TUESDAY, 11 SEPTEMBER 2018

Contents

1 Meeting of Senate ................................................................. 3669
2 Document ................................................................................ 3669
3 Committees—Leave to meet during sittings ................................ 3669
4 Social Services Legislation Amendment (Cashless Debit Card Trial
   Expansion) Bill 2018............................................................ 3670
5 Questions ................................................................................ 3679
6 Motions to take note of answers .............................................. 3679
7 Notices ................................................................................... 3679
8 Postponement ......................................................................... 3684
9 Committee—Extension of time to report ................................... 3684
10 Great Barrier Reef Marine Park Amendment (Hammerhead Shark)
    Regulations—Disallowance motion—Consideration ............... 3684
11 Dementia Awareness Month .................................................... 3685
12 National Stroke Week ............................................................ 3685
13 Future of Work and Workers—Select Committee—Extension of time to
   report.................................................................................... 3686
14 National Wattle Day ............................................................... 3686
15 National Independent Commission Against Corruption .......... 3686
16 Commonwealth Places and Services (Facial Recognition) Bill 2018
    Proposed order for production of documents ........................ 3688
17 National Radioactive Waste Management Facility—Site selection process—
   Proposed order for production of documents ....................... 3688
18 Banning of plastic straws ....................................................... 3689
19 Conversion and reparative therapies ...................................... 3689
20 Animal Export Legislation Amendment (Ending Long-haul Live Sheep
   Exports) Bill 2018—Consideration ........................................ 3690
21 Commonwealth Environmental Water Holder—Order for production of
   documents............................................................................. 3691
22 Commercial whaling—Moratorium ........................................ 3691
23 Myanmar ............................................................................... 3692
24 Discussion of matter of public importance—LGBTIQ Australians .. 3692
25 Documents—Consideration ................................................... 3692
26 Legislation committees—Reports—Annual reports .......................... 3692
27 Minister for Home Affairs—Declarations of private interests—Answer to question—Document .......................................................... 3693
28 Committee membership .......................................................................................... 3693
29 Health Insurance (Approved Pathology Specimen Collection Centres) Tax Amendment Bill 2018
   Private Health Insurance Legislation Amendment Bill 2018 .......................... 3693
30 Committee membership .......................................................................................... 3693
31 Imported Food Control Amendment Bill 2017 .................................................. 3694
32 Treasury Laws Amendment (Accelerated Depreciation for Small Business Entities) Bill 2018 ................................................................. 3695
33 Adjournment .......................................................................................................... 3696
34 Attendance ............................................................................................................. 3696
Meeting of Senate
The Senate met at midday. The President (Senator the Honourable Scott Ryan) took the chair, read prayers and made an acknowledgement of country.

Documents
The following documents were tabled pursuant to standing order 61(1)(b):

Auditor-General's report for 2018-19
1. No. 6—Performance audit—Army’s Protected Mobility Vehicle – Light: Department of Defence.

Government document

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.]

Corporations Act 2001—
ASIC Market Integrity Rules (Securities Markets) 2017—
ASIC Market Integrity Rules (Securities Markets) Repeal Determination 2018/766 [F2018L01271].
Corporations (Passport) Rules 2018 [F2018L01272].


The Clerk tabled the following document pursuant to the order of the Senate of 30 May 1996, as amended:
Indexed lists of departmental and agency files for the period 1 January to 30 June 2018—Statement of compliance—Department of the Prime Minister and Cabinet.

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

Community Affairs References Committee—public meetings, from 4 pm—
today and Monday, 17 September 2018, to take evidence for the committee’s inquiry into the My Health Record system.
Tuesday, 18 September 2018, to take evidence for the committee’s inquiry into mental health services in rural and remote Australia.

Education and Employment References Committee—
private meeting otherwise than in accordance with standing order 33(1) on
Wednesday, 12 September 2018, from 11.30 am.
public meeting on Wednesday, 19 September 2018, from 10.45 am, to take evidence for the committee’s inquiry into industrial deaths in Australia.

Environment and Communications References Committee—public meeting on Tuesday, 18 September 2018, from midday, to take evidence for the committee’s inquiry into the Great Barrier Reef 2050 Partnership Program.

Intelligence and Security—Joint Statutory Committee—

private meetings—

Wednesday, 12 September 2018, from 12.30 pm.
Thursday, 13 September 2018, from 12.30 pm and from 4 pm.

Legal and Constitutional Affairs Legislation Committee—

private meetings otherwise than in accordance with standing order 33(1), from 4 pm, on Thursday, 13 September and Thursday, 20 September 2018.

private briefing on Thursday, 13 September 2018, from 4 pm, for the committee’s inquiry into the provisions of the Federal Circuit and Family Court of Australia Bill 2018 and a related bill.

Legal and Constitutional Affairs References Committee—private meetings otherwise than in accordance with standing order 33(1), from 4 pm, on Thursday, 13 September and Thursday, 20 September 2018.

Migration—Joint Standing Committee—private meetings otherwise than in accordance with standing order 33(1), followed by public meetings, from 10 am, on Wednesday, 12 September and Wednesday, 19 September 2018.

Royal Commission into Institutional Responses to Child Sexual Abuse—Joint Select Committee—private briefing on Wednesday, 12 September 2018, from midday.

Social Services Legislation Amendment (Cashless Debit Card Trial Expansion) Bill 2018

Order of the day read for the further consideration of the bill in committee of the whole.

In the committee

Explanatory memorandum: The Minister for Communications and the Arts (Senator Fifield) tabled a supplementary explanatory memorandum relating to the government amendments to be moved to the bill.

Senator Fifield moved the following amendments together by leave:

Clause 2, page 2 (after table item 1), insert:

1A. Schedule 1A The day after this Act receives the Royal Assent.
Clause 2, page 2 (table items 3 and 4), omit the table items, substitute:

3. Schedule 1, Part 2, Division 1

The day after this Act receives the Royal Assent.

However, the provisions do not commence at all if item 7 of Schedule 1 to the Social Services Legislation Amendment (Housing Affordability) Act 2018 commences on or before that day.

4. Schedule 1, Part 2, Division 2

The later of:

(a) immediately after the commencement of the provisions covered by table item 1A; and

(b) immediately after the commencement of item 7 of Schedule 1 to the Social Services Legislation Amendment (Housing Affordability) Act 2018.

However, the provisions do not commence at all if the event mentioned in paragraph (b) does not occur.

Page 4 (before line 1), before Schedule 1, insert:

Schedule 1A—Amendments commencing day after Royal Assent

Social Security (Administration) Act 1999

1 Subsection 124PD(1) (definition of trial participant)

Omit “subsection 124PG(2)”, substitute “sections 124PG to 124PGB”.

2 Subsection 124PD(2)

Omit “legislative”, substitute “notifiable”.

3 Section 124PE

Omit “legislative”, substitute “notifiable”.

