2016-19
THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 138
TUESDAY, 12 FEBRUARY 2019

Contents

1 Meeting of Senate .......................................................... 4551
2 Documents................................................................. 4551
3 Committees—Leave to meet during sittings ............................ 4574
4 Vacancy in the representation of Tasmania ............................ 4575
5 Temporary chair of committees ........................................... 4575
6 Ministry, ministerial and party arrangements......................... 4575
7 Committee membership .................................................. 4575
8 Parliamentary Computing Network—Statement by President ........ 4575
9 Murray-Darling Basin ..................................................... 4576
10 Questions ........................................................................ 4576
11 Minister for Small and Family Business, Skills and Vocational Education— Proposed statement............................................ 4576
12 Motions to take note of answers ........................................... 4576
13 Death of former Speaker of the House of Representatives, the Honourable Gordon Glen Denton Scholes, AO ........................................... 4577
14 Death of former senator Bernard (Barney) Cornelius Cooney ........ 4577
15 Death of former member Paul Christopher Neville ...................... 4577
16 Leave of absence ............................................................ 4577
17 Notices ........................................................................... 4577
18 Postponement .................................................................... 4593
19 Committees—Extensions of time to report .............................. 4593
20 Townsville floods ............................................................. 4593
21 Notice ............................................................................. 4594
22 Ministers of State (Checks for Security Purposes) Bill 2019 .......... 4594
23 Banking System Reform (Separation of Banks) Bill 2019 .......... 4594
24 Broadcasting Services Amendment (Audio Description) Bill 2019 ....... 4595
25 Universal Service Obligation—Order for production of documents .............................. 4595
26 National Rental Affordability Scheme—Phase-out .................... 4596
27 Dugongs and sea turtles—Protection from hunting ................... 4596
28 Youth Representative Program and youth consultation ............ 4597
29 Hervey Bay Seafood Festival .............................................. 4598
30 Republic of Maldives ......................................................... 4598
31 Competition and Consumer Amendment (Prevention of Exploitation of Indigenous Cultural Expressions) Bill 2019............................ 4599
32 Complementary medicine industry—Correspondence—Order for
production of documents

33 Poverty reduction—Micah Projects

34 Proposed travel ban

35 Family law system

36 Family law and child support systems—Royal Commission

37 Great Australian Bight—Oil and gas exploration and drilling

38 Crocodile management

39 Political donations

40 Disqualified senators

41 Political donations

42 Rural and Regional Affairs and Transport References Committee—
Reference

43 In Home Care program—Changes

44 Queensland Agricultural Training Colleges

45 UN Global Compact on Refugees

46 Cambodia

47 Paris Climate Accord

48 Discussion of matter of public importance—Banking and financial
services—Protections for consumers

49 Documents—Consideration

50 Committee report presented out of sitting—Consideration

51 Adjournment

52 Attendance
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):

Documents presented since the last sitting of the Senate, pursuant to standing
order 166, were authorised for publication on the dates indicated

Documents presented by the President
1. Department of the Senate—Register of Senate senior executive officers’
interests incorporating statements of registrable interests and notifications of
alterations lodged between 1 January and 31 December 2018, dated February
2019.
2. Fair Work Act 2009—Quarterly reports by the Commonwealth Ombudsman for
the periods—[Received 7 December 2018]
   15 September to 31 December 2017.
   1 January to 31 March 2018.
   1 April to 30 June 2018.
   1 July to 30 September 2018.
3. President’s report to the Senate on the status of government responses to
parliamentary committee reports as at 31 December 2018.

Documents in response to orders for the production of documents
4. Adani Carmichael mine—Departmental investigation—Order of 4 December
2018—Letters [2] to the President of the Senate from the Minister for Trade,
Tourism and Investment (Senator Birmingham), responding to the order and
attachments. [Received 7 December 2018 and 9 January 2019]
5. Drug and alcohol treatment services—Funding—Mount Gambier—Order of
6 December 2018—Letter to the President of the Senate from the Minister for
Indigenous Affairs (Senator Scullion), dated 20 December 2018, responding to
the order, and attachments. [Received 20 December 2018]
6. Financial sector entities—Tax information—Order of 5 December 2018—
Letter to the President of the Senate from the Minister for Finance and the
Public Service (Senator Cormann), dated 6 December 2018, responding to the
order. [Received 7 December 2018]
7. Live animal exports—Review—Order of 28 November 2018—Letter to the
President of the Senate from the Minister for Resources and Northern Australia
(Senator Canavan) responding to the order and raising public interest immunity
claims, and attachments. [Received 8 January 2019]
8. Regional Forest Agreements—Order of 5 December 2018—Letter to the
President of the Senate from the Minister for Resources and Northern Australia
(Senator Canavan), dated 5 December 2018, responding to the order, and
attachments. [Received 7 December 2018]
9. Tourism Australia—Contracts—Order of 29 November 2018—Letter to the
President of the Senate from the Minister for Finance and the Public Service
(Senator Cormann), dated 11 December 2018, responding to the order.
[Received 12 December 2018]
Auditor-General’s reports for 2018-19

10. No. 8—Performance audit—Management of Commonwealth leased office property: Department of Finance—Corrigendum. [Received 18 December 2018]


12. No. 16—Performance audit—Implementation of the Australian Government’s workplace bargaining framework: Across entities. [Received 13 December 2018]

13. No. 17—Performance audit—Implementation of the annual performance statements requirements 2017-18: Across entities. [Received 17 December 2018]

14. No. 18—Performance audit—Administration of the Renewable Energy Target: Clean Energy Regulator. [Received 17 December 2018]

15. No. 19—Financial statements audit—Audits of the financial statements of Australian Government entities for the period ended 30 June 2018—Report. [Received 17 December 2018] Corrigendum. [Received 7 February 2019]

16. No. 20—2017-18 Major projects report: Department of Defence. [Received 18 December 2018]

17. No. 21—Performance audit—Cape Class patrol boat – In service support arrangements: Department of Home Affairs. [Received 18 December 2018]

18. No. 22—Performance audit—Award of a $443.3 million grant to the Great Barrier Reef Foundation: Department of the Environment and Energy. [Received 16 January 2019]

19. No. 23—Performance audit—Northern Australia Quarantine Strategy – follow-on audit: Department of Agriculture and Water Resources. [Received 17 January 2019]

20. No. 24—Performance audit—The Australian Criminal Intelligence Commission’s administration of the Biometric Identification Services project: Australian Criminal Intelligence Commission. [Received 21 January 2019]

21. No. 25—Performance audit—Efficiency of the processing of applications for citizenship by conferral: Department of Home Affairs. [Received 11 February 2019]

Government documents


27. Australian Sports Anti-Doping Authority—Report for 2017-18—Addendum. [Received 22 January 2019]
Building and Construction Industry (Improving Productivity) Act 2016—
32. Department of Defence—Special purpose flights—Schedule for the period 1 January to 30 June 2018. [Received 20 December 2018]

Department of Finance—
33. Campaign advertising by Australian Government departments and agencies—Report for 2017-18. [Received 20 December 2018]
34. Consolidated financial statements for the year ended 30 June 2018. [Received 12 December 2018]
35. Department of the Treasury—Tax Benchmarks and Variations Statement 2018. [Received 29 January 2019]
37. Environment Protection and Biodiversity Conservation Act 1999—National Heritage List and the Commonwealth Heritage List—Report for the period 1 July 2013 to 30 June 2018. [Received 4 February 2019]
Fair Work Commission—General Manager’s reports under the Fair Work Act 2009 for the period 2015-18—
38. Developments in making enterprise agreements.
39. Individual flexibility arrangements.
40. Operation of the provisions of the National Employment Standards relating to requests for flexible working arrangements and extensions of unpaid parental leave.
41. Fair Work Ombudsman and Registered Organisations Commission Entity—Report for 2017-18—Correction. [Received 20 December 2018]
42. High Court of Australia—Report for 2017-18. [Received 12 December 2018]
44. Institutional Response to Child Sexual Abuse—Royal Commission—Implementation of recommendations from the final report—Annual progress report. [Received 14 December 2018]
45. Joint Australian and NSW Government response to the Independent review of the report on progress with implementation of the NSW regional forest agreements for the second and third five-year reviews 2004-2014—Report, dated August 2018. [Received 17 December 2018]
46. Mid-year economic and fiscal outlook 2018-19—Statement by the Treasurer (Mr Frydenberg) and the Minister for Finance and the Public Service (Senator Cormann).
47. Misconduct in the banking, superannuation and financial services industry—Royal Commission—Final report (3 volumes). [Received 4 February 2019]
   Productivity Commission—Reports—
   No. 90—Murray-Darling Basin Plan: five-year assessment, dated 19 December 2018. [Received 25 January 2019]
   No. 91—Superannuation: assessing efficiency and competitiveness, dated 21 December 2018. [Received 10 January 2019]
51. Register of Foreign Ownership of Agricultural Land Act 2015—Report of registrations for 2017-18. [Received 20 December 2018]
52. Research Involving Human Embryos Act 2002—Report on the operation of the Act for the period 1 March to 31 August 2018. [Received 12 December 2018]
53. Snowy Hydro Limited—Report for 2017-18. [Received 14 December 2018]
54. Telecommunications Act 1997—Funding of telecommunications consumer representation grants—Report for 2017-18. [Received 22 January 2019]
   Treaties—Bilateral—Text, together with national interest analysis—
57. Agreement between the Government of Australia and the Government of the Kingdom of Thailand relating to Air Services (Bangkok, 3 August 2017) and annexure.
58. Agreement between the Government of Australia and the Government of the Italian Republic regarding the undertaking of work by cohabiting family members of diplomatic, consular and technical and administrative staff (Canberra, 27 November 2017).
   Wet Tropics Management Authority—
63. Report for 2017-18. [Received 4 February 2019]
64. State of the Wet Tropics—Report for 2017-18. [Received 4 February 2019]
Responses to Senate resolutions
66. Fire and Emergency Service Overseas Medal—Resolution of 26 November 2018—Letter to the President of the Senate from the Assistant Minister to the Prime Minister (Mr Irons), dated 6 December 2018.


69. Shark mitigation methods—Resolution of 3 December 2018—Letters to the President of the Senate from—
Tasmanian Minister for Environment (Ms Archer), dated 18 December 2018.
Western Australian Minister for Fisheries (Mr Kelly), dated 5 February 2019.

Documents pursuant to continuing orders
70. Departmental and agency appointments and vacancies—Letters of advice pursuant to the order of the Senate of 24 June 2008—
Budget estimates 2018-19 (Supplementary)—Industry, Innovation and Science portfolio—Correction. [Received 19 December 2018]
Additional estimates 2018-19—
Agriculture and Water Resources portfolio. [Received 8 February 2019]
Defence portfolio. [Received 7 February 2019]
Education and Training portfolio. [Received 11 February 2019]
Finance portfolio. [Received 8 February 2019]
Foreign Affairs and Trade portfolio. [Received 11 February 2019]
Infrastructure, Regional Development and Cities portfolio. [Received 11 February 2019]
Home Affairs portfolio. [Received 7 February 2019]
Prime Minister and Cabinet portfolio. [Received 8 February 2019]

71. Departmental and agency grants—Additional estimates 2018-19—Letters of advice pursuant to the order of the Senate of 24 June 2008—
Australian Research Council. [Received 11 February 2019]
Defence portfolio. [Received 7 February 2019]
Department of Education and Training. [Received 11 February 2019]
Department of Education and Training (Skills and Vocational Education). [Received 11 February 2019]
Finance portfolio. [Received 8 February 2019]
Foreign Affairs and Trade portfolio. [Received 11 February 2019]
Home Affairs portfolio. [Received 7 February 2019]
Infrastructure, Regional Development and Cities portfolio. [Received 11 February 2019]
National Health and Medical Research Council. [Received 8 February 2019]
Prime Minister and Cabinet portfolio. [Received 8 February 2019]

72. Estimates hearings—Unanswered questions on notice—Budget estimates 2018-19 (Supplementary)—Statements pursuant to the order of the Senate of 25 June 2014—
   Agriculture and Water Resources portfolio. [Received 7 February 2019]
   Attorney-General’s portfolio. [Received 8 February 2019]
   Australian Public Service Commission. [Received 18 January 2019]
   Australian Trade and Investment Commission (Austrade). [Received 8 February 2019]
   Communications and the Arts portfolio. [Received 7 February 2019]
   Department of Foreign Affairs and Trade. [Received 8 February 2019]
   Department of Veterans’ Affairs. [Received 4 February 2019]
   Education and Training portfolio. [Received 11 February 2019]
   Education and Training portfolio (Skills and Vocational Education). [Received 11 February 2019]
   Environment and Energy portfolio. [Received 11 February 2019]
   Export Finance and Insurance Corporation. [Received 8 February 2019]
   Finance portfolio. [Received 24 January 2019]
   Health portfolio. [Received 7 February 2019]
   Home Affairs portfolio. [Received 7 February 2019]
   Infrastructure, Regional Development and Cities portfolio. [Received 11 February 2019]
   Prime Minister and Cabinet portfolio. [Received 11 February 2019]
   Social Services portfolio. [Received 16 January 2019]
   Special Minister of State. [Received 24 January 2019]
   Tourism Australia. [Received 8 February 2019]

