THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 102

MONDAY, 25 JUNE 2018

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1 Meeting of Senate
The Senate met at 10 am. The President (Senator the Honourable Scott Ryan) took the chair, read prayers and made an acknowledgement of country.

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

Auditor-General’s report for 2017-18
1. No. 49—Performance audit—Senate order for departmental and entity contracts (financial year 2016-17 compliance): Across entities.

Government documents
Australian Human Rights Commission—Reports—
2. No. 120—DR and DS v The Commonwealth (Department of Home Affairs).
3. No. 121—BE v Suncorp Group Ltd.

Migration Act 1958—Section 486O—Assessment of detention arrangements—Commonwealth Ombudsman’s reports for 2018—
5. No. 17.
6. No. 18.
7. No. 19.

Government responses to Commonwealth Ombudsman’s reports for 2018, dated 21 June 2018—
8. No. 17.
9. No. 18.
10. No. 19.


Surveillance Devices Act 2004—Commonwealth Ombudsman’s report to the Attorney-General on agencies’ compliance for the period 1 July to 31 December 2017.

Responses to Senate resolutions
14. MAYDAYS for eating disorders—Resolution agreed to on 9 May 2018—Letter to the President of the Senate from the South Australian Minister for Health and Wellbeing (Mr Wade), dated 14 June 2018.

15. Schizophrenia Awareness Week—Resolution agreed to on 10 May 2018—Letter to the President of the Senate from the South Australian Minister for Health and Wellbeing (Mr Wade), dated 14 June 2018.

Committee reports presented out of sitting
The following reports and documents were presented and authorised for publication on 22 June 2018 pursuant to standing order 38(7)(a):

Economics Legislation Committee—


The Clerk tabled the following documents pursuant to statute:

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


Corporations Act 2001—ASIC Market Integrity Rules (Securities Markets) 2017—


ASIC Market Integrity Rules (Securities Markets) Repeal Instrument 2018/547 [F2018L00818].

Defence Act 1903—Defence Determination, Conditions of Service Amendment (Defence Regulation 2016 – consequential amendments) Determination 2018 (No. 26) [F2018L00820].


Health Insurance Act 1973—Health Insurance (Section 3C Co-Dependent Pathology Services) Determination 2018 [F2018L00810].


Regional Investment Corporation Act 2018—Regional Investment Corporation (Water Infrastructure Project Agreements) Rule 2018 [F2018L00813].


Telecommunications Act 1997—
Telecommunications (NBN Continuity of Service) Industry Standard 2018 [F2018L00815].

The following document was tabled by the Clerk pursuant to the order of the Senate of 25 March 1999, as amended:

Australian Competition and Consumer Commission—Report to the Australian Senate on anti-competitive and other practices by health insurers and providers in relation to private health insurance for the period 1 July 2016 to 30 June 2017.

3 Committee—Leave to meet during sittings
Committees were authorised to meet during the sittings of the Senate, as follows:
Community Affairs References Committee—private meeting otherwise than in accordance with standing order 33(1) today, from 3 pm, for the committee’s inquiry into mitochondrial donation.
Rural and Regional Affairs and Transport References Committee—private briefing on Thursday, 28 June 2018, from 1 pm, for the committee’s inquiry into air route service delivery to rural, regional and remote communities.

4 Taxation Administration Amendment (Corporate Tax Entity Information) Bill 2017
Order of the day read for the adjourned debate on the motion—That this bill be now read a second time.
Debate resumed.
Closure: Senator Farrell moved—That the question be now put.
Question—That the question be now put—put and passed.
Main question put and passed.
Bill read a second time.
The Senate resolved itself into committee for the consideration of the bill.
Bill taken as a whole by leave.

Senator Whish-Wilson moved the following amendments together by leave:

Schedule 1, item 1, page 3 (line 9) omit “$100 million”, substitute “$50 million”. Page 3 (after line 14), at the end of the bill, add:

**Schedule 2—Financial reporting obligations**

**Part 1—Repeal of instrument**

*ASIC Corporations (Exempt Proprietary Companies) Instrument 2015/840*

1 The whole of the instrument

Repeal the instrument.

