in political donations since the preceding election, and that this equated to $2000 in rebates and credits for every $1 donated, and
   (iii) in 2016-17, the Liberal, National and Labor parties received at least $477,111 from Woodside Energy, Santos, the Minerals Council of Australia, Whitehaven Coal and Adani Mining; and
(b) calls on the Government to prohibit political donations from mineral resources or mining industry business entities and their industry representative organisations. (general business notice of motion no. 706)

Senator Siewert: To move on the next day of sitting—That the Senate—
(a) recognises that 13 February 2018 marks the 10 year anniversary of the National Apology to the Stolen Generations and Indigenous people of Australia;
(b) acknowledges:
   (i) the ongoing impact and intergenerational trauma of Aboriginal and Torres Strait Islander Peoples caused by the removal of their children from their families, their communities and their country, and
   (ii) the ongoing healing needs of members of the Stolen Generations; and
(c) calls on the Federal Government to carry out a comprehensive assessment of the contemporary and emerging needs of Stolen Generations members, including needs-based funding and a financial redress scheme, and a national study into intergenerational trauma, to ensure that there is real change for young Aboriginal and Torres Strait Islander people in the future. (general business notice of motion no. 707)

Senator Hanson-Young: To move on the next day of sitting—
(1) That the Senate notes that:
   (a) reports of allegations of water theft, corruption and bureaucratic misadministration have been a blow to community confidence that the Basin Plan is on track;
   (b) in his first speech in 2016, the current Minister for Agriculture and Water Resources argued that ‘the balance [of the Murray-Darling Basin Plan] has been weighted disproportionately, without an understanding of the social and economic impacts on our communities’;
   (c) the former Minister for Agriculture and Water Resources, in a leaked recording, said to a group of New South Wales irrigators, regarding the merging of the portfolios of agriculture and water resources, ‘We’ve taken water and put it back into agriculture so we can look after you and make sure we don’t have the greenies running the show basically sending you out the back door’;
(d) downstream communities, such as those in South Australia, rely on upstream users to do the right thing and for the rules to be applied without favour to any one group; and

(e) the wisdom of this reliance is jeopardised when allegations of theft and corruption are not adequately addressed due to perceived political allegiance.

(2) That there be laid on the table by the Minister representing the Minister for Agriculture and Water Resources, by 5 pm on 13 February 2018:

(a) any correspondence received by the Chief Executive of the Murray-Darling Basin Authority, or representatives thereof, from the Commonwealth Environmental Water Holder, or representatives thereof, between 1 November 2017 and 12 February 2018;

(b) any internal and external correspondence, reports (including drafts) and presentations (including drafts) regarding the Northern Basin Review between 8 and 30 November 2016, between:

(i) members of the Murray-Darling Basin Authority board,
(ii) the Murray-Darling Basin Authority,
(iii) the Department of Agriculture and Water Resources,
(iv) the office of the Minister for Agriculture and Water Resources,
(v) the office of the Assistant Minister for Agriculture and Water Resources,
(vi) the office of the Commonwealth Environmental Water Holder, and
(vii) state ministers, ministerial offices and state departments; and

(c) the initial report and agenda board papers presented to the Murray-Darling Basin Authority board relating to Scenario K, as identified in the Hydrological Modelling for the Northern Basin Review – Interim Decision Scenario Addendum (November 2017). (general business notice of motion no. 708)

10 Leave of absence

Senator Bushby, by leave, moved—That leave of absence be granted to Senator Payne from 12 to 15 February 2018, on account of ministerial business.

Question put and passed.

11 Postponements

Business was postponed as follows:

Business of the Senate notice of motion no. 2 standing in the name of Senator Steele-John for today, proposing a reference to the Environment and Communications References Committee, postponed till 13 February 2018.