73. Former ministers—Meetings—Budget estimates 2018-19—Statement pursuant to the order of the Senate of 23 November 2016—Infrastructure, Regional Development and Cities portfolio. [Received 11 February 2019]

74. Indexed lists of departmental and agency files—Statement pursuant to the order of the Senate of 30 May 1996, as amended—Department of Defence. [Received 17 December 2018]

Government responses to committee reports

75. Community Affairs References Committee—Report—Value and affordability of private health insurance and out-of-pocket medical costs—Government response, dated December 2018. [Received 19 December 2018]


   Education and Employment References Committee—
   
   They never came home – The framework surrounding the prevention, investigation and prosecution of industrial deaths in Australia—Report—Government response, dated December 2018. [Received 20 December 2018]

79. Health—Select Committee—Fifth interim report—Black lung: ‘It has buggered my life’—Government response, dated April 2018. [Received 7 February 2019]
80. Red Tape—Select Committee—Fifth interim report—Effect of red tape on health services—Government response, dated November 2018. [Received 19 December 2018]
Rural and Regional Affairs and Transport References Committee—Government responses, dated December 2018—
81. Effect of market consolidation on the red meat processing sector—Interim and final reports. [Received 17 December 2018]
82. Australia’s rail industry—Report. [Received 19 December 2018]

Committee reports presented out of sitting

The following reports and documents were presented and authorised for publication on the dates indicated pursuant to standing order 38(7)(a):
84. Electric Vehicles—Select Committee—Report, dated January 2019, Hansard record of proceedings, document presented to the committee, additional information and submissions. [Received 30 January 2019]
National Disability Insurance Scheme—Joint Standing Committee—Reports, dated December 2018—
85. NDIS ICT Systems, Hansard record of the proceedings, additional information and submissions. [Received 8 January 2019]
86. Provision of assistive technology under the NDIS, Hansard record of the proceedings, additional information and submissions. [Received 12 December 2018]

87. Rural and Regional Affairs and Transport References Committee—Independence of regulatory decisions made by the Australian Pesticides and Veterinary Medicines Authority (APVMA)—Report, dated February 2019, Hansard record of proceedings, document presented to the committee, additional information and submissions. [Received 1 February 2019]
88. Senators’ Interests—Standing Committee—Register of senators’ interests incorporating statements of registrable interests and notifications of alterations lodged between 1 July and 31 December 2018, dated January 2019. [Received 21 January 2019]

References initiated by the Selection of Bills Committee
Economics Legislation Committee—Reports, dated February 2019—
89. Social Services and Other Legislation Amendment (Supporting Retirement Incomes) Bill 2018 [Provisions], and submissions. [Received 11 February 2019]
91. Treasury Laws Amendment (Making Sure Multinationals Pay Their Fair Share of Tax in Australia and Other Measures) Bill 2018 [Provisions], Hansard record of proceedings, additional information and submissions. [Received 11 February 2019]


Finance and Public Administration Legislation Committee—Reports, dated February 2019—

93. Corporations (Aboriginal and Torres Strait Islander) Amendment (Strengthening Governance and Transparency) Bill 2018, and submissions. [Received 11 February 2019]


Legal and Constitutional Affairs Legislation Committee—

95. Judiciary Amendment (Commonwealth Model Litigant Obligations) Bill 2017—Report, dated December 2018, Hansard record of proceedings, additional information and submissions. [Received 7 December 2018]

96. Migration Amendment (Strengthening the Character Test) Bill 2018 [Provisions]—Report, dated December 2018, and submissions. [Received 17 December 2018]

97. Sex Discrimination Amendment (Removing Discrimination Against Students) Bill 2018 and all circulated amendments—Progress report, dated 7 February 2019. [Received 8 February 2019]

98. Rural and Regional Affairs and Transport Legislation Committee—Agricultural and Veterinary Chemicals Legislation Amendment (Streamlining Regulation) Bill 2018 [Provisions]—Report, dated February 2019, and submissions. [Received 11 February 2019]

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.]


A New Tax System (Family Assistance) Act 1999—Child Care Subsidy Minister’s Amendment Rules (No. 3) 2018 [F2018L01830].

A New Tax System (Family Assistance) Act 1999 and Family Assistance Legislation Amendment (Jobs for Families Child Care Package) Act 2017—Child Care Subsidy Minister’s Amendment Rules (No. 1) 2019 [F2019L00107].

Aboriginal and Torres Strait Islander Heritage Protection Act 1984—Aboriginal and Torres Strait Islander Heritage Protection (Bellwood Sacred Site) Emergency Declaration 2018-Extension [F2018L01794].

Aged Care Act 1997—User Rights Amendment (Specialist Dementia Care Program) Principles 2018 [F2018L01741].


Air Navigation Act 1920—
- Air Navigation (Essendon Fields Airport) Regulations 2018 [F2018L01687].
- Air Navigation (Gold Coast Airport Curfew) Regulations 2018 [F2018L01688].


 Appropriation Act (No. 2) 2018-2019—Advance to the Finance Minister Determination (No. 1 of 2018-2019) [F2018L01816].

Australian Bureau of Statistics Act 1975—

Australian Citizenship Act 2007—
- Australian Citizenship Amendment (Payment of Fees) Regulations 2018 [F2018L01713].


Australian Education Act 2013—
- Australian Education Amendment (2018 Measures No. 3) Regulations 2018 [F2018L01677].

Australian Meat and Live-stock Industry Act 1997—

Australian National University Act 1991—
- Australian National University (ANU Foundation) Statute 2018 [F2018L01773].
- Australian National University (University House) Repeal Statute 2018 [F2018L01772].


Australian Prudential Regulation Authority Act 1998—Australian Prudential Regulation Authority Regulations 2018 [F2018L01680].


Australian Radiation Protection and Nuclear Safety (Licence Charges) Act 1998—Australian Radiation Protection and Nuclear Safety (Licence Charges) Regulations 2018 [F2018L01697].

Australian Research Council Act 2001—
Approval of ARC 2018 Linkage Projects for funding commencing in 2019—
  Determination No. 184.
  Determination No. 187.
  Determination No. 188.

Approval of ARC Discovery Indigenous scheme for funding commencing in 2018—Determination No. 186.

Approval of ARC Discovery Project for funding commencing in 2019—
  Determination No. 189.

Approval of ARC Discovery Projects scheme for funding commencing in 2019—Determination No. 183.

Approval of ARC Linkage Infrastructure, Equipment and Facilities scheme for funding commencing in 2019—Determination No. 185.

Grant Guidelines for the Discovery Program (2018) (Amended) [F2018L01778].


Australian Securities and Investments Commission Act 2001 and Corporations Act 2001—
Amendments to Australian Auditing Standards - December 2018—ASA 2018-1 [F2019L00016].

Auditing Accounting Estimates and Related Disclosures – December 2018—ASA 540 [F2019L00014].

Aviation Transport Security Act 2004—
Aviation Transport Security Amendment (Carriage of Powders) Regulations 2018 [F2018L01785].


Charter of the United Nations Act 1945—
Charter of the United Nations (UN Sanction Enforcement Law) Amendment Declaration 2019 (No. 1) [F2019L00113].


Civil Aviation Act 1988—
Civil Aviation Regulations 1988—
Number of Cabin Attendants (Alliance Airlines) Direction 2019—CASA 01/19 [F2019L00095].
Repeal of CASA 178/10 Instrument 2019—CASA 03/19 [F2019L00066].
Civil Aviation Regulations 1988 and Civil Aviation Safety Regulations 1998—
The 2019 Bright Open Australian Nationals Instrument 2019—CASA EX01/19 [F2019L00011].

Civil Aviation Safety Amendment (Part 91) Regulations 2018 [F2018L01783].
Civil Aviation Safety Amendment (Part 119) Regulations 2018 [F2018L01787].
Civil Aviation Safety Amendment (Part 121) Regulations 2018 [F2018L01784].
Civil Aviation Safety Amendment (Part 133) Regulations 2018 [F2018L01788].
Civil Aviation Safety Amendment (Part 135) Regulations 2018 [F2018L01782].
Civil Aviation Safety Amendment (Part 138) Regulations 2018 [F2018L01789].

Civil Aviation Safety Regulations 1998—
Carriage of cockpit voice recorders and flight data recorders exemption 2019—CASA EX10/19 [F2019L00078].
Elevator Push Tube - Replacement—AD/DW-1/1 [F2019L00097].
Emergency Power Lever Shear Wire—AD/CESSNA 208/18 Amdt 1 [F2019L00082].
Horizontal Stabilizer—AD/BELL 206/57 Amdt 4 [F2019L00063].
Horizontal Stabiliser – Centre Hinge Bracket Flange—AD/DHC-6/77 [F2019L00105].
Life jacket standard (Skyplan Australia Pty Ltd) exemption 2019—CASA EX11/19 [F2019L00075].
Recording of Time-in-service (Class A Aircraft) Exemption 2018—CASA EX167/18 [F2018L01792].
Repeal of Airworthiness Directives AD/DHC-6/31 Amdt 4, AD/DHC-6/50, AD/DHC-6/51 Amdt 4 and AD/DHC-6/70—CASA ADCX 001/19 [F2019L00041].


Commissioner of Taxation—Public Rulings—
Class Rulings—
Taxation Determination TD 2018/16.
Taxation Ruling—Addendum—TR 2004/11.

Competition and Consumer Act 2010—
Monitoring of the prices, costs and profits relating to the supply of certain feminine hygiene products [F2018L01826].
Treasury Laws Amendment (Gift Cards) Regulations 2018 [F2018L01754].

**Consular Privileges and Immunities Act 1972**—Consular Privileges and Immunities (Indirect Tax Concession Scheme) Amendment (Costa Rica, Guatemala and Kazakhstan) Determination 2018 [F2018L01731].

**Control of Naval Waters Act 1918**—Control of Naval Waters (Henderson and Osborne) Proclamation 2019 [F2019L00103].

**Copyright Act 1968**—Copyright Amendment (Service Providers) Regulations 2018 [F2018L01718].

**Corporations Act 2001**—
Amendments to Australian Accounting Standards – Definition of a Business—AASB 2018-6 [F2019L00020].
Amendments to Australian Accounting Standards – Definition of Material—AASB 2018-7 [F2019L00021].
Amendments to Australian Accounting Standards – Right-of-Use Assets of Not-for-Profit Entities—AASB 2018-8 [F2019L00023].
ASIC Corporations (Amendment) Instrument 2018/1088 [F2018L01714].
ASIC Corporations (Amendment) Instrument 2018/1098 [F2018L01667].
ASIC Corporations (Asia Region Funds Passport) Instrument 2019/75 [F2019L00084].
ASIC Market Integrity Rules (Securities Markets) 2017—
Corporations (Provisional Relevant Providers—Expressions) Determination 2018 [F2018L01775].
Corporations (Relevant Providers Continuing Professional Development Standard) Determination 2018 [F2018L01817].
Corporations (Relevant Providers Degrees, Qualifications and Courses Standard) Determination 2018 [F2018L01833].
Insolvency Practice Rules (Corporations) Amendment (Restricting Related Creditor Voting Rights) Rules 2018 [F2018L01669].

**Currency Act 1965**—
Currency (Perth Mint) Amendment Determination (No. 5) 2018 [F2018L01781].
Currency (Perth Mint) Determination (No. 6) 2018 [F2018L01749].
Currency (Royal Australian Mint) Determination (No. 8) 2018 [F2018L01828].
Customs Act 1901—Customs Amendment (Product Specific Rule Modernisation) Regulations 2018 [F2018L01755].

Defence Act 1903—
Defence Determination, Conditions of Service Amendment (Living-in-accommodation and review of housing contributions and allowances) Determination 2018 (No. 43) [F2018L01807].
Defence Determination, Conditions of Service Amendment (Puckapunyal housing trial and rent ceiling for overlapping posting locations) Determination 2019 (No. 3) [F2019L00046].
Defence Determination, Conditions of Service Amendment (Salary non-reduction) Determination 2018 (No. 42) [F2018L01808].
Defence Determination, Conditions of Service Amendment (Salary non-reduction) Determination 2019 (No. 6) [F2019L00100].
Defence Determination, Conditions of Service Amendment (Sale of own home in posting location and own means travel) Determination 2019 (No. 5) [F2019L00052].
Defence Determination, Conditions of Service Amendment (Stand-down period, post index locations – Israel and summer schools – Vietnam) Determination 2019 (No. 2) [F2019L00043].
Defence Determination, Conditions of Service Amendment (Utilities and deployment allowance) Determination 2019 (No. 1) [F2019L00018].
Defence Determination, Conditions of Service Amendment (Victoria Cross for Australia, long service leave, travel and overseas public holidays) Determination 2019 (No. 4) [F2019L00051].
Defence (Individual Housing Assistance – Post termination of service) Determination 2018 [F2018L01757].
Defence (Payments to ADF Cadets) Determination 2019 [F2019L00059].
Defence (State of Emergency – Townsville floods) Determination 2019 (No. 1) [F2019L00108].
Woomera Prohibited Area Rule 2014—Determination of Exclusion Periods for Amber Zone 1 and Amber Zone 2 for Financial Year 2018-2019 Amendment No. 1 [F2019L00102].