4 Section 124PG

Repeal the section, substitute:

124PG Trial participants—Ceduna area

(1) A person is a trial participant if:

(a) the person’s usual place of residence is, becomes or was within the Ceduna area; and

(b) the person is receiving a trigger payment; and

(c) the person has not reached pension age; and

(d) the person does not have a Part 3B payment nominee (within the meaning of Part 3B); and

(e) the person’s payments (if any) under the scheme known as the ABSTUDY scheme that include an amount identified as living allowance are not being paid to another person; and
(f) the person is not covered by a determination under subsection 43(3A); and
(g) the person is not subject to the income management regime under section 123UC, 123UCB, 123UCC or 123UF; and
(h) subsection (3) does not apply to the person; and
(i) the person is not covered by a determination under subsection (4).

(2) To avoid doubt, if a person’s usual place of residence becomes within the Ceduna area and subsection (1) applies to the person, the person is a trial participant on and after the day that the person’s usual place of residence becomes within that area.

(3) This subsection applies to a person if:
   (a) the person is undertaking full-time study (as defined by section 541B of the 1991 Act); and
   (b) while undertaking that study, the person is living outside the Ceduna area.

(4) The Secretary must determine that a person is not a trial participant under this section if the Secretary is satisfied that being a trial participant under this section would pose a serious risk to the person’s mental, physical or emotional wellbeing.

(5) The Secretary is not required to inquire into whether a person being a trial participant under this section would pose a serious risk to the person’s mental, physical or emotional wellbeing.

(6) A determination under subsection (4) is not a legislative instrument.

124PGA Trial participants—East Kimberley area

(1) A person is a trial participant if:
   (a) the person’s usual place of residence is, becomes or was within the East Kimberley area; and
   (b) the person is receiving a trigger payment; and
   (c) the person has not reached pension age; and
   (d) the person does not have a Part 3B payment nominee (within the meaning of Part 3B); and
   (e) the person’s payments (if any) under the scheme known as the ABSTUDY scheme that include an amount identified as living allowance are not being paid to another person; and
   (f) the person is not covered by a determination under subsection 43(3A); and
   (g) the person is not subject to the income management regime under section 123UC, 123UCB, 123UCC or 123UF; and
   (h) subsection (3) does not apply to the person; and
   (i) the person is not covered by a determination under subsection (4).

(2) To avoid doubt, if a person’s usual place of residence becomes within the East Kimberley area and subsection (1) applies to the person, the person is a trial participant on and after the day that the person’s usual place of residence becomes within that area.
This subsection applies to a person if:
(a) the person is undertaking full-time study (as defined by section 541B of the 1991 Act); and
(b) while undertaking that study, the person is living outside the East Kimberley area.

The Secretary must determine that a person is not a trial participant under this section if the Secretary is satisfied that being a trial participant under this section would pose a serious risk to the person’s mental, physical or emotional wellbeing.

The Secretary is not required to inquire into whether a person being a trial participant under this section would pose a serious risk to the person’s mental, physical or emotional wellbeing.

A determination under subsection (4) is not a legislative instrument.

**Trial participants—Goldfields area**

A person is a trial participant if:
(a) the person’s usual place of residence is, becomes or was within the Goldfields area; and
(b) the person is receiving a trigger payment; and
(c) the person has not reached pension age and will not reach pension age before 26 March 2019; and
(d) the person does not have a Part 3B payment nominee (within the meaning of Part 3B); and
(e) the person’s payments (if any) under the scheme known as the ABSTUDY scheme that include an amount identified as living allowance are not being paid to another person; and
(f) the person is not covered by a determination under subsection 43(3A); and
(g) the person is not subject to the income management regime under section 123UC, 123UCB, 123UCC or 123UF; and
(h) subsection (3) does not apply to the person; and
(i) the person is not covered by a determination under subsection (4).

To avoid doubt, if a person’s usual place of residence becomes within the Goldfields area and subsection (1) applies to the person, the person is a trial participant on and after the day that the person’s usual place of residence becomes within that area.

This subsection applies to a person if:
(a) the person is undertaking full-time study (as defined by section 541B of the 1991 Act); and
(b) while undertaking that study, the person is living outside the Goldfields area.

The Secretary must determine that a person is not a trial participant under this section if the Secretary is satisfied that being a trial participant under this section would pose a serious risk to the person’s mental, physical or emotional wellbeing.

The Secretary is not required to inquire into whether a person being a trial participant under this section would pose a serious risk to the person’s mental, physical or emotional wellbeing.
(6) A determination under subsection (4) is not a legislative instrument.

5 **Paragraph 124PH(1)(a)**

Repeal the paragraph, substitute:
(a) the person is receiving a trigger payment or an age pension; and

6 **After paragraph 124PH(1)(b)**

Insert:

(ba) the person does not have a Part 3B payment nominee (within the meaning of Part 3B); and

(bb) the person’s payments (if any) under the scheme known as the ABSTUDY scheme that include an amount identified as living allowance are not being paid to another person; and

(bc) the person is not covered by a determination under subsection 43(3A); and

(bd) the person is not subject to the income management regime under Part 3B; and

7 **Subsection 124PH(3)**

Repeal the subsection, substitute:

(3) Until a person withdraws the notification, the person is a voluntary participant, unless the Secretary determines that the person is not to be subject to cashless welfare arrangements under subsection (4).

8 **Section 124PI**

Repeal the section.

9 **Subsections 124PJ(3) to (5)**

Repeal the subsections, substitute:

(3) For a person who is a trial participant or voluntary participant, the Secretary may make a determination that:

(a) varies the percentage amount in paragraph (1)(a) to 0%; and

(b) varies the percentage amount in paragraph (1)(b) to 100%; and

(c) varies the percentage amount in subsection (2) to 0%.

(4) The Secretary may make a determination under subsection (3) only if:

(a) the Secretary is satisfied that the person is unable to use the person’s debit card that was issued to the person and that is attached to the person’s welfare restricted bank account, or is unable to access that account, as a direct result of:

(i) a technological fault or malfunction with that card or account; or

(ii) a natural disaster; or

(b) the person’s restrictable payment is payable in instalments and the Secretary is satisfied that any part of the payment is payable:

(i) at a time determined under subsection 43(2), where that determination is made because the person is in severe financial hardship as a result of exceptional and unforeseen circumstances; or

(ii) under a determination under subsection 51(1).
(5) A determination under subsection (3) takes effect on the day specified in the determination (which must not be earlier than the day on which the determination is made).

(6) A determination under subsection (3) is not a legislative instrument.

10 Subsection 124PK(4)
Repeal the subsection.

11 Subsection 124PK(5)
Omit “The”, substitute “Subject to subsection (6), the”.

12 At the end of section 124PK
Add:
(6) The written direction has no effect in relation to a trial participant or voluntary participant during the period a determination under subsection 124PJ(3) is in effect in relation to the trial participant or voluntary participant.