Business of the Senate notice of motion no. 3 standing in the name of Senator Hanson-Young for today, proposing the disallowance of the Basin Plan Amendment (SDL Adjustments) Instrument 2017, postponed till 13 February 2018.
12 Committees—Extensions of time to report
The following committees were granted extensions of time to report:

- Environment and Communications Legislation Committee—Australian Broadcasting Corporation Amendment (Fair and Balanced) Bill 2017, extended to 16 February 2018.
- Finance and Public Administration References Committee—Digital delivery of government services, extended to 14 May 2018.
- Privileges—Standing Committee—Implications for the use of intrusive powers by law enforcement and intelligence agencies on the privileges and immunities of members of Parliament, extended to 28 March 2018.

13 Basin Plan Amendment Instrument—Motion for disallowance—Consideration
The Leader of the Opposition in the Senate (Senator Wong) amended general business notice of motion no. 701 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—

(1) That the Senate—
   (a) recognises the need for greater security for the delivery of the full 3200 gigalitres equivalent plan, including the 450 gigalitre component with neutral or improved social and economic outcomes (as defined in the Basin Plan), and immediate progress on projects to deliver the return of 450 gigalitre component to the Murray-Darling Basin; and
   (b) calls on the Minister for Agriculture and Water Resources to provide greater assurance to Basin jurisdictions and communities as to the delivery of all aspects of the plan; and
   (c) calls on the Minister for Agriculture and Water Resources to update the work that the Murray-Darling Basin Authority has already carried out in good faith, to provide better information and analysis in the following areas to restore public confidence in the Northern Basin Review and instrument:
      (i) the need for taxpayer-funded environmental water to be used for environmental purposes,
      (ii) a comprehensive response to allegations of corruption and theft in the Northern Basin,
      (iii) Indigenous consultation and engagement in water planning and governance, and
      (iv) the accuracy of data and modelling assumptions.

(2) That the business of the Senate notice of motion given on 7 February 2018 by Senator Hanson-Young, proposing the disallowance of the Basin Plan Amendment Instrument 2017 (No. 1) [F2017L01462], be considered on 14 February 2018.

Statement by leave: The Assistant Minister to the Prime Minister (Senator McGrath), by leave, made a statement relating to the motion.

Leave refused: Senator Hanson-Young sought leave to move an amendment to the motion. An objection was raised and leave was not granted.

Question put and passed.
14 Cambodia

*Motion determined as not formal:* The Leader of the Australian Greens (Senator Di Natale) requested that general business notice of motion no. 699 standing in his name for today, relating to Cambodia, be taken as formal. An objection was raised and the motion was not proceeded with as a formal motion.

*Statements by leave:* Senators Di Natale and Chisholm, by leave, made statements relating to the motion.

*Leave refused:* The Assistant Minister to the Prime Minister (Senator McGrath) sought leave to make a statement relating to the motion. An objection was raised and leave was not granted.

*Document:* Senator McGrath tabled the following document:

Statement relating to general business notice of motion no. 699.

15 Future Submarine Project—Australian Industry Capability Plan—Order for production of documents

Senator Patrick, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 700—

(1) That the Senate notes that:

(a) in April 2016, former Australian CEO of Future Submarine designer DCNS (now known as Naval Group), Mr Sean Costello, stated to the media that ‘over 90%' of the $50 billion submarine build would take place in Australia;

(b) shortly after, the Minister for Defence Industry (Mr Pyne) reiterated those comments on ABC’s *Q&A* program;

(c) in June 2017, Mr Brent Clark, CEO of DCNS Australia, told a Senate committee that ‘an aim point of greater than 60% would be something that [DCNS] would aim for’;

(d) in October 2017, it was reported by Fairfax media that the Minister made public comments at the Pacific 2017 Naval Conference clarifying the definition of a local build to be 60%, and confirming that at least 60% of the work on the submarines would be done by Australian firms;

(e) in February 2018, Mr Costello confirmed that the 90% build figure ‘absolutely’ went into the tender response presented to the Australian Government, ‘down to the percentile’ and it is reasonable to presume that this 90% build figure would have influenced the Australian Government’s decision to award the contract to DCNS;

(f) the level of Australian industry involvement and local content in the Future Submarine Project is critical to Australia’s defence industry, Australian jobs, and the economic benefit that the Future Submarine Project brings; and

(g) there needs to be clarity on the minimum level of Australian industry involvement in the Future Submarine Project.