Education Services for Overseas Students (TPS Levies) Act 2012—Education Services for Overseas Students (TPS Levies) (Risk Rated Premium and Special Tuition Protection Components) Instrument 2018 [F2018L01832].

Environment Protection and Biodiversity Conservation Act 1999—
Amendment of List of Exempt Native Specimens – Aquaculture Multiple Fisheries December 2018—EPBC303/DC/SFS/2018/18 [F2018L01796].
Amendment of List of Exempt Native Specimens – Queensland East Coast Inshore Fin Fish Fishery, December 2018—EPBC303DC/SFS/2018/17 [F2019L00010].
Amendment of List of Exempt Native Specimens – Queensland Gulf of Carpentaria Inshore Fin Fish Fishery, December 2018—EPBC303/DC/SFS/2018/19 [F2018L01734].
Conservation Theme for Prioritising Nominations for Listing Threatened Species, Threatened Ecological Communities and Key Threatening Processes for the Assessment Period Commencing 1 October 2019 (210) [F2019L00036].
Instrument Making the National Recovery Plan for the Macquarie Perch (Macquaria australasica) [F2019L00106].
List of CITES Species Amendment 2018 (No. 1) [F2018L01845].
List of Migratory Species Amendment (Orcaella Species Name Update) Instrument 2018 [F2018L01721].
List of Specimens taken to be Suitable for Live Import Amendment (Cecidochares connexa) Instrument 2018 [F2019L00056].
List of Specimens taken to be Suitable for Live Import Amendment (Electric Yellow Cichlid) Instrument 2018 [F2019L00058].
List of Specimens taken to be Suitable for Live Import Amendment (Oncomelania hupensis quadrasi) Instrument 2018 [F2019L00057].
Financial Framework (Supplementary Powers) Act 1997—
Financial Framework (Supplementary Powers) Amendment (Agriculture and Water Resources Measures No. 4) Regulations 2018 [F2018L01720].
Financial Framework (Supplementary Powers) Amendment (Communications and the Arts Measures No. 3) Regulations 2018 [F2018L01716].
Financial Framework (Supplementary Powers) Amendment (Education and Training Measures No. 4) Regulations 2018 [F2018L01761].
Financial Framework (Supplementary Powers) Amendment (Foreign Affairs and Trade Measures No. 2) Regulations 2018 [F2018L01723].
Financial Framework (Supplementary Powers) Amendment (Health Measures No. 5) Regulations 2018 [F2018L01719].
Financial Framework (Supplementary Powers) Amendment (Infrastructure, Regional Development and Cities Measures No. 3) Regulations 2018 [F2018L01724].
Financial Sector (Collection of Data) Act 2001—
Financial Sector (Collection of Data) (reporting standard) determination No. 1 of 2019 – ARS 701.0 ABS/RBA Definitions for the EFS Collection [F2019L00087].
Financial Sector (Collection of Data) (reporting standard) determination No. 3 of 2019 – ARS 720.1 ABS/RBA Loans and Finance Leases [F2019L00086].
Financial Sector (Collection of Data) (reporting standard) determination No. 4 of 2019 – ARS 720.2 ABS/RBA Deposits [F2019L00089].
Financial Sector (Collection of Data) (reporting standard) determination No. 5 of 2019 – ARS 720.3 ABS/RBA Intra-group Assets and Liabilities [F2019L00090].
Financial Sector (Collection of Data) (reporting standard) determination No. 6 of 2019 – ARS 720.4 ABS/RBA Debt Securities Held [F2019L00091].
Financial Sector (Collection of Data) (reporting standard) determination No. 7 of 2019 – ARS 720.5 ABS/RBA Equity Securities Held [F2019L00092].
Financial Sector (Collection of Data) (reporting standard) determination No. 8 of 2019 – ARS 720.6 ABS/RBA Securities on Issue [F2019L00093].
Financial Sector (Collection of Data) (reporting standard) determination No. 9 of 2019 – ARS 720.7 ABS/RBA Bill Acceptances and Endorsements [F2019L00094].


Food Standards Australia New Zealand Act 1991—
Australia New Zealand Food Standards Code — Schedule 20 — Maximum residue limits Variation Instrument No. APVMA 1, 2019 [F2019L00083].
Food Standards (Application A1129 – Monk Fruit Extract as a Food Additive) Variation [F2019L00037].
Food Standards (Application A1156 – Food derived from Super High Oleic Safflower Lines 26 and 40) Variation [F2019L00038].
Food Standards (Application A1157 – Enzymatic production of Rebaudioside M) Variation [F2019L00039].
Food Standards (Application A1158 – Rosemary Extract as a Food Additive) Variation [F2019L00040].

Foreign Influence Transparency Scheme Act 2018—
Foreign Influence Transparency Scheme (Disclosure in Communications Activity) Amendment Rules 2018 [F2018L01846].
Foreign Influence Transparency Scheme (Disclosure in Communications Activity) Rules 2018 [F2018L01701].
Foreign Influence Transparency Scheme Rules 2018 [F2018L01696].

Health Insurance Act 1973—
Health Insurance (Pathologist-determinable Services) Amendment Determination 2018 [F2018L01777].
Health Insurance (Quality Assurance Activity) Declaration 2018 (No. 4) [F2018L01744].
Health Insurance (Quality Assurance Activity) Declaration 2018 (No. 5) [F2018L01739].
Health Insurance (Section 3C Co-Dependent Pathology Services) Amendment Determination 2019 [F2019L00044].
Health Insurance (Section 3C Co-Dependent Pathology Services) Amendment Determination (No. 3) 2018 [F2018L01776].
Health Insurance (Section 3C General Medical Services – Transcatheter Aortic Valve Implantation) Determination 2018 [F2018L01670].

Higher Education Support Act 2003—
Higher Education Provider Approval No. 3 of 2018 [F2018L01805].
Higher Education Support (Churchill Education Pty Ltd as trustee for Decelle Investment Trust, ACN 120 692 159) VET Provider Approval Revocation 2018 [F2018L01704].
Higher Education Support (Maximum Payments for Indigenous Student Assistance Grants) Amendment Determination 2018 [F2018L01751].
Higher Education Support (Maximum Payments for Other Grants) Determination 2018 [F2018L01798].
Higher Education Support (Parapharm Pty Ltd) Higher Education Provider Approval Revocation 2018 [F2018L01835].
Indigenous Student Assistance Grants Amendment Guidelines 2018 [F2018L01774].
List of Maximum Grant Amounts under Division 41 for 2019 [F2018L01799].

Immigration (Guardianship of Children) Act 1946—Immigration (Guardianship of Children) Regulations 2018 [F2018L01708].


Judiciary Act 1903, Commonwealth Electoral Act 1918, Nauru (High Court Appeals) Act 1976 and High Court of Australia Act 1979—High Court Amendment (Fees) Rules 2018 [F2018L01681].

Legislation Act 2003—
Legislation (Telecommunications Instruments) Sunset-altering Declaration 2018 [F2018L01747].


Migration Act 1958—
Migration Amendment (Enhanced Integrity) Regulations 2018 [F2018L01707].

Migration Regulations 1994—
Migration (LIN 18/170: Professional Year Programs) Instrument 2018—LIN 18/170 [F2018L01758].
Migration (LIN 19/001: Payment of Visa Application Charges and Fees in Foreign Currencies) Instrument 2019—LIN 19/001 [F2018L01823].
Migration Regulations (LIN 18/081: Specification of Regional Areas for a Safe Haven Enterprise Visa) Instrument 2018—LIN 18/081 [F2018L01668].


Motor Vehicle Standards Act 1989—

National Health Act 1953—

National Health (Efficient Funding of Chemotherapy) Special Arrangement Amendment Instrument 2018 (No. 12)—PB 112 of 2018 [F2018L01818].
National Health (Efficient Funding of Chemotherapy) Special Arrangement Amendment Instrument 2019 (No. 1)—PB 4 of 2019 [F2019L00074].
National Health (Growth Hormone Program) Special Arrangement Amendment Instrument 2018 (No. 3)—PB 113 of 2018 [F2018L01815].
National Health (Highly Specialised drugs program) Amendment (Approval of certain hospital authorities) Special Arrangement 2018—PB 107 of 2018 [F2018L01673].
National Health (Highly specialised drugs program) Special Arrangement Amendment Instrument 2018 (No. 12)—PB 111 of 2018 [F2018L01814].
National Health (Highly specialised drugs program) Special Arrangement Amendment Instrument 2019 (No. 1)—PB 3 of 2019 [F2019L00081].
National Health (Immunisation Program – Designated Vaccines) Variation Determination (No. 5) 2018 [F2019L00034].
National Health (Indexation of concession or entitlement card fee) Amendment Determination 2018—PB 116 of 2018 [F2018L01759].
National Health (Listed drugs on F1 or F2) Amendment Determination 2018 (No. 10)—PB 114 of 2018 [F2018L01809].
National Health (Listed drugs on F1 or F2) Amendment Determination 2019 (No. 1)—PB 5 of 2019 [F2019L00077].
National Health (Originator Brand) Amendment Determination 2019 (No. 1)—PB 6 of 2019 [F2019L00079].
National Health (Price and Special Patient Contribution) Amendment Determination 2018 (No. 10)—PB 115 of 2018 [F2018L01811].
National Health (Price and Special Patient Contribution) Amendment Determination 2019 (No. 1)—PB 7 of 2019 [F2019L00080].
National Health (Supplies of out-patient medication) Determination 2019—PB 8 of 2019 [F2019L00053].


Norfolk Island Act 1979—

Norfolk Island Standard Time Amendment (Daylight Saving) Ordinance 2018 [F2018L01702].


Private Health Insurance Act 2007—
Private Health Insurance (Benefit Requirements) Amendment Rules 2018 (No. 6) [F2018L01797].
Private Health Insurance (Benefit Requirements) Amendment Rules 2019 (No. 1) [F2019L00048].
Private Health Insurance (Reforms) Amendment Rules (No. 3) 2018 [F2018L01795].


Public Governance, Performance and Accountability Act 2013—
Australian Nuclear Science and Technology Organisation purchased additional shares in Clarity Pharmaceuticals Limited—14 December 2018.
Commonwealth acquired shares in Australian Naval Infrastructure Pty Ltd—
2 July 2018.
29 November 2018.
Issue of shares—IBA Tourism Asset Management Pty Ltd—30 October 2018.
Sale of shares—Tennant Creek Land Holding Trust and Tennant Creek Foodbarn Partnership—30 October 2018.

Public Governance, Performance and Accountability (Section 75 Transfers) Amendment Determination 2016-2017 (No. 10) [F2018L01750].
Public Governance, Performance and Accountability (Section 75 Transfers) Amendment Determination 2016-2017 (No. 11) [F2018L01819].
Public Governance, Performance and Accountability (Section 75 Transfers) Amendment Determination 2017-2018 (No. 3) [F2018L01742].
Public Governance, Performance and Accountability (Section 75 Transfers) Amendment Determination 2017-2018 (No. 4) [F2019L00055].
Public Governance, Performance and Accountability (Section 75 Transfers) Amendment Determination 2018-2019 (No. 1) [F2018L01820].
Public Governance, Performance and Accountability (Section 75 Transfers) Amendment Determination 2018-2019 (No. 2) [F2019L00054].

Public Service Act 1999—Public Service Amendment (Miscellaneous Measures) Regulations 2018 [F2018L01722].


Remuneration Tribunal Act 1973—
Remuneration Tribunal Amendment Determination (No. 4) 2018 [F2018L01812].
Remuneration Tribunal (Members’ Fees and Allowances) Amendment (President’s Fees) Regulations 2018 [F2018L01764].


Royal Commissions Act 1902—Royal Commissions Amendment (Service of Documents) Regulations 2018 [F2018L01711].


Social Security Act 1991—
Social Security Amendment (Class of Visas – Newly Arrived Resident’s Waiting Period for Special Benefit) Determination 2018 [F2018L01806].
Social Security (Assurances of Support) Amendment Determination 2018 (No. 2) [F2018L01831].
Social Security (Lifetime Support Authority of South Australia’s Self-Directed Supports Program) Determination 2018 [F2018L01752].

Social Security (Administration) Act 1999—
Social Security (Administration) (Declared child protection State or Territory—Western Australia) Determination 2019 [F2019L00068].

Student Assistance Act 1973—Student Assistance (Education Institutions and Courses) Determination 2019 [F2019L00062].


Sydney Airport Demand Management Act 1997—Minister’s Direction to the Slot Manager 2018 (No. 1).