13 After subsection 124PQ(2)
Insert:
(2A) For the purposes of subsection 51(1) of the Competition and Consumer Act 2010, the declining of a transaction by a supplier of goods or services is specified and specifically authorised if the transaction would involve:
(a) money in a welfare restricted bank account; and
(b) the obtaining of:
   (i) alcoholic beverages; or
   (ii) gambling; or
   (iii) a cash-like product that could be used to obtain alcoholic beverages or gambling.

Note: For cash-like product, see section 124PQA.

14 After section 124PQ
Insert:
124PQA Cash-like products
Without limiting sections 124PM and 124PQ, cash-like product includes any of the following:
(a) a gift card, store card, voucher or similar article (whether in a physical or electronic form);
(b) a money order, postal order or similar order (whether in a physical or electronic form);
(c) digital currency.

15 Application and transitional provisions
(1) Section 124PG of the Social Security (Administration) Act 1999, as substituted by this Schedule, applies in relation to a person whose usual place of residence:
(a) is, on the day this item commences, within the Ceduna area; or
(b) becomes, on or after the day this item commences, within the Ceduna area.
(2) Paragraph 124PG(1)(a) of the Social Security (Administration) Act 1999, as substituted by this Schedule, is taken to be satisfied in relation to any person whose usual place of residence was within the Ceduna area on any day during the period beginning on 15 March 2016 and ending at the end of the day this Act receives the Royal Assent.

(3) Section 124PGA of the Social Security (Administration) Act 1999, as substituted by this Schedule, applies in relation to a person whose usual place of residence:
   
   (a) is, on the day this item commences, within the East Kimberley area; or
   
   (b) becomes, on or after the day this item commences, within the East Kimberley area.

(4) Paragraph 124PGA(1)(a) of the Social Security (Administration) Act 1999, as substituted by this Schedule, is taken to be satisfied in relation to any person whose usual place of residence was within the East Kimberley area on any day during the period beginning on 26 April 2016 and ending at the end of the day this Act receives the Royal Assent.

(5) Section 124PGB of the Social Security (Administration) Act 1999, as substituted by this Schedule, applies in relation to a person whose usual place of residence:
   
   (a) is, on the day this item commences, within the Goldfields area; or
   
   (b) becomes, on or after the day this item commences, within the Goldfields area.

(6) Paragraph 124PGB(1)(a) of the Social Security (Administration) Act 1999, as substituted by this Schedule, is taken to be satisfied in relation to any person whose usual place of residence was within the Goldfields area on any day during the period beginning on 26 March 2018 and ending at the end of the day this Act receives the Royal Assent.

Social Security (Administration) (Trial of Cashless Welfare Arrangements) Determination 2018

16 The whole of the instrument
Repeal the instrument.

17 Saving provisions

(1) Despite the amendments made by this Schedule, a legislative instrument in force under subsection 124PD(2) of the Social Security (Administration) Act 1999 immediately before the commencement of this item continues in force on and after that commencement until the first notifiable instrument made under that subsection commences.

(2) Despite the amendments made by this Schedule, a legislative instrument in force under section 124PE of the Social Security (Administration) Act 1999 immediately before the commencement of this item continues in force on and after that commencement until the first notifiable instrument made under that section commences.

Schedule 1, heading, page 4 (line 1), at the end of the heading, add “commencing later”.

No. 115—11 September 2018
Schedule 1, item 3, page 4 (lines 14 to 16), omit the item, substitute:

3 Subsection 124PD(1) (definition of trial participant)

Omit “124PGB”, substitute “124PGC”.

Schedule 1, item 10, page 5 (line 17), omit “124PGA”, substitute “124PGC”.

Schedule 1, item 10, page 6 (after line 22), at the end of section 124PGA, add:

(6) A determination under subsection (4) is not a legislative instrument.

Schedule 1, items 12 to 16, page 6 (line 25) to page 8 (line 29), omit the items, substitute:

12 Application provision

Section 124PGC of the Social Security (Administration) Act 1999, as added by this Part, applies in relation to a person whose usual place of residence:

(a) is, on the day this item commences, within the Bundaberg and Hervey Bay area; or

(b) becomes, on or after the day this item commences, within the Bundaberg and Hervey Bay area.

Note: That section may continue to apply to the person if the person’s usual place of residence after the commencement of this item ceases to be in the Bundaberg and Hervey Bay area.

Schedule 1, item 22, page 11 (line 3), omit “124PGA(1)(b)”, substitute “124PGC(1)(b)”.

Debate ensued.

Question—That the amendments be agreed to—put.

The committee divided—

AYES, 34

Senators—

Abetz
Anning
Bernardi
Birmingham
Brockman
Burston
Bushby*
Canavan
Colbeck

Duniam
Fawcett
Fierravanti-Wells
Fifield
Gichuhi
Griff
Hanson
Hinch
Hume

Leyonhjelm
Macdonald
Martin
McGrath
McKenzie
Molan
Paton
Patrick
Payne

Reynolds
Ryan
Scullion
Seselja
Smith, Dean
Storer

Schedule 1, item 22, page 11 (line 3), omit “124PGA(1)(b)”, substitute “124PGC(1)(b)”.

NOES, 28

Senators—

Bilyk
Brown
Chisholm
Di Natale
Farrell
Faruqi
Gallacher
Hanson-Young
Keneally
Ketter
Lines
Marshall
McAllister
McCarthy

McKim
Moore
Polley
Pratt
Rice
Siewert
Singh

Smith, David
Steele-John
Sterle
Urquhart
Waters
Watt*
Whish-Wilson

* Tellers

Question agreed to.

Question—That the bill, as amended, be agreed to—divided, at the request of Senator Fifield, in respect of items 4 to 6 and 9 of Schedule 1.

Question—That items 4 to 6 and 9 of Schedule 1 stand as printed—put and negatived.
Bill, as amended, debated.

On the motion of Senator Storer the following amendment was debated and agreed to:

Schedule 1, page 8 (after line 14), after item 15, insert:

15A After section 124PR

Insert:

124PS Evaluation of trial review

(1) If the Minister or the Secretary causes a review of the trial of the cashless welfare arrangements mentioned in section 124PF to be conducted, the Minister must cause the review to be evaluated.

(2) The evaluation must:
   (a) be completed within 6 months from the time the Minister receives the review report; and
   (b) be conducted by an independent evaluation expert with significant expertise in the social and economic aspects of welfare policy.

(3) The independent expert must:
   (a) consult trial participants; and
   (b) make recommendations as to:
      (i) whether cashless welfare arrangements are effective; and
      (ii) whether such arrangements should be implemented outside of a trial area.

(4) The Minister must cause a written report about the evaluation to be prepared.