(2) That there be laid on the table by the Minister representing the Minister for Defence Industry, by no later than 3.30 pm on 14 February 2018, the Australian Industry Capability Plan submitted by DCNS to the Department of Defence in its response to the Future Submarine Competitive Evaluation Process (CEP).
Statements by leave: Senator Patrick and the Assistant Minister to the Prime Minister (Senator McGrath), by leave, made statements relating to the motion. Question put and passed.

16 Closing the Gap report—Implementation of recommendations
Senator Siewert, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 702—that the Senate—
(a) notes that the Closing the Gap report 2018, A ten-year review: the Closing the Gap strategy and recommendations for reset, was released in Parliament House on 8 February 2018;
(b) acknowledges that the target to achieve life expectancy equality for Aboriginal and Torres Strait Islander Peoples by 2030 will not be met if the current course continues;
(c) recognises that the Closing the Gap Strategy was effectively abandoned after five years, and that there is an urgent need for the strategy to be reset based on the existing Close the Gap statement of intent commitments with a corresponding national response and equitable, needs-based investment; and
(d) urges the federal, state and territory governments to implement the six recommendations of the review.

Statement by leave: The Assistant Minister to the Prime Minister to the Prime Minister (Senator McGrath), by leave, made a statement relating to the motion. Question put and passed.

17 Committees—Allocation of departments—Variation
The Assistant Minister to the Prime Minister (Senator McGrath), at the request of the Minister for Education and Training (Senator Birmingham) and pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 1—that the order of the Senate agreed to on 31 August 2016 relating to the allocation of departments and agencies to legislative and general purpose standing committees, be amended to read as follows:

Community Affairs
    Health and Aged Care
    Human Services
    Social Services

Economics
    Jobs and Innovation (Industry, Innovation and Science)
    Treasury

Education and Employment
    Education and Training
    Jobs and Innovation (Jobs and Small Business)

Environment and Communications
    Communications and the Arts
    Environment and Energy

Finance and Public Administration
    Finance
    Parliament
    Prime Minister and Cabinet


*Foreign Affairs, Defence and Trade*
  - Defence, including Veterans’ Affairs
  - Foreign Affairs and Trade

*Legal and Constitutional Affairs*
  - Attorney-General
  - Home Affairs

*Rural and Regional Affairs and Transport*
  - Agriculture and Water Resources
  - Infrastructure and Transport.

Question put and passed.

18 **Discussion of matter of public importance—Contamination of defence force facilities**

The Deputy President (Senator Lines) informed the Senate that, at 8.30 am today, four senators had each submitted a letter in accordance with standing order 75. The proposal to be submitted to the Senate was determined by lot.

As a result, the Deputy President informed the Senate that Senator Burston had proposed that the following matter of public importance be submitted to the Senate for discussion:

The need to remediate water supplies, contaminated by the long term use of firefighting foams containing per-fluorinated chemicals (PFAS) and to compensate those affected.

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

19 **Documents—Consideration**

The document tabled earlier today (see entry no. 2) was called on but no motion was moved.

20 **Closing the Gap report—Ministerial statement—Documents**

The Minister for International Development and the Pacific (Senator Fierravanti-Wells) tabled the following documents:

  - Closing the Gap report—
    - Ministerial statement by the Prime Minister (Mr Turnbull), dated 12 February 2018.
    - Prime Minister’s report 2018.

Pursuant to order, consideration of the documents was made a government business order of the day for a later hour (see entry no. 28).

21 **Murray-Darling Basin Plan—Water purchases—Order for production of documents—Documents**

The Minister for International Development and the Pacific (Senator Fierravanti-Wells) tabled the following documents:

  - Murray-Darling Basin Plan—Water purchases—Order agreed to on 16 November 2017—Letter to the President of the Senate from the Minister for Resources and Northern Australia (Senator Canavan), dated 12 February 2018, responding to the order and raising public interest immunity claims, and attachments.
22 Future Frigate project—Orders for production of documents—Documents
The Minister for International Development and the Pacific (Senator Fierravanti-Wells) tabled the following documents:
Future Frigate project—Orders agreed to on 4 and 5 September 2017—Letter to the President of the Senate from the Minister for Defence (Senator Payne), dated 12 February 2018, responding to the orders, and attachments.