**Part 2—Grandfathered exemption**

*Corporations Act 2001*

2 Subsection 1408(6) (table item 7)

Repeal the table item.

**Part 3—Application**

3 Application

(1) This item applies to a company if, immediately before the commencement of this item, the company was exempted from complying with subsection 319(1) of the *Corporations Act 2001* by the *ASIC Corporations (Exempt Proprietary Companies) Instrument 2015/840*.

(2) Despite the amendments made by Parts 1 and 2, that exemption continues to apply to the company in relation to the 2017-18 financial year.

Debate ensued.

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

*Question*: That the question be now put—put.

The committee divided—

**AYES, 34**

Senators—

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Question agreed to.

The committee divided—

**AYES, 35**

- Bartlett
- Bilyk
- Brown
- Cameron
- Carr
- Chisholm
- Di Natale
- Gallagher
- Georgiou
- Griff
- Hanson
- Hanson-Young
- Hinch
- Keneally
- Ketner*
- Kitching
- Lines
- Marshall
- McKim
- Moore
- O’Neill
- Patrick
- Pratt
- Rhiannon
- Rice
- Siewert
- Singh

**NOES, 29**

- Abetz
- Anning
- Bernardi
- Birmingham
- Brockman
- Burstyn
- Bushby*
- Cash
- Colbeck
- Duniam
- Fawcett
- Fifield
- Gichuhi
- Hinch
- Hume
- Leyonhjelm
- Macdonald
- Martin
- McGrath
- McKenzie
- Molan
- O’Sullivan
- Paterson
- Reynolds
- Ruston
- Ryan
- Scullion
- Seselja
- Smith, Dean
- Stoker
- * Tellers

Question agreed to.

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

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

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

Question put.
The Senate divided—

AYES, 35

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NOES, 28

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* Tellers

Question agreed to.

Bill read a third time.

5 Treasury Laws Amendment (Enterprise Tax Plan No. 2) Bill 2017—Consideration

Leave refused: The Leader of the Opposition in the Senate (Senator Wong) sought leave to move a motion relating to consideration of the Treasury Laws Amendment (Enterprise Tax Plan No. 2) Bill 2017. An objection was raised and leave was not granted.

Proposed suspension of standing orders: Senator Wong, pursuant to contingent notice, moved—that so much of the standing orders be suspended as would prevent her moving a motion relating to the conduct of business, namely a motion to give precedence to the Treasury Laws Amendment (Enterprise Tax Plan No. 2) Bill 2017.

Debate ensued.

Question put.

The Senate divided—

AYES, 32

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NOES, 36

Senators—

Abetz        Cormann        Hume        Patrick
Anning       Duniam        Leyonhjelm    Reynolds
Bernardi     Fawcett       Macdonald    Ruston
Birmingham   Fierravanti-Wells    Martin      Ryan
Brockman     Fitfield       McGrath      Scullion
Burston      Georgiou      McKenzie     Seselja
Bushby*      Gichuhi       Molan        Smith, Dean
Cash         Griff         O’Sullivan    Stoker
Colbeck      Hanson        Paterson      Storer

* Tellers

Question negatived.

6 Appropriation Bill (No. 1) 2018-2019
   Appropriation Bill (No. 2) 2018-2019
   Appropriation (Parliamentary Departments) Bill (No. 1) 2018-2019
   Appropriation Bill (No. 5) 2017-2018
   Appropriation Bill (No. 6) 2017-2018

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


Message no. 407, dated 21 June 2018—A Bill for an Act to appropriate money out of the Consolidated Revenue Fund for certain expenditure, and for related purposes.

Message no. 408, dated 21 June 2018—A Bill for an Act to appropriate money out of the Consolidated Revenue Fund for expenditure in relation to the Parliamentary Departments, and for related purposes.