(5) The Minister must cause a copy of the report to be laid before each House of Parliament within 15 days after the completion of the report.

Bill, as amended, agreed to and reported with amendments.

On the motion of Senator Fifield the report from the committee was adopted.

Senator Fifield moved—That this bill be now read a third time.

Question put.

The Senate divided—

AYES, 33

Senators—

Abetz
Anning
Bernardi
Birmingham
Brockman
Burston
Bushby
Canavan
Colbeck

Cormann
Duniam
Fawcett
Fieravanti-Wells
Fifield
Gichuhi
Hanson
Hinch

Hume
Leyonhjelm
Macdonald
Martin
McGrath
McKenzie
Molan
Paterson
Payne
Reynolds
Ryan
Scullion
Seselja
Smith, Dean*
Storer
Williams
NOES, 32

Senators—

Bilyk
Brown
Cameron
Carr
Chisholm
Collins
Di Natale
Dodson

Farrell
Faruqi
Gallacher
Griff
Hanson-Young
Ketter*
Kitching
Lines

McAllister
McCarthy
McKim
Moore
Patrick
Polley
Pratt
Rice

Siewert
Singh
Steele-John
Urquhart
Waters
Watt
Whish
Wong

* Tellers

Question agreed to.
Bill read a third time.

5 Questions
Questions without notice were answered.

6 Motions to take note of answers
Senator Watt moved—That the Senate take note of the answer given by the Minister for Finance and the Public Service (Senator Cormann) to a question without notice asked by Senator Chisholm today relating to the Morrison Government.

Debate ensued.

Question put and passed.

Senator McKim moved—That the Senate take note of the answer given by the Minister for Finance and the Public Service (Senator Cormann) to a question without notice asked by Senator McKim today relating to the Minister for Home Affairs (Mr Dutton).

Question put and passed.

7 Notices
Senators Bilyk and McAllister: To move on the next day of sitting—That the Senate—

(a) notes that:

(i) 2 to 8 September 2018 was National Child Protection Week (NCPW),
(ii) recent research estimates the cost to Australian taxpayers of unresolved childhood trauma to be between $6.8 billion and $9.1 billion per year,
(iii) NCPW is an opportunity for government, business and the community to come together to promote the safety and wellbeing of children, and
(iv) a key message of NCPW in 2018 is that a strong community helps children to thrive and be safe;

(b) congratulates the winners of the National Association for Prevention of Child Abuse and Neglect (NAPCAN) Play Your Part Awards, and thanks all other individuals and organisations working for the prevention of harm to children from abuse and neglect for their important contribution; and

(c) urges all members of the Australian public to consider what role they can play in helping to create a safer environment for children and protect children from harm. (general business notice of motion no. 1031)
Senator Patrick: To move on the next day of sitting—That the Senate directs the Legal and Constitutional Affairs Legislation Committee to set 23 November 2018 as the closing date for submissions to the inquiry into the provisions of the Federal Circuit and Family Court of Australia Bill 2018 and the Federal Circuit and Family Court of Australia (Consequential Amendments and Transitional Provisions) Bill 2018. (general business notice of motion no. 1032)

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

(a) acknowledges the significant role that newspaper cartoons and satire have played in keeping politicians and public figures accountable, and maintain a sense of humour;

(b) notes that a defining Australian characteristic has been our ability to laugh in the face of adversity, not take ourselves too seriously and encourage others to do the same; and

(c) calls on the Minister for Communications and the Arts to contact all major newspaper and online news publications assuring them of the Government’s commitment to free speech, freedom of political communication and the value of the fourth estate, including cartoonists, in Australian democracy. (general business notice of motion no. 1033)

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

(a) notes media reports that the Government has abandoned the National Energy Guarantee policy;

(b) further notes that former Prime Minister Turnbull had repeatedly claimed that his policy was ‘technology neutral’; and

(c) calls on the Prime Minister and the Minister for Energy to ensure their energy policy is truly ‘technology neutral’ by allowing all modes of energy generation to compete on a level playing field to deliver reliable and affordable baseload electricity to Australians. (general business notice of motion no. 1034)

Senator Hanson-Young: To move on the next day of sitting—That the Senate—

(a) notes that the Australian Labor Party’s (ALP) National Platform opposes Investor State Dispute Settlement provisions in trade agreements;

(b) further notes that:

(i) the ALP’s National Platform requires a Trans-Pacific Partnership to enforce labour and environmental standards, and

(ii) the ALP’s National Platform requires genuine labour market testing and protection of the wages and conditions of local workers; and

(c) calls on the ALP to explain how they reconcile their support of the TPP-11. (general business notice of motion no. 1035)

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

(a) acknowledges the sacrifices made by the veteran community in serving our nation;

(b) notes that there is a strong need for multipartisan support to address veteran issues; and

(c) calls on the Federal Government to:

(i) consult with the veteran community and draft legislation to enshrine the Military Covenant into legislation at the earliest possible juncture, and
(ii) announce publicly the commitment to enshrine the Military Covenant in legislation, in time for the 100th anniversary of the Armistice marking cessation of hostilities in the Great War.  *(general business notice of motion no. 1036)*

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

(a) notes the strong bonds that exist between the people of Australia and the people of the Pacific;

(b) notes, with deep concern, the impacts that climate change is already having on Pacific nations, including soil erosion and salinity, which is affecting crops and drinking water, devastating cyclones, storm surges, rising sea levels, coral bleaching and irregular rainfall patterns;

(c) further notes the Forty-Ninth Pacific Islands Forum Communique, which recognised that climate change presents the single greatest threat to the livelihood, security and wellbeing of Pacific people, and reaffirmed the importance of immediate urgent action to combat climate change;

(d) expresses the view that the Australian Government is failing in its obligations to our Pacific neighbours by explicitly adopting no climate policy; and

(e) expresses its solidarity with Australia’s Pacific neighbours in their struggle against the impacts of climate change.  *(general business notice of motion no. 1037)*

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

(a) notes that:

(i) the Australian Pesticides and Veterinary Medicines Authority (APVMA) has an Adverse Experience Reporting Program (AERP) through which purported adverse effects from registered veterinary medicines and agricultural chemicals are reported,

(ii) while adverse events can be reported by anyone, which includes farmers, vets, animal owners and handlers, state or territory authorities, holders of the registration or permit for a registered product, however, are legally required to report adverse events,

(iii) the AERP provides annual reports which document these events,

(iv) these annual reports, in their current form, date from 2005 to 2013 and are publicly available on the APVMA website – reports dating back to 1995 are also available on the website,

(v) since 2013, there have been no annual Adverse Experience annual reports published on the APVMA website, and