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

The Minister for International Development and the Pacific (Senator Fierravanti-Wells), by leave, moved—that senators be discharged from and appointed to committees as follows:

Community Affairs Legislation and References Committees—
  Appointed—Participating members: Senators Colbeck and Martin

Economics Legislation and References Committees—
  Appointed—Participating members: Senators Colbeck and Martin

Education and Employment Legislation and References Committees—
  Appointed—Participating members: Senators Colbeck and Martin

Electoral Matters—Joint Standing Committee—
  Appointed—Participating member [for the committee’s inquiry into the 2016 election]: Senator Colbeck

Environment and Communications Legislation and References Committees—
  Appointed—Participating members: Senators Colbeck and Martin

Finance and Public Administration Legislation and References Committees—
  Appointed—Participating members: Senators Colbeck and Martin

Foreign Affairs, Defence and Trade Legislation and References Committees—
  Appointed—Participating members: Senators Colbeck and Martin

Future of Work and Workers—Select Committee—
  Discharged—Participating member: Senator Patrick
  Appointed—
    Senator Patrick
    Participating members: Senators Colbeck, Martin, Molan and Gichuhi

Law Enforcement—Joint Statutory Committee—
  Discharged—Senator O’Sullivan
  Appointed—Senator Colbeck

Legal and Constitutional Affairs Legislation and References Committees—
  Appointed—Participating members: Senators Colbeck and Martin

National Broadband Network—Joint Standing Committee—
  Appointed—Participating member: Senator Colbeck

Political Influence of Donations—Select Committee—
  Appointed—Participating member: Senator Martin

Privileges—Standing Committee—
  Discharged—Senator Bushby
  Appointed—Senator Colbeck
Public Accounts and Audit—Joint Statutory Committee—
Appointed—Senator Patrick

Red Tape—Select Committee—
Appointed—Participating members: Senators Colbeck and Martin

Royal Commission into Institutional Responses to Child Sexual Abuse—Joint Select Committee—
Appointed—Participating member: Senator Colbeck

Rural and Regional Affairs and Transport Legislation Committee—
Discharged—Senator Abetz
Appointed—
Senator Colbeck
Participating members: Senators Abetz and Martin

Rural and Regional Affairs and Transport References Committee—
Appointed—Participating members: Senators Colbeck and Martin

Senators’ Interests—Standing Committee—
Discharged—Senator Bushby
Appointed—Senator Colbeck

Trade and Investment Growth—Joint Standing Committee—
Discharged—Senator Hume
Appointed—Senator Colbeck.

Question put and passed.

24 National Health Amendment (Pharmaceutical Benefits—Budget and Other Measures) Bill 2017

A message from the House of Representatives was reported transmitting for the concurrence of the Senate the following bill:
Message no. 304, dated 8 February 2018—A Bill for an Act to amend the National Health Act 1953, and for related purposes.

The Minister for International Development and the Pacific (Senator Fierravanti-Wells) 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 Fierravanti-Wells moved—That this bill be now read a second time.
On the motion of Senator Fierravanti-Wells the debate was adjourned and the resumption of the debate made an order of the day for a later hour.

25 Treasury Laws Amendment (Enterprise Tax Plan Base Rate Entities) Bill 2018
Treasury Laws Amendment (Enterprise Tax Plan No. 2) Bill 2017

Messages from the House of Representatives were reported transmitting for the concurrence of the Senate the following bills:
Message no. 306, dated 12 February 2018—A Bill for an Act to amend the law relating to taxation, and for related purposes.
Message no. 305, dated 8 February 2018—A Bill for an Act to amend the law relating to taxation, and for related purposes.
The Minister for International Development and the Pacific (Senator Fierravanti-Wells) 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 Fierravanti-Wells moved—that these bills be now read a second time.

Explanatory memorandum: Senator Fierravanti-Wells tabled a revised explanatory memorandum relating to the Treasury Laws Amendment (Enterprise Tax Plan Base Rate Entities) Bill 2018.