Telecommunications Acts 1997—
Telecommunications (Carrier Licence Exemption—NSW Telco Authority) Determination 2018 [F2018L01825].
Telecommunications (Labelling Notice for Customer Equipment and Customer Cabling) Amendment Instrument 2018 (No. 1) [F2018L01733].
Telecommunications (Mobile Equipment Air Interface) Technical Standard 2018 [F2018L01727].


Telecommunications (Carrier Licence Charges) Act 1997—
Telecommunications (Annual Carrier Licence Charge) Determination 2018 [F2018L01791].
Telecommunications (Specification of Costs by the ACMA) Determination 2018 [F2018L01790].


Therapeutic Goods Act 1989—
Poisons Standard February 2019 [F2019L00032].
Therapeutic Goods Amendment (Medical Devices—Information that Must Accompany Application for Inclusion) Determination 2018 [F2018L01822].
Therapeutic Goods Amendment (Scheduling Advisory Committee Members) Regulations 2019 [F2019L00109].
Therapeutic Goods (Information relating to Shortages and Discontinuations of Supply of Medicines) Specification 2018 [F2018L01746].

Therapeutic Goods (Permissible Ingredients) Determination (No. 4) 2018 [F2018L01690].
Therapeutic Goods (Reportable Medicines) Determination 2018 [F2018L01678].

Tobacco Plain Packaging Act 2011—Tobacco Plain Packaging Amendment (Track and Trace Identifiers) Regulations 2018 [F2018L01706].

Trans-Tasman Mutual Recognition Act 1997—
Trans-Tasman Mutual Recognition Amendment (ACT Container Deposit Scheme) Regulations 2018 [F2018L01675].
Trans-Tasman Mutual Recognition Amendment (NSW Container Deposit Scheme) Regulations 2018 [F2018L01692].

VET Student Loans Act 2016—
VET Student Loans Amendment Rules (No. 1) 2018 [F2018L01762].
VET Student Loans (Courses and Loan Caps) Amendment Determination (No. 4) 2018 [F2018L01829].

Veterans’ Entitlements Act 1986—
Amendment Statement of Principles concerning localised sclerosis (Balance of Probabilities)—No. 16 of 2019 [F2019L00006].
Amendment Statement of Principles concerning localised sclerosis (Reasonable Hypothesis)—No. 15 of 2019 [F2019L00005].
Amendment Statement of Principles concerning sarcoidosis (Balance of Probabilities)—No. 14 of 2019 [F2019L00004].
Amendment Statement of Principles concerning sarcoidosis (Reasonable Hypothesis)—No. 13 of 2019 [F2019L00003].
Statement of Principles concerning chondromalacia patella (Balance of Probabilities)—No. 2 of 2019 [F2018L01836].
Statement of Principles concerning chondromalacia patella (Reasonable Hypothesis)—No. 1 of 2019 [F2018L01834].
Statement of Principles concerning Dupuytren disease (Balance of Probabilities)—No. 10 of 2019 [F2019L00008].
Statement of Principles concerning Dupuytren disease (Reasonable Hypothesis)—No. 9 of 2019 [F2019L00007].
Statement of Principles concerning human immunodeficiency virus infection (Balance of Probabilities)—No. 6 of 2019 [F2018L01842].
Statement of Principles concerning human immunodeficiency virus infection (Reasonable Hypothesis)—No. 5 of 2019 [F2018L01841].
Statement of Principles concerning hypopituitarism (Balance of Probabilities) (No. 12 of 2019)—No. 12 of 2019 [F2019L00012].
Statement of Principles concerning hypopituitarism (Reasonable Hypothesis)—No. 11 of 2019 [F2019L00009].
Statement of Principles concerning iliotibial band syndrome (Balance of Probabilities)—No. 4 of 2019 [F2018L01839].
Statement of Principles concerning iliotibial band syndrome (Reasonable Hypothesis)—No. 3 of 2019 [F2018L01838].
Statement of Principles concerning internal derangement of the knee (Balance of Probabilities)—No. 8 of 2019 [F2018L01844].
Statement of Principles concerning internal derangement of the knee (Reasonable Hypothesis)—No. 7 of 2019 [F2018L01843].


Water Act 2007—


The Clerk tabled the following documents pursuant to order:

Departmental and agency appointments and vacancies—Additional estimates 2018-19—Letters of advice pursuant to the order of the Senate of 24 June 2008—Attorney-General’s portfolio.

Industry, Innovation and Science (Resources and Northern Australia) portfolio.

Social Services portfolio.

Departmental and agency grants—Letters of advice pursuant to the order of the Senate of 24 June 2008—Budget estimates 2018-19 (Supplementary)—Agriculture and Water Resources portfolio.

Additional estimates 2018-19—Agriculture and Water Resources portfolio.

Attorney-General’s portfolio.


3 Committees—Leave to meet during sittings

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

Australian Commission for Law Enforcement Integrity—Joint Statutory Committee—private meeting otherwise than in accordance with standing order 33(1) today, from 3.30 pm.

Community Affairs References Committee—private meeting otherwise than in accordance with standing order 33(1) today, from 1 pm, for the committee’s inquiry into support for Australia’s thalidomide survivors.

Education and Employment References Committee—private meeting otherwise than in accordance with standing order 33(1) today, from 3 pm.

Intelligence and Security—Joint Statutory Committee—private briefing today, from 4 pm.
National Broadband Network—Joint Standing Committee—private meeting otherwise than in accordance with standing order 33(1) on Thursday, 14 February 2019, from 10 am.

Senators’ Interests—Standing Committee—private meeting otherwise than in accordance with standing order 33(1) on Wednesday, 13 February 2019, from 10.30 am.

4 Vacancy in the representation of Tasmania

The President informed the Senate of the resignation, on 21 January 2019, of Senator Bushby and advised that, pursuant to section 21 of the Constitution, the Governor-General had notified the Governor of Tasmania that there was a vacancy in the representation of that state.

Documents: The President tabled the following documents:

Vacancy in the representation of Tasmania—Letters from—

Senator Bushby to His Excellency the Governor-General (General the Honourable Sir Peter Cosgrove, AK, MC (Retd)), dated 21 January 2019.

His Excellency the Governor-General to the Governor of Tasmania (Her Excellency Professor the Honourable Kate Warner, AC), dated 23 January 2019 [copy].

5 Temporary chair of committees

The President tabled a warrant, dated 12 February 2019, revoking the warrant nominating Senator Dean Smith as a temporary chair of committees.

6 Ministry, ministerial and party arrangements

The Leader of the Government in the Senate (Senator Cormann) tabled a document showing all members of the Morrison Ministry and ministerial representation, dated 25 January 2019.

Senator Cormann, by leave, also informed the Senate of the appointment of Senator Dean Smith as Government Whip in the Senate and the appointment of Senator Duniam as Government Deputy Whip.

7 Committee membership

The President informed the Senate that he had received a letter nominating a senator to be a member of a committee.

The Minister for Communications and the Arts (Senator Fifield), by leave, moved—That Senator Stoker be appointed as a member of the Parliamentary Joint Committee on Intelligence and Security, pursuant to the Intelligence Services Act 2001.

Question put and passed.

8 Parliamentary Computing Network—Statement by President

The President made a statement relating to a recent security incident concerning the parliamentary computing network.
9 Murray-Darling Basin

Senator Hanson-Young, by leave, moved—
(1) That the Senate—
(a) notes with alarm:
(i) the crisis that has unfolded in Menindee Lakes over the summer, with unprecedented fish deaths,
(ii) the Productivity Commission report into the implementation of the Murray-Darling Basin Plan,
(iii) the findings of the South Australian Murray-Darling Basin Royal Commission, and
(iv) the 1500 gigalitre cap on water buybacks for environmental watering; and
(b) is of the opinion that the cap on water buybacks be repealed.
(2) That so much of standing order 111 be suspended as would prevent Senator Pratt moving, at 6 pm today—That the following bill be introduced: A Bill for an Act to amend the Water Act 2007, and for related purposes. Water Amendment (Purchase Limit Repeal) Bill 2019.

Debate ensued.
At 2 pm: Debate was interrupted while the Minister for Finance and the Public Service (Senator Cormann) was speaking.

10 Questions

Questions without notice were answered.

11 Minister for Small and Family Business, Skills and Vocational Education—
Proposed statement

Leave refused: The Leader of the Opposition in the Senate (Senator Wong) sought leave to move a motion to require the Minister for Small and Family Business, Skills and Vocational Education (Senator Cash) to make a statement concerning her previous statements relating to the execution of a search warrant on Australian Workers’ Union premises.

12 Motions to take note of answers

Senator O’Neill moved—That the Senate take note of the answers given by the Minister for Finance and the Public Service (Senator Cormann) and the Minister for Small and Family Business, Skills and Vocational Education (Senator Cash) to questions without notice asked by Opposition senators today.

Debate ensued.

Question put and passed.

The Leader of the Australian Greens (Senator Di Natale) 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 Di Natale today relating to climate change.

Question put and passed.
13 **Death of former Speaker of the House of Representatives, the Honourable Gordon Glen Denton Scholes, AO**

The Deputy President (Senator Lines) informed the Senate of the death, on 9 December 2018, of the Honourable Gordon Glen Denton Scholes, AO, a former Speaker of the House of Representatives.

The Leader of the Government in the Senate (Senator Cormann), by leave, moved—That the Senate records its deep sorrow at the death, on 9 December 2018, of the Honourable Gordon Scholes, AO, a former Member of the House of Representatives for the division of Corio, Speaker of the House in the Whitlam Government, and Minister for Defence and Minister for Territories in the Hawke Government, places on record its gratitude for his service to the Parliament and the nation, and extends its deepest sympathies to his family in their bereavement.

The motion was supported and all senators present joined in a moment of silence. Question passed.

14 **Death of former senator Bernard (Barney) Cornelius Cooney**

The Deputy President (Senator Lines) informed the Senate of the death, on 9 February 2019, of Bernard (Barney) Cornelius Cooney, a senator for the state of Victoria from 1984 to 2002.

The Leader of the Government in the Senate (Senator Cormann), by leave, moved—That the Senate records its deep sorrow at the death, on 9 February 2019, of Mr Bernard (Barney) Cooney, a former Senator for Victoria, places on record its gratitude for his long service to the Parliament and the nation, and extends its sincere sympathies to his family in their bereavement.

The motion was supported and all senators present joined in a moment of silence. Question passed.

15 **Death of former member Paul Christopher Neville**

The President informed the Senate of the death, on 1 January 2019, of Paul Christopher Neville, a member of the House of Representatives for the division of Hinkler from 1993 to 2013.

16 **Leave of absence**

Senator Dean Smith, by leave, moved—That leave of absence be granted to Senator Abetz from 12 to 14 February 2019, for personal reasons.

Question put and passed.

17 **Notices**

The Minister for Communications and the Arts (Senator Fifield): To move on the next day of sitting—That on Wednesday, 13 February 2019, following valedictory statements being made relating to Senator Williams, that valedictory statements be also made relating to Senator Leyonhjelm.

The Minister for Communications and the Arts (Senator Fifield): To move on the next day of sitting—That, on Thursday, 14 February 2019, contingent on the tabling of the Prime Minister’s annual report on Closing the Gap, the documents be considered at the time for general business, for not more than 2 hours.
The Leader of Pauline Hanson’s One Nation (Senator Hanson): To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to require photographic identification on Medicare cards to prevent misuse and fraud, and for related purposes. **Human Services Amendment (Photographic Identification and Fraud Prevention) Bill 2019.** (general business notice of motion no. 1359)

The Leader of Pauline Hanson’s One Nation (Senator Hanson): To move on the next day of sitting—That the Senate calls on the Federal Government to divert the allocation for foreign aid in the upcoming 2019 Budget to relief assistance for drought, fire and flooding victims from across Australia. (general business notice of motion no. 1360)

The Leader of Pauline Hanson’s One Nation (Senator Hanson): To move on the next day of sitting—That the Senate demands that the Federal Government ban all forms of unstunned animal slaughter, such as unstunned halal slaughter, in line with the recommendations of the RSPCA. (general business notice of motion no. 1361)

The Leader of Pauline Hanson’s One Nation (Senator Hanson): To move on the next day of sitting—That the Senate calls on the Federal Government immediately to allocate $10 billion to commence the construction of the much-needed hybrid Bradfield Scheme. (general business notice of motion no. 1362)

Senator Griff: To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the law relating to unsolicited communications, and for related purposes. **Telecommunications Legislation Amendment (Unsolicited Communications) Bill 2019.** (general business notice of motion no. 1363)

The Chair of the Standing Committee on Regulations and Ordinances (Senator Williams): To move 15 sitting days after today—

No. 1—That the Industry Research and Development (Artificial Intelligence Capability Program) Instrument 2018, made under the **Industry Research and Development Act 1986**, be disallowed [F2018L01419].

No. 2—That the Inspector-General of the Australian Defence Force Amendment Regulations 2018, made under the **Defence Act 1903**, be disallowed [F2018L01428].