(vi) reporting, classification, assessment and action from these adverse events ensures the ongoing safety, quality and effectiveness of agricultural and veterinary products following their registration and, as an example of this, in the 2013 annual report the APVMA assessed, classified and took action when necessary, on 3733 adverse event reports from veterinary medicines, 50 adverse event reports from agricultural chemicals, and 135 reports related to human health adverse events; and
(b) orders that there be laid on the table, by the Minister representing the Minister for Agriculture and Water Resources, by 5 pm on 13 September 2018, all the Adverse Experience Reporting Program annual reports produced by the APVMA for the year 2014 and every year following, to date. (general business notice of motion no. 1038)

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

(a) celebrates the win by Australian film *The Nightingale* of the Special Jury Prize at the Venice Film Festival 2018;

(b) congratulates Indigenous Australian actor Baykali Ganambarr for winning the Marcello Mastroianni award for Best Young Actor at the Festival;

(c) recognises the support of Screen Australia, the ADL (Adelaide) Film Festival Fund, the SA Film Corporation and Screen Tasmania in the financing, production and post-production of *The Nightingale*;

(d) notes that:

(i) *The Nightingale*, by writer-director Ms Jennifer Kent, was the sole title in competition at the Venice Film Festival which was directed by a woman,

(ii) according to Screen Australia, based on analysis of 217 feature films shot over the five years to June 2017, women accounted for 34% of the producers, 15% of the directors and 22% of the writers,

(iii) according to Screen Australia, as at April 2018, 31 features have been made since 1970 with an Indigenous Australian as director, producer, writer or director of photography – 24 of these films were produced since 2000, compared to five in the 1990s, two in the 1980s and none at all in the 1970s,

(iv) in terms of the number of Indigenous Australian filmmakers, 22 individuals have worked on these 31 features; 11 credits have been as director, 14 as writer, five as producer and five as director of photography, with many of the same individuals credited in different roles, and

(v) it is important that Australian screen stories reflect the diversity of experiences and perspectives in contemporary Australian society; and

(e) calls on the Federal Government to:

(i) develop policies which support increased diversity within the Australian film industry in roles in front of, and behind the camera, and

(ii) reverse the funding cuts to Screen Australia amounting to $50 million over four years. (general business notice of motion no. 1039)

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

(a) notes that:

(i) the latest census shows that, since 2011, homelessness has risen by 14%,

(ii) the number of people sleeping rough, which is the most visible and extreme form of homelessness, has risen by an alarming 20% since 2011,

(iii) social housing stock is not keeping pace with household growth and, in 2016-17, is down to 4.6 per 100 households – this is one of the lowest rates of social housing stock in OECD countries, and
(iv) as at 30 June 2017, there were 189,400 households awaiting social housing allocation; and

(b) calls on the Federal Government to work with all states and territories to ensure the adequate provision of social housing. *(general business notice of motion no. 1040)*

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

(a) notes that:

(i) on 5 September 2018, the Queensland Government announced it would prosecute an Adani Group subsidiary, Abbot Point Bulkcoal, for breaching a temporary emissions licence during Cyclone Debbie last year,

(ii) the breach entailed water being discharged at 8 times the authorised levels, polluting the Caley Valley wetlands on the shores of the Great Barrier Reef World Heritage Area, and

(iii) Abbot Point Bulkcoal is facing up to a $2.7 million fine for the breach, and will appear before the Bowen Magistrates court on 23 October 2018; and

(b) calls on the Minister for the Environment to use her legal powers under the *Environment Protection and Biodiversity Conservation Act 1999* to suspend or revoke the environmental approval of the Adani Carmichael mine in light of these latest contraventions of environmental conditions. *(general business notice of motion no. 1041)*

Senators Siewert and Polley: To move on the next day of sitting—That the Senate—

(a) acknowledges the inaugural ‘Thank you for Working in Aged Care Day’, to be held on 12 September 2018;

(b) recognises that:

(i) hundreds of thousands of committed and passionate workers look after, and care for, older Australians every day,

(ii) the work they do is often undervalued with individuals receiving low wages and facing poor career progression and job insecurity, and

(iii) the national aged care system is under stress; and

(c) urges the Federal Government to implement a well-funded and properly regulated national aged care system, underpinned by fairness, justice, sustainability and best practice. *(general business notice of motion no. 1042)*


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

(a) notes:

(i) the Advanced Edited Version of the United Nations (UN) High Commissioner for Human Rights Group of Experts report on the situation of human rights in Yemen, including violations and abuses since September 2014, will be considered by the UN Human Rights Council’s 39th session commencing this week,

(ii) that the former Member for Fremantle, Ms Parke, is a member of the Group of Experts,
(iii) that the Group of Experts report found, inter alia, that:

(A) coalition air strikes have caused most of the documented civilian casualties – in the past three years, such air strikes have hit residential areas, markets, funerals, weddings, detention facilities, civilian boats and even medical facilities, and

(B) there are reasonable grounds to believe that the Governments of Yemen, the United Arab Emirates (UAE) and Saudi Arabia are responsible for human rights violations, including unlawful deprivation of the right to life, arbitrary detention, rape, torture, ill-treatment, enforced disappearance and child recruitment, and serious violations of freedom of expression and economic, social and cultural rights, in particular, the right to an adequate standard of living and the right to health,

(iv) that, between 1 January 2016 and 31 December 2017, the Australian Government granted sixteen military licences for the export of military equipment to Saudi Arabia,

(v) that, in May 2018, the UAE Minister of Foreign Affairs met with Australian Government ministers in Parliament House to discuss potential arms sales, and

(vi) that, to varying degrees, Canada, Finland, Germany, Norway and Spain have either suspended or given a commitment to suspend arms sales to either Saudi Arabia and/or the UAE on the basis of their participation in the war in Yemen; and

(b) calls on the Federal Government to immediately suspend arms sales to Saudi Arabia and the UAE. (general business notice of motion no. 1043)

8 Postponement

Business was postponed as follows:

General business notice of motion no. 1021 standing in the name of Senator Siewert for today, relating to Aboriginal deaths in custody, postponed till 12 September 2018.

9 Committee—Extension of time to report

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

Legal and Constitutional Affairs References Committee—Allegations concerning the inappropriate exercise of ministerial powers, with respect to the visa status of au pairs, and related matters, extended to 19 September 2018.

10 Great Barrier Reef Marine Park Amendment (Hammerhead Shark) Regulations—Disallowance motion—Consideration

The Minister for Communications and the Arts (Senator Fifield), pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 1—That—

(a) on Wednesday, 12 September 2018, the business of the Senate notice of motion proposing the disallowance of items 1 and 2 of Schedule 1 of the Great Barrier Reef Marine Park Amendment (Hammerhead Shark) Regulations 2018, standing in the name of Senator Whish-Wilson for that day, be called on no later than 6.15 pm; and
(b) if consideration of the motion listed in paragraph (a) is not concluded at 6.30 pm, the questions on the unresolved motion shall then be put.

Question put and passed.