Message no. 409, dated 21 June 2018—A Bill for an Act to appropriate additional money out of the Consolidated Revenue Fund for the ordinary annual services of the Government, and for related purposes.

Message no. 410, dated 21 June 2018—A Bill for an Act to appropriate additional money out of the Consolidated Revenue Fund for certain expenditure, and for related purposes.

The Assistant Minister for Science, Jobs and Innovation (Senator Seselja) moved—That these bills may proceed without formalities, may be taken together and be now read a first time.

Question put and passed.

Bills read a first time.

On the motion of Senator Seselja the bills were debated and read a second time.

No amendments to the bills were circulated and the bills were not considered in committee.

On the motion of Senator Seselja the bills were read a third time.

7 Water Amendment Bill 2018

Order of the day read for the adjourned debate on the motion of the Minister for Communications (Senator Fifield)—That this bill be now read a second time.
Debate resumed.

At 2 pm: Debate was interrupted while Senator Rice was speaking.

8 Questions
Questions without notice were answered.

9 Motions to take note of answers
Senator Singh moved—That the Senate take note of the answers given by the Minister for Finance (Senator Cormann) to questions without notice asked by Senators Kitching and Chisholm today relating to company tax cuts.

Debate ensued.

Question put and passed.

Senator Siewert moved—That the Senate take note of the answer given by the Minister for International Development and the Pacific (Senator Fierravanti-Wells) to a question without notice asked by Senator Siewert today relating to Newstart.

Question put and passed.

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

(a) remains deeply concerned by the continued crisis facing Rohingya refugees, especially the 500,000 children currently living in refugee camps in Bangladesh;

(b) notes:

(i) the particular vulnerability of women and children,

(ii) that many of Rakhine State’s 1.1 million Rohingya and other minorities live in insubstantial tented camps and rely on United Nations and non-government organisation (NGO) aid for survival,

(iii) that wild weather, including monsoonal rains, is wreaking havoc – flooding low-lying areas of the camps and washing raw sewage into family homes and water supplies,

(iv) that, if necessary, refugee camps need to be located on appropriate land which can provide safety from the monsoon season, floods and disease and have adequate space for the provision of services,

(v) that the proposed camp on the Bay of Bengal silt island Bhasan Char has been criticised by humanitarian agencies concerned that the silt island is vulnerable to frequent cyclones and cannot sustain the livelihood of thousands of people; and

(c) urges the Turnbull Government to:

(i) do everything in its power to help Rohingya refugee children and their families living in camps, by working with the Bangladesh Government to ensure their survival, health and safety, and

(ii) assist the Government of Bangladesh to make the necessary transition from emergency response to meeting the longer-term development needs of Rohingya refugee children and their families, as well as the host community. (general business notice of motion no. 885)
Senator Georgiou: To move on the next day of sitting—That the Senate—

(a) notes that:

(i) Western Australia receives a much lower proportion of goods and services tax (GST) revenue per capita than any other state – in 2017-18, the GST share per dollar for Western Australia was just 34 cents; no other state or territory received less than 87 cents,

(ii) on a per capita basis this equates to just $882 for every person in Western Australia compared to:

(A) $11,941 for every person in the Northern Territory, and

(B) $4624 for every Tasmanian, $3690 for every South Australian and $2389 for every Victorian, with each of these states receiving more than three times the GST distribution per person when compared with Western Australia,

(iii) in 2016-17, Western Australia contributed 35% of the nation’s exports – by far the country’s leading state on a balance of payments basis,

(iv) Western Australia subsidises all other states and territories and, according to analysis by the Productivity Commission, over $3.6 billion a year is being drained from Western Australia,

(v) international economic studies have shown that revenue transfers between states discourages economic development in recipient states and makes them dependent on subsidies from more economically progressive states, and

(vi) the Productivity Commission has prepared a report, at the request of the Government, into the current GST distribution system, presented to the Government on 15 May 2018 but not yet released;

(b) recognises that it is in the interests of the nation that tax revenue be fairly distributed; and