On the motion of Senator Fierravanti-Wells the debate was adjourned till the next day of sitting.

Consideration of legislation: Senator Fierravanti-Wells moved—that the bills be listed on the Notice Paper as separate orders of the day.

Question put and passed.

26 Environment and Communications Legislation Committee—Report—Communications Legislation Amendment (Online Content Services and Other Measures) Bill 2017

Pursuant to order, Senator Williams, at the request of the Chair of the Environment and Communications Legislation Committee (Senator Duniam), tabled the following report and documents:

Environment and Communications Legislation Committee—Communications Legislation Amendment (Online Content Services and Other Measures) Bill 2017—Report, dated February 2018, Hansard record of proceedings, documents presented to the committee, additional information and submissions.

27 Environment and Communications Legislation Committee—Report—Communications Legislation Amendment (Regional and Small Publishers Innovation Fund) Bill 2017

Pursuant to order, Senator Williams, at the request of the Chair of the Environment and Communications Legislation Committee (Senator Duniam), tabled the following report and documents:


28 Closing the Gap report—Ministerial statement—Documents—Consideration

Order of the day read for the consideration of the documents tabled earlier today (see entry no. 20).

The Minister for Indigenous Affairs (Senator Scullion) moved—that the Senate take note of the documents.

Debate ensued.

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

Close the Gap 2018—Close the Gap Campaign Steering Committee—A ten-year review: the Closing the Gap strategy and recommendations for reset.
Debate continued. 
Question put and passed.

29 Social Services Legislation Amendment (Cashless Debit Card) Bill 2017
Order of the day read for the further consideration of the bill in committee of the whole.

In the committee
Consideration resumed of the bill.
The Minister for International Development and the Pacific (Senator Fierravanti-Wells) moved the following amendment:

Schedule 1, items 1 and 2, page 3 (lines 4 to 8), omit the items, substitute:

1 Subsection 124PD(1)
Insert:

Ceduna area means Ceduna within the meaning of the Social Security (Administration) (Trial Area—Ceduna and Surrounding Region) Determination 2015 as in force on 15 March 2016 and includes the Surrounding Region (within the meaning of that determination as so in force).

East Kimberley area means East Kimberley within the meaning of the Social Security (Administration) (Trial Area—East Kimberley) Determination 2016 as in force on 26 April 2016 and includes the areas of each of the Included Communities (within the meaning of that determination as so in force).

Goldfields area means the following Local Government Areas as at 7 February 2018:
(a) the Shire of Leonora;
(b) the Shire of Laverton;
(c) the City of Kalgoorlie-Boulder;
(d) the Shire of Coolgardie;
(e) the Shire of Menzies.

Local Government Areas means areas designated by the Governor of Western Australia to be a city, town or shire, in accordance with the Local Government Act 1995 (WA).

2 Subsection 124PD(1) (definition of trial area)
Repeal the definition, substitute:

trial area means the following:
(a) the Ceduna area;
(b) the East Kimberley area;
(c) the Goldfields area;
other than any part of such an area determined in an instrument under subsection (2).
3 Subsection 124PD(2)
Repeal the subsection, substitute:
   (2) The Minister may, by legislative instrument, determine a part of an
   area for the purposes of the definition of trial area in subsection (1).

4 Paragraph 124PF(1)(b)
Omit “30 June 2018”, substitute “30 June 2019”.

5 Subsection 124PF(2)
Omit “up to 3 discrete”, substitute “the”.

Debate ensued.
Question—That the amendment be agreed to—put.
The committee divided—

**AYES, 30**

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**NOES, 26**

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* Tellers

Question agreed to.
Senator Cameron moved the following amendment:

Schedule 1, item 2, page 3 (lines 7 and 8), omit the item, substitute:

2 Paragraph 124PF(1)(b)
Omit “30 June 2018”, substitute “30 June 2019”.

3 Subsection 124PF(2)
Omit “up to 3 discrete”, substitute “2 discrete”.

4 Paragraph 124PK(2)(a)
After “voluntary participant”, insert “reached in accordance with the
requirements set out in a determination made under subsection (6)”.