11 Dementia Awareness Month

Senator Polley, also on behalf of the Leader of Derryn Hinch’s Justice Party (Senator Hinch), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1017—That the Senate—

(a) notes that:
   (i) September is Dementia Awareness Month,
   (ii) the theme for 2018 is ‘Small actions. Big difference’, which highlights the small actions people can take to make a big difference for someone living with dementia, their families and carers,
   (iii) dementia is the leading cause of death for Australian women, and will be the leading cause of all deaths in Australia within the next five years, and
   (iv) there are an estimated 425,416 Australians currently living with dementia and around 250 people are diagnosed each day;

(b) acknowledges:
   (i) Dementia Australia’s Dementia Friends program, which is already transforming the way we think, act and talk about dementia, and
   (ii) the thousands of Australians, including dementia ambassadors, politicians, businesses, communities and individuals who have already signed up to be a Dementia Friend; and

(c) urges all levels of government to:
   (i) take action to raise awareness of dementia so that people living with dementia remain included, accepted and connected within their own community, and
   (ii) encourage those in their communities to pledge their support by becoming a Dementia Friend.

Question put and passed.

12 National Stroke Week

Senator Urquhart, at the request of Senator Bilyk and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1018—That the Senate—

(a) notes that:
   (i) 3 to 9 September 2018 was National Stroke Week,
   (ii) stroke is a leading cause of death and disability in Australia,
   (iii) in 2017, there were 56,000 cases of new and recurrent strokes in Australia,
   (iv) the financial cost of stroke in Australia is estimated to be $5 billion per year, and
   (v) more than 80% of strokes can be prevented by reducing risk factors through healthy lifestyle choices;

(b) urges the Australian Government to ensure appropriate investment in stroke prevention, research and support services; and
No. 115—11 September 2018

(c) urges all members and senators to help raise awareness of the FAST mnemonic ('Facial drooping, Arm weakness, Speech difficulties and Time to call emergency services') for recognising the symptoms of a stroke, and what to do in the event of a stroke.

Question put and passed.

13 Future of Work and Workers—Select Committee—Extension of time to report
Senator Urquhart, at the request of the Chair of the Select Committee on the Future of Work and Workers (Senator Watt) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1024—That the time for the presentation of the report of the Select Committee on the Future of Work and Workers be extended to 19 September 2018.
Question put and passed.

14 National Wattle Day
Senator Urquhart, at the request of Senators Singh and Storer and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1019—That the Senate notes that—
(a) 1 September 2018 was National Wattle Day;
(b) since 1993, the Australian Republic Movement has supported National Wattle Day celebrations throughout Australia;
(c) this year Australians joined together at barbecues across the country to celebrate National Wattle Day, and to rally support for an Australian republic; and
(d) a significant and growing majority of Australians prefer an Australian to be Australia’s Head of State.

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

15 National Independent Commission Against Corruption
Senator Waters, also on behalf of Senators Hinch and Storer, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1020—That the Senate—
(a) recognises:
   (i) the notion that the Federal Government is less prone to corruption than its counterparts is not supported by evidence,
   (ii) that the potential risks for corruption at a national level have increased significantly in recent years due to several factors including, but not limited to, increased government control of information, increased funding needs of political campaigns and the growth of the lobbying industry,
   (iii) that these risks are not currently being adequately mitigated through offence provisions, public sector standards or supervision by various regulatory bodies, and
   (iv) that, in the most recent Corruption Perceptions Index, Australia was ranked 13th out of 168 countries;
(b) notes that:

(i) a national independent commission against corruption should be established,

(ii) this independent commission should be called the National Independent Commission Against Corruption (NICAC), and

(iii) NICAC should follow the recommendations of Griffith University, namely, that the national commission act as a peak body through which all Commonwealth integrity and corruption complaints can be lodged; and

(c) calls on the Federal Government to begin the implementation of NICAC as soon as possible, so that all Australians can have confidence in the integrity of their Parliament, government and public institutions.

Statements by leave: Senator Chisholm and the Minister for Communications and the Arts (Senator Fifield), by leave, made statements relating to the motion.

Question put.

The Senate divided—

AYES, 13

Senators—

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

NOES, 32

Senators—

Anning Duniam Lines Polley
Bernardi Fawcett Marshall Pratt
Bilyk Fierravanti-Wells McAllister Ryan
Brockman Fifield McCarthy Smith, David
Bushby Gallacher McGrath Smith, Dean
Cameron Hume Molan Sterle
Chisholm Keneally Moore Urquhart*
Collins Leyonhjelm Paterson Watt

*Tellers

Question negatived.

16 Commonwealth Places and Services (Facial Recognition) Bill 2018

Senator Bernardi, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1023—That the following bill be introduced:

A Bill for an Act to amend the law relating to Commonwealth places and services and facial recognition, and for related purposes.

Question put and passed.

Senator Bernardi 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 Bernardi moved—that this bill be now read a second time.
Explanatory memorandum: Senator Bernardi, by leave, tabled an explanatory memorandum relating to the bill.

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

17 National Radioactive Waste Management Facility—Site selection process—Proposed order for production of documents

Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1025—that there be laid on the table by the Minister for Resources and Northern Australia, by no later than 5 pm on 14 September 2018:

(a) all documents relating to the financial and logistical support to facilitate the vote held by the Viliwarinah Yura Aboriginal Corporation on 18 and 19 August 2018 produced since the commencement of the National Radioactive Waste Management Facility site selection process; and

(b) all documents relating to setting up the administrative arrangements between the Australian Electoral Commission, the Flinders Ranges Council and the Department of Industry, Innovation and Science, including the document entitled, 29 May 18 – AEC Contact May 2018, referred to on page 39 of the Flinders Ranges Council Agenda 12 June 2018 – Agenda Reports & Attachments.

Statements by leave: The Minister for Communications and the Arts (Senator Fifield) and Senator Chisholm, by leave, made statements relating to the motion.

Question put.

The Senate divided—

AYES, 13

Senators—

Di Natale
Faruqi
Griff
Hanson-Young
Hinch
McKim
Patrick

Rice
Siewert*
Steele-John

Storer
Waters
Whish-Wilson

NOES, 34

Senators—

Abetz
Anning
Bernardi
Bilyk
Brockman
Bushby
Cameron
Chisholm
Collins

Duniam
Fawcett
Ferravanti-Wells
Fifield
Gallacher
Gichuhi
Hume
Keneally
Leyonhjelm

Lines
Marshall
McAllister
McCarthy
McGrath
Molan
Moore
Paterson

Polley
Pratt
Ryan
Smith, David
Smith, Dean
Sterle
Urquhart*
Watt

* Tellers

Question negatived.
18 **Banning of plastic straws**

Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1028—That the Senate—

(a) notes that Virgin Australia has joined Grill’d and many small business operators across Australia by banning all plastic straws and stirrers from their flights and lounges, resulting in an estimated 260,000 plastic straws and 7.5 million plastic stirrers a year removed from operations;

(b) further notes that single-use plastics do significant environmental damage; and

(c) congratulates Virgin Australia for this act of leadership in reducing single-use plastics across their services.