(c) calls on the Government to immediately table the Productivity Commission report into the GST distribution system. (general business notice of motion no. 886)

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

(a) notes:

(i) the recent suspension of Emanuel Exports’ export licence by the Department of Agriculture and Water Resources, which is an appropriate response to the company’s alleged breach of its animal welfare obligations, and

(ii) that, while it is the responsibility of each exporter to ensure that it meets these obligations, remedial action should not unnecessarily punish producers; and

(b) calls on the Government to:

(i) ensure that the West Australian farmers contracted to Emanuel Exports are compensated during the investigation process,

(ii) in the event Emanuel Exports is found to have breached its animal welfare obligations, urge the company to compensate farmers for their economic loss,

(iii) support the development of abattoirs throughout Australia, and
(iv) provide certainty for the future of Australian sheep producers by legislating for an orderly phase-out of the sheep live export trade.  

(\textit{general business notice of motion no. 887})

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

(a) acknowledges that today, 26 June 2018, marks the United Nations International Day in Support of Victims of Torture;

(b) recognises that:

(i) a large number of refugees coming to Australia have been exposed to traumatic events, and most will have experienced multiple traumas, including war and violence, deprivation, and the death and disappearance of loved ones, and

(ii) many will also have been subjected to torture or severe human rights violations; and

(c) acknowledges the important work that the Forum of Australian Services for Survivors of Torture and Trauma (FASSTT) performs, including the work performed by Australia’s eight specialist rehabilitation agencies in advancing the health, well-being and human rights of people from refugee backgrounds who have experienced torture and trauma. (\textit{general business notice of motion no. 888})

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

(a) notes that the President of the United States of America, President Donald Trump, has expressed interest in visiting Australia in November; and

(b) calls on the Government and the Presiding Officers to extend an invitation to the President to address a joint meeting of the Australian Parliament. (\textit{general business notice of motion no. 889})

The Chair of the Legal and Constitutional Affairs References Committee (Senator Pratt): 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 6 December 2018:

The practice of dowry and the incidence of dowry abuse in Australia, with particular reference to:

(a) the extent and nature of knowledge regarding cultural attitudes to, the practice of, and the prevalence of dowry in Australia, both before and after marriage;

(b) the appropriateness and impacts of dowry as a cultural practice in modern Australia, taking account of our national commitment to gender equality and human rights, and approach to multiculturalism;

(c) reports of dowry abuse, including potential links to family violence, pretext for arranged marriage, forced marriage, modern day slavery, financial abuse, domestic servitude, murder, and other crimes, as well as any connections between dowry abuse and adverse mental health outcomes for affected women, including self-harm and suicide;

(d) the adequacy of the family law system, including how divorce and property settlement proceedings deal with dowry and dowry abuse, and the operation of and need for extra-jurisdictional (including international) enforcement mechanisms;
(e) confirmed and potential links between dowry, dowry abuse and forced and/or arranged marriages, both in Australia and in connection with Australia’s migration program;

(f) the adequacy of Australia’s migration law system in terms of addressing dowry and dowry abuse, including:
   (i) the extent to which the requirements for spouse and family visas may enable or prevent dowry abuse,
   (ii) vulnerabilities experienced by women suffering dowry abuse as a result of temporary migration status, including disincentives to report dowry abuse and the ability of victims to access the family violence protections afforded by the Migration Act 1958 and associated regulations, and
   (iii) recommendations for change if necessary;

(g) training and reporting regimes that apply to Commonwealth, state and territory police forces and family violence services in relation to dowry and dowry abuse;

(h) investigation of laws and practices in international jurisdictions in relation to defining dowry and combating dowry abuse, with particular regard to how these approaches could be applied the Australian context;

(i) the adequacy of current Commonwealth, state and territory laws in establishing broadly accepted community norms and in preventing dowry abuse, and specific recommendations for change if laws need to be strengthened; and

(j) any other related matters.