Senator Steele-John: To move on the next day of sitting—

(1) That the Senate—

(a) notes that:

(i) despite the hard-won progress of the disability rights movement, disabled Australians continue to be subjected to discrimination and are routinely denied the rights guaranteed them under international law,

(ii) this discrimination creates and sustains the barriers to employment, education, transport, social and political participation experienced by disabled Australians and, most concerningly, manifests itself in horrific violence, abuse and neglect to which they are subjected, and
(iii) from July to September 2018, over 184 incidents of abuse and neglect were reported to the NDIS Quality and Safeguards Commission (the Commission) – the Commission has also released data that shows, in the same three months, it received 62 reports of expected and unexpected deaths, 91 reports of injuries, 34 complaints against individual staff or service providers and 75 cases of unauthorised restrictive practices; and

(b) calls on the House of Representatives to support the immediate establishment of a royal commission to investigate violence, abuse and neglect of disabled people.

(2) That a message be sent to the House of Representatives seeking its concurrence in this resolution. (general business notice of motion no. 1364)

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

(a) notes that:

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

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

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

(iv) the Honourable Richard Tracey, AM, RFD, QC stated that the Royal Commission was a ‘once in a lifetime opportunity’ and cautioned the aged care sector against instructing staff not to talk to the Royal Commission or to withhold information,

(v) aged care providers approved under the Commonwealth Aged Care Act 1997 were asked to provide information to the Royal Commission, with the largest 100 providers invited to make written submissions by 7 January 2019, and the remaining 1882 approved aged care providers to provide their written submissions by 8 February 2019, and

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

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

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

(d) denounces any attempt by aged care providers to stop current or former employees from participating freely in the Royal Commission into Aged Care Quality and Safety. (general business notice of motion no. 1365)
Senator Griff: To move on the next day of sitting—That the Senate—

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

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

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

(d) expresses its dismay that Mr Boochani was not able to attend the awards ceremony as the Iranian-Kurdish journalist remains on Manus Island where he has been in detention since 2013. (general business notice of motion no. 1366)

Senator Patrick: To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the Export Control Act 1982, and for related purposes. Export Control Amendment (Banning Cotton Exports to Ensure Water Security) Bill 2019. (general business notice of motion no. 1367)


The Assistant Minister for Treasury and Finance (Senator Seselja): To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the law relating to mutual entities, and for related purposes. Treasury Laws Amendment (Mutual Reforms) Bill 2019.

The Minister for Trade, Tourism and Investment (Senator Birmingham): To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the Wine Australia Act 2013, and for related purposes. Wine Australia Amendment (Trade with United Kingdom) Bill 2019.

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

(a) notes that:

(i) over the 2018-19 summer, more than five people have died or been injured as a result of taking illicit drugs,

(ii) there is a real possibility that these deaths could have been prevented and harm reduced if pill testing services had been offered at music festivals and in the community,

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

(iv) pill testing services give health services critical information about what has been consumed and provide people with more information about what is in the pills that they are taking than they otherwise have access to,
(v) a large number of relevant medical professional organisations have declared their support for pill testing over the summer period, including the Royal Australasian College of Physicians, the Pharmaceutical Society of Australia, the Royal Australian College of General Practitioners and the Australian Medical Association, and

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

(b) calls on the Federal Government to:

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

(ii) work with the medical community, community groups and all state and territory governments to implement existing models which demonstrably have worked and helped save lives. (general business notice of motion no. 1369)

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

(a) notes with concern that:

(i) the Pacific region is especially vulnerable to the effects of climate change, many of which are already beginning to be felt and to threaten the lives and livelihoods of the region’s residents, and

(ii) this region will soon be home to around 10 million people, residing in some of the world’s least developed and most infrastructure-poor nations;

(b) further notes that:

(i) Prime Minister Scott Morrison completed a state visit to Fiji and Vanuatu in January this year,

(ii) during this visit, the Prime Minister of Fiji expressed his hope that Australia would join Fiji ‘on the frontlines of the global campaign for climate action’,

(iii) despite making a small pledge to combat the effects of climate change in the Pacific, the Federal Government has failed to adopt effective policy designed to lower emissions and prevent further climate change from occurring, and is now refusing to support the Green Climate Fund — the United Nations Framework Convention on Climate Change’s official method of supporting less developed countries, such as Fiji, in their efforts to mitigate the effects of climate change on their citizens, and

(iv) as a result, since 2014, Australia’s greenhouse emissions have consistently grown, are currently at a seven-year high, and are projected to increase all the way to 2030, as far as government projections go;

(c) recognises that climate change is the single greatest threat to the livelihoods, security and wellbeing of the peoples of the Pacific region; and

(d) calls on the Federal Government to:

(i) take effective and immediate action to combat the causes of climate change, and
(ii) to work in partnership with Pacific nations in the development of measures to combat climate change’s effects. (general business notice of motion no. 1370)

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

(a) notes that:

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

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

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

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

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

(c) calls on the Australian Government, and all future Australian governments, to continue working with state and territory governments, schools, community groups, the information and communications technology industry and the wider community to make the internet safer. (general business notice of motion no. 1371)

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

(a) notes that:

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

(ii) 1 in 67,000 Australians are diagnosed each year with cholangiocarcinoma – around one per day,

(iii) in Australia, cholangiocarcinoma generally has a five-year survival rate of around 30%, and

(iv) many cholangiocarcinoma patients are diagnosed too late for potentially curative surgery; and

(b) recognises the need for continued efforts to improve the diagnosis, treatment and survival rates for rare and less common cancers, such as cholangiocarcinoma. (general business notice of motion no. 1372)

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

(a) observes that:

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

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

(c) calls on the Morrison Government to:
   (i) ensure all First Nations women have access to culturally-safe, specialist legal services, regardless of where they live, and
   (ii) develop justice targets to reduce family violence and incarceration rates in First Nations communities. (general business notice of motion no. 1373)

The Minister for Small and Family Business, Skills and Vocational Education (Senator Cash): To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend legislation relating to telecommunications, and for other purposes. Telecommunications and Other Legislation Amendment (Miscellaneous Amendments) Bill 2019.

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

(a) notes that:
   (i) the Murray-Darling Basin needs more water to ensure its survival, the latest evidence of this being the fish-kills at Menindee Lakes,
   (ii) the management of the Murray-Darling Basin requires urgent reform,
   (iii) the Murray-Darling Basin Royal Commission delivered its findings on 29 January 2019, including recommendations to:
      (A) improve transparency by ‘requiring real-time data sharing and publication on water extractions’,
      (B) abolish the water buybacks cap of 1500 gigalitres, and
      (C) undertake further research into return flows so that we know the effects of irrigation efficiency projects, and
   (iv) the Productivity Commission delivered its findings to the Federal Government on 19 December 2018, pointing out that:
      (A) the Murray-Darling Basin Authority’s twin roles as overseer of the Plan and its regulator are ‘conflicted and the conflicts will intensify in the next five years’, and
      (B) structural separation of the Murray-Darling Basin Authority into a Basin Plan Regulator and Murray-Darling Basin Agency is required to ensure effective implementation of the Plan; and

(b) calls on the Federal Government to:
   (i) adopt each and every recommendation proposed by the Murray-Darling Basin Royal Commission, and
(ii) proceed with the structural separation of the Murray-Darling Basin Authority, as proposed by the Productivity Commission. (general business notice of motion no. 1374)

The Deputy Chair of the Parliamentary Joint Committee on Corporations and Financial Services (Senator O’Neill): To move on the next day of sitting—That the time for the presentation of the report of the Parliamentary Joint Committee on Corporations and Financial Services on its inquiry into the Franchising Code of Conduct and Oil Code of Conduct be extended to 14 March 2019. (general business notice of motion no. 1375)

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

(a) notes that:

(i) February is Ovarian Cancer Awareness Month,

(ii) this year, Australians are being encouraged to take ‘ovary-action’ by knowing the signs, symptoms and risk factors of ovarian cancer,

(iii) there has been very little improvement in treatment in 50 years and there is still no early detection test, and

(iv) the best way of detecting ovarian cancer is to know and recognise the signs, symptoms and risk factors; and

(b) urges all levels of government to encourage Australians to become more aware of the signs and symptoms of ovarian cancer, to know their family history, where to get help, and to create communities where people openly talk about ovarian cancer. (general business notice of motion no. 1376)

Senator Polley: To move on the next day of sitting—That the Senate acknowledges and congratulates:

(a) the 35 worthy Tasmanians who were recipients of the 2019 Australia Day honours on 26 January 2019 for their outstanding achievement and services to Tasmania, and Australia more broadly;

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

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

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

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

(f) Fire Service Medal recipients: Tasmania Fire Service Chief Officer, Mr Chris Arnol; Burnie Fire Brigade volunteer, Mr Scott Clarke; and Wattle Hill Fire Brigade volunteer, Mr Terrance White; and
(g) Emergency Services Medal recipients: Regional officer for the southern region, Mr Mark Dance; SES volunteer unit manager for Circular Head, Mr Lynton Free; and Huon Valley SES volunteer and deputy unit manager, Mr Alton Bond. (general business notice of motion no. 1377)

Senator Collins: To move on the next day of sitting—That, on Thursday, 14 February 2019:

(a) from 12.45 pm, non-controversial government business be considered, followed by the Treasury Laws Amendment (2018 Measures No. 5) Bill 2018; and

(b) if by 1.50 pm the Treasury Laws Amendment (2018 Measures No. 5) Bill 2018 has not been finally considered:
   (i) the questions on all remaining stages shall be put without debate, and
   (ii) for the purpose of bringing to a conclusion any proceedings on the bill, the President or the chair shall put forthwith:
      (A) the question on any amendment or motion already proposed from the chair,
      (B) the question on any proposed amendments which have been circulated among senators by 12.45 pm and no other amendments or new clauses or schedules, and
      (C) any other question requisite to dispose of the business before the Senate or committee. (general business notice of motion no. 1378)

Senator Collins: To move on the next day of sitting—That there be laid on the table by the Leader of the Government in the Senate (Senator Cormann), by no later than 3.30 pm on 14 February 2019, all outstanding answers to questions on notice as at 31 January 2019 from the 2018-19 supplementary Budget estimates hearings in the following portfolios:

(a) Health (210 answers);
(b) Human Services (91 answers);
(c) Industry, Innovation and Science (7 answers);
(d) Treasury (14 answers);
(e) Education and Training (22 answers);
(f) Jobs and Small Business (4 answers);
(g) Communications and the Arts (1 answer);
(h) Environment and Energy (2 answers);
(i) Prime Minister and Cabinet (including cross-portfolio Indigenous matters and agencies) (8 answers);
(j) Defence, including Veterans’ Affairs (75 answers);
(k) Foreign Affairs and Trade (1 answer); and
(l) Infrastructure, Regional Development and Cities (1 answer). (general business notice of motion no. 1379)
Senator McKim: To move on the next day of sitting—That the following matter be referred to the Legal and Constitutional Affairs References Committee for inquiry and report by 2 April 2019:

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

(a) processes that led to Australia notifying Thailand that Mr al-Araibi was travelling, and the subject of an INTERPOL Red Notice;
(b) the actions of the AFP following Mr al-Araibi’s arrest in Thailand;
(c) the actions of Australian authorities in relation to Mr al-Araibi’s arrest and detention;
(d) the duty of care Australia owes its citizens and permanent residents who are at risk of facing inhumane treatment overseas;
(e) the operation of the INTERPOL Red Notice system, and whether it adequately protects the rights of Australian citizens and permanent residents;
(f) measures that could be implemented to prevent similar cases from occurring in future; and
(g) any other related matters.