5 At the end of section 124PK
Add:
   (6) The Secretary must, by legislative instrument, determine requirements
   (including procedural requirements) for how an agreement of a kind
   mentioned in paragraph (2)(a) must be reached.
6 At the end of Division 3 of Part 3D

Add:

Subdivision C—Social support services

124PMA Social support services to be provided in trial areas

(1) The Minister must, by legislative instrument, specify social support services that are to be provided or supported by the Secretary in each trial area.

(2) The specified social support services must be able to adequately provide for the care, protection, welfare or safety of adults, children or families in the trial area.

Debate ensued.

Question—That the amendment be agreed to—put.

The committee divided—

AYES, 26

Senators—

Bartlett Gallacher Moore Siwers
Bilyk Hanson-Young O’Neill Singh
Cameron Ketter* Polley Steele-John
Carr Kitching Pratt Sterle
Collins Lines Rhiannon Urquhart
Di Natale Martin Rice Whish-Wilson
Dodson McKim

NOES, 30

Senators—

Abetz Cash Hinch Paterson
Anning Colbeck Hume Patrick
Bernardi Duniam Leyonhjelm Ruston
Birmingham Fawcett Macdonald Ryan
Brockman Fierravanti-Wells McGrath Seselja
Burston Gichuhi Molan Smith*
Bushby Griff O’Sullivan Williams
Canavan Hanson

* Tellers

Question negatived.

Question—That the bill, as amended, be agreed to—divided, at the request of Senator Cameron, in respect of Schedule 1, item 1.

Item debated.

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

The committee divided—

AYES, 30

Senators—

Abetz Cash Hinch Paterson
Anning Colbeck Hume Patrick
Bernardi Duniam Leyonhjelm Ruston
Birmingham Fawcett Macdonald Ryan
Brockman Fierravanti-Wells McGrath Seselja
Burston Gichuhi Molan Smith*
Bushby Griff O’Sullivan Williams
Canavan Hanson
NOES, 26

Senators—

Bartlett
Bilyk
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Carr
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Gallacher
Hanson-Young
Ketter
Kitching
Lines
Martin
McKim
Moore
O’Neill
Polley
Pratt
Rhiannon
Rice

Siewert
Singh
Steele-John
Sterle
Urquhart*
Whish-Wilson

*Tellers

Item agreed to.

Bill, as amended, agreed to and reported with an amendment.

On the motion of Senator Fierravanti-Wells the report from the committee was adopted.

Senator Fierravanti-Wells moved—That this bill be now read a third time.

Question put.

The Senate divided—

AYES, 30

Senators—

Abetz
Anning
Bernardi
Birmingham
Brockman
Burston
Bushby
Canavan
Cash
Colbeck
Duniam
Fawcett
Ferravanti-Wells
Gichuhi
Griff
Hanson
Hinch
Hume
Leyonhjelm
Macdonald
McGrath
Molan
O’Sullivan
Patrick
Ruston
Ryan
Seselja
Smith*
Williams

NOES, 26

Senators—

Bartlett
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O’Neill
Polley
Pratt
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Rice

Siewert
Singh
Steele-John
Sterle
Urquhart*
Whish-Wilson

*Tellers

Question agreed to.

Bill read a third time.
After 9.50 pm—

30 Review of the small amount credit contract laws—Government response—Answer to question—Document
The Minister for International Development and the Pacific (Senator Fierravanti-Wells) tabled the following document:
Review of the small amount credit contract laws—Government response—Answer to question—Letter to the President of the Senate from the Minister for Finance (Senator Cormann), dated 12 February 2018, providing information concerning a question without notice asked by Senator McAllister earlier today.

31 Adjournment
The President proposed the question—That the Senate do now adjourn.
Debate ensued.
The Senate adjourned at 10.16 pm till Tuesday, 13 February 2018 at midday.

32 Attendance
Present, all senators except Senators Payne* and Sinodinos* (*on leave).

RICHARD PYE
Clerk of the Senate

Published by authority of the Senate