Question put and passed.

19 **Conversion and reparative therapies**

Senator Rice, also on behalf of Senator Pratt, amended general business notice of motion no. 1027 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

(a) notes that:

(i) the alarming practice of so-called conversion and reparative therapies on LGBTIQ+ people continue in Australia,

(ii) the United Nations Human Rights Commissioner, Amnesty International and a number of religious and community leaders have called for the criminalisation of such practices,

(iii) the conversion movement extends further than formalised therapeutic practices, with gender and sexual orientation change efforts pervading an unknown proportion of religious groups, faith-based organisations, schools and the counselling industry, and

(iv) all LGBTIQ+ people should be able to live and practise faith without pressure to change or suppress their sexual orientation, gender identity or gender expression;

(b) calls on all parliamentarians to:

(i) condemn all forms of gender and sexual orientation change efforts,

(ii) acknowledge the harm that these practices cause to individuals, families and communities, and

(iii) support interventions to stop the broader conversion movement pervading religious groups, faith-based organisations, schools and the counselling industry in implicit ways; and

(c) calls on the Federal Government to advocate to the states and territories to ban such practices.

Statement by leave: The Minister for Communications and the Arts (Senator Fifield), by leave, made a statement relating to the motion.

Question put and passed.
20 Animal Export Legislation Amendment (Ending Long-haul Live Sheep Exports) Bill 2018—Consideration

The Leader of Derryn Hinch’s Justice Party (Senator Hinch), also on behalf of Senators Faruqi, Storer and Brown, amended general business notice of motion no. 1022 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

(a) recognises that the Senate passed the Animal Export Legislation Amendment (Ending Long-haul Live Sheep Exports) Bill 2018 on 10 September 2018 – ayes 31; noes 28;

(b) notes that, following its passage through the Senate, efforts to bring the same bill on for debate in ‘the other place’ failed – ayes 70; noes 72; and

(c) calls on the Government to:

(i) allow Government MPs in ‘the other place’, including those in the ministry, to support the procedural motions to bring the Animal Export Legislation Amendment (Ending Long-haul Live Sheep Exports) Bill 2018 on for debate, and

(ii) give their MPs, including those in the ministry, a conscience vote on this important issue.

Statements by leave: Senators Hinch and Storer, the Minister for Communications and the Arts (Senator Fifield) and Senators Chisholm and Faruqi, by leave, made statements relating to the motion.

Question put.

The Senate divided——

AYES, 31

Senators—

Bilyk
Brown
Cameron
Carr
Chisholm
Collins
Di Natale
Dodson

Farrell
Faruqi
Gallacher
Griff
Hanson-Young
Hinch
Keneally
Lines

Marshall
McKim
Moore
Patrick
Polley
Rice
Stewart
Singh

Smith, David
Steele-John
Sterle
Storer
Waters
Whish-Wilson

NOES, 27

Senators—

Abetz
Anning
Birmingham
Brockman
Bushby*
Canavan
Colbeck

Duniam
Fawcett
Ferravanti-Wells
Fifield
Gichuhi
Hanson
Hume

Leyonhjelm
Macdonald
Martin
McGrath
McKenzie
Molan
Paterson

Reynolds
Ryan
Scullion
Seselja
Smith, Dean
Williams

* Tellers

Question agreed to.
21 Commonwealth Environmental Water Holder—Order for production of documents

Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1026—

(1) That the Senate notes that, in response to questioning from Senator Patrick, during the additional estimates hearings of the Rural and Regional Affairs and Transport Legislation Committee on cross-portfolio Murray-Darling Basin Plan matters on 25 May 2018, Commonwealth Environmental Water Holder, Ms Jody Swirepik, confirmed that she had received an induction briefing prepared by the Commonwealth Environmental Water Office.

(2) That there be laid on the table by the Minister representing the Minister for the Environment, by no later than 6.30 pm on 14 September 2018, all documents provided to the Commonwealth Environmental Water Holder, Ms Jody Swirepik, as an induction briefing, including its cover brief and all attachments.

Statement by leave: The Minister for Communications and the Arts (Senator Fifield), by leave, made a statement relating to the motion.

Question put and passed.

22 Commercial whaling—Moratorium

Senator Whish-Wilson, also on behalf of Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1029—That the Senate—

(a) notes that the International Whaling Commission (IWC) will be meeting in Brazil this week to discuss Japan’s proposal for a partial repeal of a moratorium on commercial whaling that has held since 1985;

(b) further notes that the Government has sent the Assistant Minister for International Development and the Pacific, Senator Ruston, to represent Australia for two days of the IWC; and

(c) calls on the Federal Government to send the Minister for the Environment to Brazil immediately for the final days of the IWC.

Statements by leave: The Minister for Communications and the Arts (Senator Fifield) and Senator Whish-Wilson, by leave, made statements relating to the motion.

Question put.
The Senate divided—

AYES, 27

Senators—

Bilyk  Dodson  Marshall  Smith, David
Brown  Farrell  McKim  Steele-John
Cameron  Faruqi  Moore  Sterle
Carr  Gallacher  Polley  Urquhart*
Chisholm  Hanson-Young  Rice  Waters
Collins  Keneally  Siewert  Whish-Wilson
Di Natale  Lines  Singh
No. 115—11 September 2018

NOES, 31

Senators—

Abetz  Fawcett  Leyonhjelm  Reynolds
Anning  Fierravanti-Wells  Macdonald  Ryan
Birmingham  Fifield  Martin  Scullion
Brockman  Gichuhi  McGrath  Seselja
Bushby*  Griff  McKenzie  Smith, Dean
Canavan  Hanson  Molan  Storer
Colbeck  Hinch  Paterson  Williams
Duniam  Hume  Patrick

* Tellers

Question negatived.

23 Myanmar

Motion determined as not formal: The Leader of the Australian Greens (Senator Di Natale) requested that general business notice of motion no. 1030 standing in his name for today, relating to Myanmar, be taken as formal. An objection was raised and the motion was not proceeded with as a formal motion.

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

24 Discussion of matter of public importance—LGBTIQ Australians

The President informed the Senate that the following matter of public importance submitted by Senator Siewert under standing order 75 had been selected for discussion today:

The attacks against young LGBTIQ Australians supported by Prime Minister Morrison.