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

(a) notes that:

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

(b) calls on the Federal Government to:

(i) ban corporate donations from the gambling industry,
(ii) introduce evidence-based harm-minimisation and product safety measures to reduce the development of problem gambling, and to assist gamblers to limit their expenditure,

(iii) phase out poker machines, and, in the meantime, implement $1 maximum bets per spin, $20 machine load-up limits, and $500 jackpot limits, and mandatory pre-commitment for pokies and sports betting, and

(iv) ban sports betting advertisements during the broadcast of sporting events and children’s viewing times. (general business notice of motion no. 1380)

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

(a) the Senate notes that:

(i) the German-based Association for the Conservation of Threatened Parrots (ACTP) received permission to export 232 birds between 2015 and November 2018 for exhibition purposes,

(ii) among the birds exported were endangered Carnaby’s black cockatoos, vulnerable Baudin’s black cockatoos, naretha bluebonnets, gang-gang cockatoos and mutation varieties of king parrots and galahs,

(iii) the legal import and export of rare and endangered birds is governed by the 1975 Convention on International Trade in Endangered Species (CITES), of which Australia and Germany are signatories, and

(iv) the ACTP has no facilities freely open to the public; and

(b) there be laid on the table by the Minister representing the Minister for the Environment, by 15 February 2019, all documents and correspondence, including meeting minutes, that set out the owners of parrots that were supplied for the ACTP prior to the consignments being collated for export. (general business notice of motion no. 1381)

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

(a) notes that:

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

(ii) as of November last year, 2335 survivors have made applications to the National Redress Scheme, but only 28 have received compensation,

(iii) the primary reason for this delay is due to institutions that are responsible for child sexual abuse not opting into the Scheme or staggering their entry into the Scheme, and

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

(b) calls on the Minister for Families and Social Services to:

(i) continue encouraging all institutions within states and territories which are currently signed on to the National Redress Scheme, to opt in,

(ii) seek a timeframe from institutions that have publically stated their intention to join the Scheme as to when they will start fully participating in the Scheme, and
(iii) make this timeframe publically available so that survivors, many of whom are elderly or ill, can have some clarity about when they will receive the redress that is owed to them. (general business notice of motion no. 1382)

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

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

(b) for the 2019-20 Budget estimates only, varies the order of the Senate of 25 June 2014, Estimates hearings—Unanswered questions on notice, to require that the statement required under paragraph (1) of the order be laid on the table by not later than Monday, 1 April 2019. (general business notice of motion no. 1383)

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

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

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

(c) orders the Minister for Small and Family Business, Skills and Vocational Education, to attend the Senate at 2 pm on Thursday, 14 February 2019, prior to questions being called on, to make a statement of not more than five minutes to correct the record and apologise to the chamber for misleading the Senate. (general business notice of motion no. 1384)

Senator Rice: To move on the next day of sitting—That there be laid on the table by the Minister representing the Minister for Agriculture and Water Resources, by no later than 9.30 am on 14 February 2019: draft advice issued to states and territories by the Department of Agriculture and Water Resources in relation to proposed amendments to the Gene Technology Regulations 2001, discussed at the Legislative and Governance Forum on Gene Technology meeting in October 2018. (general business notice of motion no. 1385)

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

(a) notes that:

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

(ii) between 1953 and 1992, at least 489 men and 165 women in the ADF were investigated for being LGBT – data provided to Parliament in 1992 on discharges between 1987 to 1992 revealed 73 honourable discharges of lesbian, gay and bisexual people and 21 dishonourable discharges of LGB people across Army, Navy and Royal Australian Air Force,
(iii) a recent report by Australian Catholic University Associate Professor Noah Riseman, indicates that LGBT personnel were subject to harrowing interviews that probed intimate personal details and surveillance of movements during and outside of service hours – these practices saw LGBT service members humiliated and intimidated, forcing many of them to resign their posts or be dishonourably discharged,

(iv) lifting the ban in 1992 ended the threat of dismissal for lesbians, gays and bisexuals, but it did not grant equal treatment to LGB service members – many Defence members still kept their same-sex relationships a secret for fear of bullying or other persecution, and

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

(b) calls on all parliamentarians to:

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

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

(iii) celebrate the contribution of the LGBTQ people who bravely served in the ADF despite these discriminatory policies. (general business notice of motion no. 1386)

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

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

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

(c) calls on the Federal Government to reverse the $48.7 million allocated to commemorating the anniversary of James Cook and reallocate this funding towards meeting our Closing the Gap targets. (general business notice of motion no. 1387)

The Leader of Pauline Hanson’s One Nation (Senator Hanson): To move on the next day of sitting—That the Senate—

(a) notes the critical situation facing many Townsville small tradesmen and businesses as a result of the recent devastating floods; many such tradesmen and businesses are still trying to recover from the collapse of Mr Clive Palmer’s Queensland Nickel; and

(b) calls on Mr Palmer to immediately:

(i) meet his outstanding debts to creditors resulting from the collapse of Queensland Nickel, and

(ii) repay the Australian taxpayers for the dollars paid out to meet employment entitlements owed to workers following the collapse of Queensland Nickel. (general business notice of motion no. 1388)
Senator Hanson-Young: To move on the next day of sitting—

(1) That the Senate notes that:

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

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

(2) That there be laid on the table by the Minister representing the Minister for Agriculture and Water Resources, all legal advice received by the Department or relevant agencies, including the Murray-Darling Basin Authority, Commonwealth Environmental Water Holder and the National Water Commission, relating to the development of the Murray-Darling Basin Plan and the 2750GL water recovery target. (general business notice of motion no. 1389)

Senator Hanson-Young: To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to establish an inquiry into the management of the Murray-Darling Basin, and for related purposes. Murray-Darling Basin Commission of Inquiry Bill 2019. (general business notice of motion no. 1390)

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

(a) notes that:

(i) Asset Energy is planning to conduct further seismic testing for gas off the coast of Newcastle and the Central Coast in New South Wales,

(ii) seismic air gun blasting for offshore drilling creates underwater noise at extraordinarily high volumes, and it poses major risks to marine life of all sizes, including whales and dolphins,

(iii) tourism and local fishing industries rely on healthy oceans and have the potential to be severely impacted by seismic testing and offshore fossil fuel rigs, and

(iv) the community is deeply opposed to this proposal and hundreds of people have rallied against it along the coast of New South Wales; and

(b) calls on the Federal Government to suspend Asset Energy’s permit to conduct seismic testing off the coast of Newcastle and the Central Coast. (general business notice of motion no. 1391)

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

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

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

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

(d) congratulates the community and Groundswell Gloucester on this landmark decision. (general business notice of motion no. 1392)

Senators McGrath, O’Sullivan, Stoker, Macdonald and Canavan: To move on the next day of sitting—That the Senate—

(a) recognises the severe impact that flooding in North Queensland and the Gulf region has had on families, businesses, agricultural producers and the transport industry;
(b) notes with regret that in excess of an estimated 300,000 head of livestock have perished due to the floods;
(c) further notes the long-term effects this will have on the livestock industry in North Queensland and the Gulf; and
(d) commends the Federal, state and local governments for the assistance provided to flood-stricken communities thus far, whilst noting that sustained support will be needed to allow affected communities and industries to properly recover.

**general business notice of motion no. 1393**

Senator Pratt: To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the Water Act 2007, and for related purposes.  
**Water Amendment (Purchase Limit Repeal) Bill 2019.**  
**general business notice of motion no. 1394**

Senator Anning: To move on the next day of sitting—That the Senate—
(a) affirms the right of every citizen to feel safe in their own home;
(b) recognises the sad reality that the police cannot be everywhere at every time;
(c) accepts that Australian citizens have the absolute right to defend themselves and their family from harm;
(d) notes that, due to the failure of the current Government to restrict immigration from lawless Third World countries, criminal types are being allowed to come here and subsequently terrorise the Australian public with home invasions;
(e) acknowledges the growing public outrage at Sudanese gang crime as expressed at the recent rally of concerned citizens at St Kilda; and
(f) calls on the Commonwealth and state Governments to legislate Castle Doctrine into Australian law to allow Australian citizens the right to defend their families and homes with, up to and including, lethal force against Sudanese gangs and other criminals.  
**general business notice of motion no. 1395**

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

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

(general business notice of motion no. 1396)

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

(a) notes:
   (i) recent violent crimes against numerous women,
   (ii) that blame for these crimes rests with the perpetrators, not the victims,
   (iii) that despite all policy efforts and wishful thinking, there will always be some individual men in our community intent on violence against women,
   (iv) that the first duty of government is to protect citizens from harm, but police cannot be everywhere at all times, so citizens must be allowed, if they choose, to deter and defend against attacks,
   (v) that the innate ability of individuals to deter and defend against attacks varies, with women and the elderly generally more vulnerable,
   (vi) that pepper spray can assist deterrence and self-defence, particularly for the vulnerable,
   (vii) that the use of pepper spray is generally non-lethal and does not require prior training,
   (viii) that pepper spray is unlikely to be used for criminal attacks, and
   (ix) that, in most other countries, pepper sprays are not even regulated, let alone prohibited; and

(b) calls on the Australian Government to legalise the importation of pepper spray, subject to the state governments legalising the carrying of pepper spray to deter and defend against attacks. (general business notice of motion no. 1397)

Contingent notices of motion: The Leader of the Government in the Senate (Senator Cormann) gave contingent notices of motion as follows:

No. 1—To move (contingent on any senator objecting to a motion being taken as formal)—That so much of the standing orders be suspended as would prevent the motion being moved immediately and determined without amendment or debate.

No. 2—To move (contingent on any senator being refused leave to move an amendment to a motion discovered during formal business)—That so much of the standing orders be suspended as would prevent that senator moving the amendment to the motion.

No. 3—To move (contingent on the chair declaring that the time allotted for the consideration of a bill, or any stage of a bill, has expired)—That so much of standing order 142 be suspended as would prevent further consideration of the bill, or the stage of the bill, without limitation time or for a specified period.
No. 4—To move (contingent on any senator being refused leave to make a statement to the Senate)—That so much of the standing orders be suspended as would prevent that senator making that statement.

Notices of motion withdrawn:
Senator Whish-Wilson withdrew general business notice of motion no. 1338 standing in his name for today, relating to the Assistant Treasurer.
Senator Urquhart, at the request of Senator Farrell, withdrew general business notice of motion no. 1349 standing in the name of Senator Farrell for today, proposing an order for the production of documents by the Minister representing the Minister for Defence.
Senator Griff withdrew general business notice of motion no. 1327 standing in his name for today, proposing an order for the production of documents by the Minister representing the Minister for Health.

18 Postponement
Business was postponed as follows:
Business of the Senate notice of motion no. 1 standing in the name of Senator Rice for today, proposing a reference to the Legal and Constitutional Affairs References Committee, postponed till 4 June 2019.

19 Committees—Extensions of time to report
The following committees were granted extensions of time to report:
Environment and Communications References Committee—
  Impact of feral deer, pigs and goats in Australia, extended to 17 September 2019.
  Rehabilitation of mining and resources projects, extended to 20 March 2019.
Legal and Constitutional Affairs Legislation Committee—Sex Discrimination Amendment (Removing Discrimination Against Students) Bill 2018 and all circulated amendments to the bill, extended to today.

20 Townsville floods
Senator Macdonald, also on behalf of Senators Anning, Canavan, Chisholm, Hanson, Ketter, McGrath, Moore, O'Sullivan, Stoker, Waters and Watt, by leave, moved—That the Senate—
(a) notes the heartbreak and loss suffered by the residents of the Townsville region following the record breaking floods last week and expresses its support and understanding;
(b) further notes the magnificent efforts of the Australian Defence Force and Emergency Service Workers, Police, Council staff, all other agencies and individuals involved in protecting life and property during the floods and the subsequent clean-up and expresses the gratitude and support of the Parliament and the Australian people; and
(c) acknowledges and applauds the selfless and compassionate actions of:
  (i) the great 'tinnie navy' of ordinary folk who rescued residents as well as their pets from rising waters,
  (ii) the masses of Townsville residents who have donated clothing and food and household items,
(iii) the local businesses who put their hands in their pocket to boost the flood appeal by more than $1m,
(iv) the volunteers who assisted at drop-off centres, and
(v) the mud army tackling the mould and grime.

Question put and passed.

21 Notice
Senator Hanson Young, by leave, gave a notice of motion as follows: To move on the next day of sitting—That the Senate—
(a) notes that:
   (i) the South Australian Royal Commission into the Murray-Darling Basin has recently reported to the South Australian Governor, and
   (ii) the Commissioner made 44 recommendations to address the ill-health and mismanagement of the Basin; and
(b) calls on the Federal Government to adopt the recommendations in full. (general business notice of motion no. 1398)

22 Ministers of State (Checks for Security Purposes) Bill 2019
Senator Patrick, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1328—That the following bill be introduced:

A Bill for an Act to provide for security background checks of Ministers of State, and for related purposes.

Question put and passed.
Senator Patrick 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 Patrick moved—That this bill be now read a second time.

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

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

23 Banking System Reform (Separation of Banks) Bill 2019
The Leader of Pauline Hanson’s One Nation (Senator Hanson), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1329—That the following bill be introduced:

A Bill for an Act to re-establish confidence in the banking system, to separate retail commercial banking activities involving the holding of deposits from wholesale and investment banking involving risky activities, and for other purposes.

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

Question put and passed.
Bill read a first time.
Senator Hanson moved—That this bill be now read a second time.
24 Broadcasting Services Amendment (Audio Description) Bill 2019

Senator Steele-John, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1334—That the following bill be introduced:

A Bill for an Act to amend the Broadcasting Services Act 1992, and for related purposes.

Question put and passed.

Senator Steele-John 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 Steele-John moved—That this bill be now read a second time.


Debate adjourned till the next day of sitting, Senator Steele-John in continuation.

25 Universal Service Obligation—Order for production of documents

Senator Griff amended general business notice of motion no. 1335 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

(a) notes that:

(i) independent reviews conducted by the Regional Telecommunications Review Committee, the Productivity Commission and the Australian National Audit Office have all issued critical reports on the Universal Service Obligation (USO),

(ii) the Productivity Commission has found that the number of Australian payphones has almost halved over the past decade,

(iii) the Department of Communications and the Arts estimates that 22% of copper services and 9% of payphones have been phased out since 2012,

(iv) Telstra is currently paid almost $300 million a year to maintain these services under the USO,

(v) the Department of Communications and the Arts estimates the equivalent universal broadband delivery obligation on NBN Co for fixed wireless and satellite in regional areas will cost the entity in excess of $800 million per annum, if operating on a full cost-recovery basis, and

(vi) on 5 December 2018, the Minister for Communications and the Arts announced that the Government does not intend to change current USO arrangements, despite the Minister’s report stating that ‘Network Strategies concluded that the delivery of voice services using wireless (mobile and fixed) and satellite technologies would be more cost effective than the current arrangements’, and ‘Potential savings in the hundreds of millions of dollars over the period from 2020 to 2032 were identified’; and
(b) orders that there be laid on the table by the Minister for Communications and the Arts, by midday on 14 February 2019 the:
   (i) high-level cost modelling of the USO reform options, that does not impinge on commercial sensitivities, and
   (ii) advice provided by NBN Co about the financial costs of servicing additional ADSL customers.

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

Question put and passed.

26 National Rental Affordability Scheme—Phase-out

Senator Faruqi, also on behalf of Senator Storer, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1337—That the Senate—

(a) notes that:
   (i) the National Rental Affordability Scheme (NRAS) will soon start to phase out this year after the Abbott Government made the decision to discontinue it in 2014,
   (ii) hundreds of dwellings will be dropping off the scheme in a matter of months, yet there has been no replacement scheme or extension to the NRAS announced by the Government, and
   (iii) many vulnerable people will be left unable to access affordable housing and could face homelessness; and

(b) calls on the Federal Government to urgently commit to a replacement scheme or an extension of the NRAS.

Statements by leave: Senators Faruqi and Chisholm, the Assistant Minister for International Development and the Pacific (Senator Ruston) and the Leader of Pauline Hanson’s One Nation (Senator Hanson), by leave, made statements relating to the motion.

Question put and passed.

27 Dugongs and sea turtles—Protection from hunting

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. 1339—That the Senate—

(a) recognises:
   (i) the sovereign right of Indigenous Australians to hunt culturally significant species under the Native Title Act 1993 (the Act), and
   (ii) that, while native title was envisaged to maintain this cultural connection, hunting rights under the Act must still be subject to laws which relate to animal cruelty; and

(b) notes that:
   (i) the populations of both dugongs and sea turtles have declined significantly over the past 15 years,
   (ii) this population decline is due to cumulative pressures, such as ocean acidification, pollution, commercial fishing and other human impacts that include Indigenous hunting,
(iii) protections for dugong and turtle populations from threats of poaching, illegal commercial trade and illegal transportation were supposedly enhanced in 2013 by the tripling of financial penalties for such practices within the Great Barrier Reef Marine Park,

(iv) there is little information regarding the number of dugongs and sea turtles killed by hunters, and there have been credible allegations raised within local Indigenous communities of animal cruelty committed by those who purport to be hunting under native title,

(v) such allegations include the use of high-power motorboats, machetes and other cruel methods which maim animals and leave them suffering before dying,

(vi) Indigenous leaders are calling out for help to ensure that culturally significant practices are not undermined by the illegal actions of others,

(vii) several Indigenous clans have adopted sustainable take practices through Traditional Use of Marine Resource Agreements and some have called for zero take of endangered species, and

(viii) in the first sitting week of 2019, Senator Hinch will be introducing a bill to stop the cruel slaughter of endangered creatures, like dugongs and sea turtles.

Question put and passed.

28 Youth Representative Program and youth consultation

Senator Griff, also on behalf of Senators Moore, Singh and Steele-John, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1341—That the Senate—

(a) notes that:

(i) the Youth Representative Consultation Report was released in December 2018,

(ii) the report, written by Mr Amos Washington, the 2018 Youth Representative to the United Nations, is the culmination of consultations with thousands of young people across the country and a six-week placement at the Australian Permanent Mission to the United Nations, where the Youth Representative worked on behalf of young Australians,

(iii) the Youth Representative Program provides young Australians with an important platform to have their voices heard around Australia and on the international stage,

(iv) the report identifies mental health and wellbeing, discrimination and inequality, and education as the top issues facing young Australians, and

(v) while the vast majority of young people surveyed are interested in current global events and in learning more about how the government makes decisions, less than one in five of the young people surveyed feel like their opinions are represented by politicians in government;

(b) supports the Youth Representative’s efforts to provide young Australians with an opportunity to have their perspectives heard and considered;

(c) recognises the importance of supporting the wellbeing of young Australians;

(d) recognises that young people have perspectives that can enrich policy conversations;
(e) emphasises the need to continually consider how young people can be further involved in policy decision-making; and

(f) commits to:
   (i) supporting the Youth Representative Program into the future,
   (ii) exploring opportunities for meaningful consultation with young people when creating policy, and
   (iii) placing the needs of young Australians at the forefront of policymaking.

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

Question put and passed.

29 Hervey Bay Seafood Festival

Senator McGrath, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1347—That the Senate—

(a) takes note of the importance of the fishing industry to the Queensland economy, which was worth $294 million in 2015-16, and the particular significance of this industry to Queensland’s coastal towns;

(b) notes the excellent occasion that is the Hervey Bay Seafood Festival, held annually on the second Sunday in August, the only such event in Australia managed by the men and women who catch the seafood;

(c) recognises the positive impact the Hervey Bay Seafood Festival has on the local economy, with over 50% of patrons travelling to Hervey Bay from other areas;

(d) further notes that the team behind the Festival, Hervey Bay Seafood Inc, have also launched ‘Wide Bay Wild Catch’—a promotional brand to showcase the story of the resident seafood industry, the men and women across all sectors of seafood in the region from Rainbow Beach north to Bundaberg, and their pride in legendary local seafood for seafood lovers the world over; and

(e) commends Hervey Bay Seafood Inc for their brilliant work in promoting local seafood products in the Wide Bay region, and for providing another draw point for tourists to the region.

Question put and passed.

30 Republic of Maldives

Senator McGrath, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1351—That the Senate—

(a) notes:
   (i) the recent Maldivian presidential election held on 23 September 2018, and
   (ii) that His Excellency Ibrahim Mohamed Solih, candidate for the Maldivian Democratic Party, as part of a coalition of opposition parties, was victorious as the Maldives’ democratically-elected President;

(b) formally extends its congratulations to His Excellency Ibrahim (Ibu) Mohamed Solih on his election as President of the Republic of Maldives; and

(c) acknowledges the desire of The Maldives to be re-admitted to the Commonwealth of Nations.

Question put and passed.
31 **Competition and Consumer Amendment (Prevention of Exploitation of Indigenous Cultural Expressions) Bill 2019**

Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1353—That the following bill be introduced:

A Bill for an Act to amend the *Competition and Consumer Act 2010* to prevent unfair practices in the supply of goods that exhibit Indigenous cultural expressions, and for related purposes.

Question put and passed.

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

Question put and passed.

Bill read a first time.

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

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

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

32 **Complementary medicine industry—Correspondence—Order for production of documents**

Senator Urquhart, at the request of Senator Carr and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1356—That there be laid on the table by the Minister representing the Minister for Industry, Science and Technology, by no later than 3.30 pm on 13 February 2019: any correspondence between the Prime Minister and the Minister for Industry, Science and Technology regarding the Australian complementary medicine industry.

Question put and passed.

33 **Poverty reduction—Micah Projects**

Senator Urquhart, at the request of Senator Moore and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1333—That the Senate—

(a) notes that:

(i) Micah, a movement of Australian Christians, churches and organisations, are raising their voices for a world free from poverty – this week hundreds of Christian delegates from across our country gathered in Parliament House for ‘Voices for Justice 2018’, to share their concern for the world’s poor, oppressed and displaced and to advocate for doing more for the world’s poorest, those trapped in slavery and the displaced,

(ii) significant progress has been made in recent decades as the world increased its focus on the problems of global poverty, however, these gains are fragile as climate change, conflicts and governance concerns are threatening to push more people into poverty and vulnerability and undo the progress to this point, and

(iii) since September 2013, the Australian International Development Assistance budget has been reduced by the Abbott-Turnbull-Morrison Government, and is now at 0.22% of gross national income; and
(b) calls upon the Federal Government to consider the voices of the Micah delegates and their concerns about the need for investment in a global response to ending the desperate impact of poverty.

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

Question put and passed.

34 Proposed travel ban

The Leader of Pauline Hanson’s One Nation (Senator Hanson), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1331—That the Senate

(a) acknowledges that ASIO and the Australian Federal Police have extensive data on the country-of-origin of potential extremists;

(b) notes that in other issues in relation to the immigration system, when rorts and problems are identified from certain countries, the tap is turned off; and

(c) calls on the Federal Government to introduce a travel ban, similar to that imposed by the Trump Administration in the United States of America, on people from countries that are known sources of radicalism coming into Australia.

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

Question put.

The Senate divided—

AYES, 4

Senators—

Anning
Burston
Georgiou*
Hanson

NOES, 44

Senators—

Bilyk
Brockman
Chisholm
Colbeck
Di Natale
Duniam
Faruq
Fierravanti-Wells
Fifield
Gallacher
Griff

Hanson-Young
Hinch
Hume
Keneally
Ketter*
Leyonhjelm
Marshall
McAllister
McCarthy
McGrath
McKim

Molan
Moore
O’Neill
Paterson
Patrick
Pratt
Reynolds
Rice
Ruston
Ryan
Scullion

Seselja
Siewert
Simondos
Smith, David
Smith, Dean
Steele-John
Stoker
Storer
Waters
Whish-Wilson
Williams

* Tellers

Question negatived.

35 Family law system

The Leader of Pauline Hanson’s One Nation (Senator Hanson), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1332—That the Senate—

(a) acknowledges that:

(i) male suicides increase significantly over Christmas, and
(ii) discriminatory aspects of Australia’s family law system, which acts to separate children from parents and grandparents at Christmas time, contribute to this increase; and

(b) calls on the Federal Government to take urgent steps to deal with discriminatory aspects of the Australian family law system.

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

Question put.
The Senate divided—

AYES, 5

Senators—

Anning
Burston

Georgiou*
Hanson
Leyonhjelm

NOES, 45

Senators—

Bilyk
Brockman
Chisholm
Colbeck
Di Natale
Duniam
Faruq
Ferravanti-Wells
Fifield
Gallacher
Griff
Hanson-Young

Hinch
Hume
Keneally
Ketter
Marshall
Martin
McAllister
McCarthy
McGrath
McKim
Molan

Moore
O'Neill
Paterson
Patrick
Pratt
Reynolds
Rice
Ruston
Ryan
Scullion
Seselja

Siewert
Sinodinos
Smith, David
Smith, Dean
Steele-John
Stoker
Storor
Urquhart*
Waters
Whish-Wilson
Williams

* Tellers

Question negatived.

36 Family law and child support systems—Royal Commission

The Leader of Pauline Hanson’s One Nation (Senator Hanson), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1342—that the Senate calls on the Federal Government to establish a royal commission to inquire into the child support system and the family law system, with the terms of reference to include:

(a) the conduct of lawyers and costs of legal advice;
(b) the adequacy of legal aid and its budget;
(c) the cost of transcripts of court proceedings;
(d) the costs, adequacy and effectiveness of supervised visitation;
(e) the conduct and costs of those providing expert advice including psychologists;
(f) the cost and cause of delays;
(g) the use of courts at night;
(h) the effectiveness and efficiency of the child support system;
(i) suicides related to the child support system and the family law system; and
(j) the experience of children.
Statements by leave: The Assistant Minister for International Development and the Pacific (Senator Ruston) and Senators Chisholm and Hanson, by leave, made statements relating to the motion.

Question put.

The Senate divided—

AYES, 9

Senators—

Anning
Griff
Hinch
Patrick
Burton
Hanson
Leyonhjelm
Storer
Georgiou*

NOES, 44

Senators—

Bilyk
Brockman
Chisholm
Colbeck
Di Natale
Duniam
Faruqi
Fierravanti-Wells
Fifield
Gallacher
Gichuhi

Hanson-Young
Hume
Keneally
Ketter*
Marshall
Martin
McAllister
McGrath
McKim
Molan

Moore
O'Neill
Paterson
Pratt
Reynolds
Rice
Ruston
Ryan
Seselja
Siewert

Sinodinos
Smith, David
Smith, Dean
Steele-John
Sterle
Stoker
Urqhart
Waters
Watt
Whish-Wilson

* Tellers

Question negatived.

37 Great Australian Bight—Oil and gas exploration and drilling

Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1343—that the Senate—

(a) notes that:

(i) a six year survey of the Great Australian Bight (the Bight), conducted as part of a joint effort by the South Australian Research and Development Institute, Commonwealth Scientific and Industrial Research Organisation, the University of Adelaide, Flinders University and BP, has discovered more than 400 previously unknown species,

(ii) the Bight is one of the most biodiverse places on the planet,

(iii) BP and Equinor’s own modelling of an oil spill in the Bight show the scale of disaster that is possible, and

(iv) Equinor plans to commence drilling in the Bight as early as next year; and

(b) calls on the Federal Government to suspend all current oil and gas exploration and drilling licences, and move to ban future oil and gas drilling in the Bight.