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

25 Documents—Consideration

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

26 Legislation committees—Reports—Annual reports

Pursuant to order, Senator Williams, at the request of the chairs of the respective committees, tabled the following reports:

Reports on annual reports referred to legislation committees—No. 2 of 2018, dated September 2018—

- Community Affairs Legislation Committee.
- Economics Legislation Committee.
- Education and Employment Legislation Committee.
- Environment and Communications Legislation Committee.
- Finance and Public Administration Legislation Committee.
- Foreign Affairs, Defence and Trade Legislation Committee.
- Legal and Constitutional Affairs Legislation Committee.
- Rural and Regional Affairs and Transport Legislation Committee.
27 **Minister for Home Affairs—Declarations of private interests—Answer to question—Document**

The Minister for Indigenous Affairs (Senator Scullion) tabled the following document:

Minister for Home Affairs—Declarations of private interests—Answer to question—Letter to the President of the Senate from the Minister for Finance (Senator Cormann), dated 11 September 2018, providing information concerning a question without notice asked by Senator Marshall on 10 September 2018.

28 **Committee membership**

The Acting Deputy President (Senator Marshall) informed the Senate that the President had received a letter nominating a senator to be a member of committees.

The Minister for Indigenous Affairs (Senator Scullion), by leave, moved—That Senator Waters be appointed as a member of the Joint Standing Committee on Northern Australia, and as a participating member of the following committees:

- Community Affairs Legislation and References Committees
- Economics Legislation and References Committees
- Education and Employment Legislation and References Committees
- Environment and Communications Legislation and References Committees
- Finance and Public Administration Legislation and References Committees
- Foreign Affairs, Defence and Trade Legislation and References Committees
- Legal and Constitutional Affairs Legislation and References Committees
- Rural and Regional Affairs and Transport Legislation and References Committees.

Question put and passed.

29 **Health Insurance (Approved Pathology Specimen Collection Centres) Tax Amendment Bill 2018**

**Private Health Insurance Legislation Amendment Bill 2018**

Messages from the House of Representatives were reported agreeing to the amendments made by the Senate to the following bills:


30 **Committee membership**

Messages from the House of Representatives were reported informing the Senate of changes in the membership of joint committees, as follows:

- Message no. 463, dated 11 September 2018—
  - Joint Standing Committee on the National Broadband Network, Mr JH Wilson in place of Ms Templeman
  - Joint Standing Committee on Treaties, Mr JH Wilson in place of Mr Hart
  - Parliamentary Standing Committee on Public Works, Ms Keay in place of Mr Hill
  - Parliamentary Joint Committee on Corporations and Financial Services, Ms Kearney in place of Ms TM Butler
Joint Standing Committee on the National Disability Insurance Scheme, Ms Burney in place of Ms Macklin.

Message no. 464, dated 11 September 2018—
Joint Standing Committee on Treaties, Mr Broadbent, appointed
Parliamentary Standing Committee on Public Works, Dr McVeigh, appointed
Parliamentary Joint Committee on Corporations and Financial Services, Mr Sukkar, appointed
Joint Select Committee on Constitutional Recognition relating to Aboriginal and Torres Strait Islander Peoples, Dr McVeigh, appointed
Parliamentary Joint Committee on the Australian Commission for Law Enforcement Integrity, Mr Sukkar, appointed
Joint Standing Committee on Electoral Matters, Mr Pitt, appointed
Joint Standing Committee on the National Capital and External Territories, Dr McVeigh, appointed.

31 **Imported Food Control Amendment 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.

*Explanatory memorandum:* The Assistant Minister for Agriculture and Water Resources (Senator Colbeck) tabled a further replacement explanatory memorandum relating to the bill.

Question put and passed.

Bill read a second time.

The Senate resolved itself into committee for the consideration of the bill.

---

**In the committee**

Bill taken as a whole by leave.

Question—That the bill stand as printed—divided, at the request of Senator Leyonhjelm, in respect of subsections 8(2), 8(4), 8A(2), 9(2), 9(4) and 9(7) in item 23 of Schedule 1.

Subsections debated and agreed to.

Senator Leyonhjelm moved the following amendments together by leave:

- Schedule 1, item 23, page 14 (line 11), omit “or (2)”.
- Schedule 1, item 23, page 16 (line 12), omit “or (4)”.
- Schedule 1, item 24, page 18 (line 4), omit “120”, substitute “60”.
- Schedule 1, item 24, page 18 (line 9), omit “120”, substitute “60”.
- Schedule 1, item 24, page 18 (line 17), omit “120”, substitute “60”.
- Schedule 1, item 24, page 19 (line 5), omit “120”, substitute “60”.
- Schedule 1, item 24, page 19 (line 20), omit “120”, substitute “60”.
- Schedule 1, item 24, page 20 (line 8), omit “120”, substitute “60”.
- Schedule 1, item 27, page 31 (line 3), omit “of strict liability”.
- Schedule 1, item 37, page 35 (line 24), omit “of strict liability”.
Schedule 1, item 37, page 37 (line 22), after “individual in”, insert “civil proceedings or”.
Question—That the amendments be agreed to—put and negatived.
Bill agreed to and reported without amendment.

On the motion of Senator Colbeck the report from the committee was adopted and the bill read a third time.

32 Treasury Laws Amendment (Accelerated Depreciation for Small Business Entities) Bill 2018
Order of the day read for the adjourned debate on the motion of the Minister for Communications and the Arts (Senator Fifield)—That this bill be now read a second time.
Debate resumed.
Question put and passed.
Bill read a second time.
The Senate resolved itself into committee for the consideration of the bill.

In the committee

Bill taken as a whole by leave.
Senator McKim moved the following amendment:
Schedule 1, page 4 (after line 2), at the end of the Schedule, add:

12 After subsection 328-180(5)

Insert:

Assets costing less than $30,000—assets relating to energy efficiency or clean energy

(5A) Paragraph 328-180(1)(b) of the Income Tax Assessment Act 1997 applies to a depreciating asset as if a reference in that paragraph to $1,000 were a reference to $30,000, if:
(a) you first acquired the asset at or after the 2015 budget time; and
(b) you first use the asset, or have it installed ready for use, for a taxable purpose after 30 June 2018; and
(c) you first use the asset, or have it installed ready for use, in connection with:
   (i) investing in energy efficiency;
   (ii) reducing your use of fossil fuels; or
   (iii) fuel switching from gas to electricity.

(5B) Paragraph 328-180(2)(a) or (3)(a) of the Income Tax Assessment Act 1997 applies to an amount included in the second element of the cost of an asset as if a reference in that paragraph to $1,000 were a reference to $30,000, if:
(a) the amount is so included at any time after 30 June 2018; and
(b) paragraph (5A)(c) of this section applies to the asset.

Debate ensued.
At 7.20 pm: The Acting Deputy President (Senator Bernardi) resumed the chair and the Temporary Chair of Committees reported progress.

33 Adjournment
The Acting Deputy President (Senator Bernardi) proposed the question—That the Senate do now adjourn.
Debate ensued.
The Senate adjourned at 8.14 pm till Wednesday, 12 September 2018 at 9.30 am.

34 Attendance

RICHARD PYE
Clerk of the Senate