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

Question put.
The Senate divided—

AYES, 14

Senators—

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

NOES, 38

Senators—

Anning  Hinch  Molan  Seselja
Bilyk  Hume  Moore  Sinodinos
Brockman  Keneally  O’Neill  Smith, David
Chisholm  Ketter*  Paterson  Smith, Dean
Colbeck  Leyonhjelm  Pratt  Sterle
Duniam  Marshall  Reynolds  Stokes
Fierravanti-Wells  Martin  Ruston  Urquhart
Fifield  McAllister  Ryan  Watt
Gallacher  McCarthy  Scullion  Williams
Gichuhi  McGrath

*Tellers

Question negatived.

38 Crocodile management

Senator McGrath, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1344—That the Senate—

(a) notes the threat that crocodiles pose to humans, livestock and aquaculture in Central, North and Far North Queensland;

(b) recognises that, whilst it is always an admirable goal to protect and conserve wildlife species, measures to minimise the risk of monetary damage, injury or death to humans should always take precedence – that is, that human lives are more important than crocodiles;

(c) recognises that states and territories are responsible for managing crocodiles, including for public safety; and

(d) calls on states and territories to consider all options for the protection of human lives consistent with national law, including sustainable culls.

Statements by leave: Senators McGrath, Chisholm and the Leader of Pauline Hanson’s One Nation (Senator Hanson), by leave, made statements relating to the motion.

Question put and passed.

39 Political donations

Senator Waters, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1345—That the Senate—

(a) notes that:

(i) trust in Australian democracy has halved in the past decade, with fewer than 41% of Australian citizens reporting a sense of satisfaction with the way democracy works, down from 86% in 2007, according to research from the Museum of Australian Democracy and the University of Canberra published today,
(ii) women are generally less satisfied with democracy and more distrusting of politicians and political institutions — those most critical of the current state of our democracy are women in their forties who are struggling on less than $50,000 a year,

(iii) people most likely to feel satisfied with the status quo include those aged 55 and over, and those earning more than $200,000 a year,

(iv) the three main grievances electors have with Australia’s democratic system are politicians not being accountable for broken promises; politicians not dealing with the issues that really matter; and big business having too much power,

(v) plummeting levels of trust in politics-as-usual is prompting young people to mobilise in unprecedented numbers, with thousands of schoolchildren protesting the Government’s lack of long-term policies for climate justice over the last week, across all Australian capitals, and

(vi) younger voters are concerned that their vote does not count because of the overwhelming influence of political donations, which result in more and more people being denied necessary resources and basic human rights; and

(b) calls on the Federal Government to:

(i) ban corporate donations from vested interests that seek to influence government policy,

(ii) cap all other donations to political parties to $1000 per year, and

(iii) take measures to increase the participation of women and people from minority backgrounds in Australia’s political system.

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

Question put.

The Senate divided—

AYES, 12

Senators—

Di Natale            Hansons-Young          Rice                   Storer
Faruqi              McKim                     Stiwer*-                Waters
Griff                Patrick                   Steele-John             Whish-Wilson

NOES, 37

Senators—

Bilyk               Hanson                     McCaffrey               Ryan
Brockman            Hinch                      McGrath                 Scullion
Chisholm            Hume                      Molan                   Sinodinos
Colbeck             Keneally                   Moore                   Smith, David
Duniam              Ketter*                    O’Neill                  Smith, Dean
Fiessanti-Wells     Leyonhjelm                 Paterson                 Sterle
Fifield             Marshall                   Pratt                   Stokes
Gallacher           Martin                     Reynolds                 Urqhart
Georgiou            McAllister                 Ruston                  Williams
Gichuhi

* Tellers

Question negatived.
40 Disqualified senators

Senator Anning, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1357—That the Senate—

(a) notes:

(i) the revelations last year of dual citizenship and holding office for profit under the Crown that led to some of those sitting in the Senate to be found to have been ineligible to have been elected,

(ii) that, in some cases, those concerned knew or might reasonably have been expected to know that they were not entitled to claim to be a senator but still continued to sit in the Senate,

(iii) that, under the circumstances in which an individual knew that they were not entitled to sit in the Senate but continued to collect a salary and allowances as though they were a senator, they have defrauded the Australian people, and

(iv) that, despite being removed from the Senate by order of the High Court sitting as the Court of Disputed Returns, some of these individuals who knowingly received remuneration to which they were not entitled are again trying to return to the Senate; and

(b) calls on the Federal Government, in circumstances in which such previously disqualified individuals succeed in returning to the Senate, to impose a garnishee on any remuneration that they would receive as senators in order to recover all salary and allowances previously collected by them for which they had no entitlement.

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

Question put and negatived.

41 Political donations

Senator Waters, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1358—That the Senate—

(a) notes:

(i) the Australian Electoral Commission published figures about political donations received in the 2017-18 financial year on 1 February 2019,

(ii) that voters have the right to know which bodies are donating how much to which political party in the lead up to an election, and

(iii) that transparency in relation to electoral donations is critical to the healthy functioning of democracy; and

(b) calls on the Federal Government to:

(i) ban corporate donations from vested interests that seek to influence government policy,

(ii) cap all other donations to political parties to $1000 per year, and

(iii) implement real-time disclosure of donations to political parties.

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

Question put.
The Senate divided—

AYES, 12

Senators—

Di Natale
Faruqi
Griff
Hanson-Young
McKim
Patrick
Rice
Siewert*
Steele-John

NOES, 37

Senators—

Anning
Bilyk
Brockman
Chisholm
Colbeck
Duniam
Fierravanti-Wells
Fifield
Gallacher
Georgiou
Gichuhi
Hanson
Hinch
Hume
Keneally
Ketter*
Leyonhjelm
Marshall
Martin
McAllister
McGrath
Molan
Moore
O’Neill
Paterson
Pratt
Reynolds
Ruston
Ryan
Scullion
Sinodinos
Smith, David
Smith, Dean
Sterle
Stokes
Urquhart
Williams

* Tellers

Question negatived.

42 Rural and Regional Affairs and Transport References Committee—Reference

Senator Faruqi amended business of the Senate notice of motion no. 2 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—that the following matter be referred to the Rural and Regional Affairs and Transport References Committee for inquiry and report by 19 August 2019:

The feasibility of a National Horse Traceability Register for all horses, with particular reference to:

(a) the existence and adequacy of state or industry-based registers;
(b) the benefits of a national register, including for animal welfare, biosecurity safety (including for the prevention and management of Emergency Animal Diseases, such as equine influenza and African Horse Sickness), backyard breeding and the integrity of trade in horses;
(c) overseas models of national tracking systems for horses;
(d) funding, enforcement and penalty implications; and
(e) any related matters.

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

Question put.

The Senate divided—

AYES, 34

Senators—

Bilyk
Brown
Cameron
Carr
Chisholm
Di Natale
Faruqi
Gallacher
Griff
Hanson-Young
Hinch
Keneally
Ketter*
Leyonhjelm
Lines
Marshall
McAllister
McKim
Moore
O’Neill
Patrick
Polley
Pratt
Rice
Siewert
Singh
Storer
Waters
Watt
Whish-Wilson

Smith, David
Steele-John
Sterle
Smith, Dean
Urquhart
Williams

* Tellers
In Home Care program—Changes

Senator Faruqi, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1336—That the Senate—

(a) notes that:

(i) changes to the in home childcare program, including to the hourly rate cap, have had the unintended consequence of leaving hundreds of families with complex childcare needs without affordable childcare, which affects their ability to work, attend medical appointments and respite,

(ii) this group includes parents and carers with significant medical problems, including terminal illness and mental health issues, as well as children with developmental delays and severe disabilities, and

(iii) although some of these families have transitioned to the National Disability Insurance Scheme, many have not;

(b) recognises that, although there were problems with the in home childcare program, some families with complex needs are facing a childcare crisis as a result of the changes;

(c) further notes that numerous providers have been forced to close as a result, and a large number of carers have been left without job; and

(d) calls on the Federal Government to provide emergency funding for sufficient childcare subsidies to high-needs families affected by the change and to provide a long-term solution to this issue.

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

Question put.
The Senate divided—

AYES, 33

Senators—

Bilyk
Brown
Carr
Chisholm
Di Natale
Faruqi
Gallacher
Griff

Hanson-Young
Hinch
Ketter*
Leyonhjelm
Lines
Marshall
McAllister
McAllister

Hanson
Hinckley
Ketter
Leyonhjelm
Lines
Marshall
McAllister
McAllister

McKim
Moore
O’Neill
Polley
Pratt
Rice
Siewert
Stewart

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

NOTES, 28

Senators—

Anning
Birmingham
Brockman
Canavan
Cash
Colbeck
Duniam

Fierravanti-Wells
Fifield
Georgiou
Gichuhi
Hanson
Hume
Macdonald

Martin
McGrath
McKenzie
Molander
O’Sullivan
Paterson
Reynolds

Ruston
Ryan
Scullion
Sinodinos
Smith, Dean*
Stoker
Williams

* Tellers

Question agreed to.
Queensland Agricultural Training Colleges

Senator McGrath, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1354—That the Senate—

(a) recognises that Queensland Agricultural Training Colleges provide vital skills to graduates, and contribute to the viability of the Queensland agricultural sector as a whole, which employs over 57,000 people in the agriculture, forestry and fishing industries and was worth over $19 billion to the state’s economy in 2017-18;

(b) notes that the flagship Longreach and Emerald Training Colleges are being shut down after operating for more than 50 years, have helped thousands of graduates to achieve rewarding careers over this time, and that, between the two colleges, they employ over 100 staff;

(c) further notes that the Queensland Labor Government is responsible for the decision to close training colleges;

(d) calls on the Queensland Labor Government to reconsider its decision to close the Longreach and Emerald Queensland Agricultural Training Colleges; and

(e) condemns the Queensland Labor Government for turning its back on $245 million in Federal funding from the Skilling Australians Fund, which would have created 50,000 new apprenticeships in Queensland over the next four years.

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

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

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

Question put.

The Senate divided—

AYES, 26

Senators—

Anning
Birmingham
Brockman
Canavan
Cash
Colbeck
Duniam

Fierravanti-Wells
Fifield
Georgiou
Gichuhi
Hanson
Hume
Macdonald

McGrath
McGrath
McKenzie
Molan
O’Sullivan
Paterson
Reynolds

Martin
Ryan
Ryan
Scullion
Sinodinos
Smith, Dean*
Stoker
Williams

* Tellers
NOES, 30

Senators—

Bilyk                                               Hanson-Young    Moore                                                Smith, David
Brown                                               Hinch            O’Neill                                                Steele-John
Cameron                                             Keneally        Polley                                                 Steele-John
Carr                                                Ketter           Pratt                                                  Watt
Chisholm                                             Lines            Rice                                                   Waters
Di Natale                                            Marshall         Siewert                                                 Urquhart*
Faruqi                                               McAllister       Singh                                                  Whish-Wilson
Gallacher                                            McKim

*Tellers

Question negatived.

45 UN Global Compact on Refugees

Motion determined as not formal: Senator Anning requested that general business notice of motion no. 1309 standing in his name for today, relating to the UN Global Compact on Refugees, be taken as formal. An objection was raised and the motion was not proceeded with as a formal motion.

46 Cambodia

Motion determined as not formal: The Leader of the Australian Greens (Senator Di Natale) requested that general business notice of motion no. 1340 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: Senator Di Natale and the Assistant Minister for International Development and the Pacific (Senator Ruston), by leave, made statements relating to the motion.

47 Paris Climate Accord

Motion determined as not formal: The Leader of Pauline Hanson’s One Nation (Senator Hanson) requested that general business notice of motion no. 1330 standing in her name for today, relating to the Paris Climate Accord, be taken as formal. An objection was raised and the motion was not proceeded with as a formal motion.

48 Discussion of matter of public importance—Banking and financial services—Protections for consumers

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

The Morrison Government’s failure to act on delivering better protections for Australian consumers after voting against a banking royal commission 26 times.

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

49 Documents—Consideration

Documents tabled earlier today (see entry no. 2) were considered as follows:

Motion to take note of documents nos 2, 4, 5, 12 to 14, 16, 18, 19, 24, 26, 30, 33, 35, 38 to 41, 46, 47, 49, 50, 65, 67 and 68 moved by Senator Ketter. Consideration to resume on Thursday at general business.

Motion to take note of document no. 8 moved by Senator Rice. Consideration to resume on Thursday at general business.
50 Committee report presented out of sitting—Consideration
A committee report presented out of sitting (see entry no. 2) was considered, as follows:

Motion to take note of report no. 84 moved by Senator Storer. Consideration to resume on Thursday.

At 7.20 pm—

51 Adjournment
The Acting Deputy President (Senator Bernardi) proposed the question—That the Senate do now adjourn.
Debate ensued.

Leave refused: Senator Burston sought leave to table documents. An objection was raised and leave was not granted.
Debate continued.
The Senate adjourned at 9.35 pm till Wednesday, 13 February 2019 at 9.30 am.

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

RICHARD PYE
Clerk of the Senate

Published by authority of the Senate