Senators Rhiannon and Hinch: 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 to prohibit the export of live equines for slaughter, and for related purposes. Export Control Amendment (Equine Live Export for Slaughter Prohibition) Bill 2018. (general business notice of motion no. 890)

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

(a) notes that:
   (i) Ms Khalida Jarrar is an elected member of Palestinian Legislative Council,
   (ii) on 2 July 2017, Ms Jarrar was arrested in a pre-dawn raid on her home by the Israeli military and held under administrative detention orders,
   (iii) Ms Jarrar has been under renewed administrative detention orders since July 2017 that was recently extended by a further four months,
   (iv) the intelligence under which Ms Jarrar is being held has not been disclosed by the Israeli military; and

(b) calls on the Department of Foreign Affairs and Trade to urge the Government of Israel to:
   (i) disclose the details of the intelligence regarding Ms Jarrar’s detention, and
   (ii) provide avenues for Ms Jarrar to defend herself in a fair and open trial. (general business notice of motion no. 891)
Senator Steele-John: To move on the next day of sitting—That the Senate—
(a) notes that:
(i) on 4 June 2018, Mr Bill Morrow told the Joint Standing Committee on the National Broadband Network (NBN) that NBN Co was considering instituting a fair use policy to curb the usage of some customers on fixed wireless who were using terabytes of data, and characterised these customers as being ‘predominantly gamers’,
(ii) Mr Morrow also stated that ‘when people are gaming it is a high bandwidth requirement that’s a steady stream’,
(iii) Mr Morrow also stated that, as a layer 2 company, NBN Co does not have the data to know how users are consuming data,
(iv) online video games require a very minimal amount of bandwidth at approximately 10MB per hour versus streaming a 720p video at approximately 500MB per hour, and
(v) according to NBN Co’s own webpage entitled ‘How much data does gaming use? A handful of popular examples’, published on 29 December 2016, ‘some of the biggest online games use very little data while you’re playing compared to streaming HD video or even high-fidelity audio’;
(b) acknowledges that online video game players are not to blame for the poor performance of the NBN, during peak or other times, over any NBN technology; and
(c) calls on the Government to deliver a fit-for-purpose national broadband network that meets the needs of all Australians, including those in rural, regional and remote areas. (general business notice of motion no. 892)
Senator Anning: To move on the next day of sitting—That the Senate—
(a) notes that:
(i) the introduction of euthanasia legislation undermines society’s position on the sanctity of life,
(ii) euthanasia legislation has the potential, as seen in the Netherlands, for the expansion of euthanasia to allow elderly individuals to end their life when no medical issues are present; this increases the risk of elder abuse,
(iii) in 2016, the Australian Bureau of Statistics recorded that 2866 people had committed suicide,
(iv) in particular, the young adult suicide rate in Australia is exceptionally high, with over one-third of deaths (35.4%) among young people aged between 15 and 24, due to suicide,
(v) creating a culture that accepts death as a solution is counter-productive to combating Australia’s suicide epidemic and risks the lives of our most vulnerable, and
(vi) dying with dignity means using the medical advancements of palliative care as the solution to ease the pain of terminal illness, not the artificial ending of a life prematurely;
(b) condemns the Victorian Parliament for introducing a law which risks the wellbeing of Victorians and creates a climate of death; and
(c) calls on the Senate to reject any move that would allow the expansion of euthanasia. (general business notice of motion no. 893)
Senator Steele-John: To move on the next day of sitting—That the Senate—

(a) notes that:

(i) on 18 January 2018, Senator Steele-John wrote to the Minister for Communications (Senator Fifield) to clarify the NBN Co’s policy on providing internet access to people living in outbuildings and granny flats,

(ii) on 22 May 2018, the Minister confirmed via return letter that ‘granny flats that share the same address as the primary residence cannot apply for a network service as it is NBN’s policy that each network service must be linked to a unique address’,

(iii) NBN Co’s policy on providing internet access to people living in outbuildings and granny flats is very inflexible to a variety of living configurations and that it is not reasonable to expect that someone who is renting a granny flat, or even extended family living at one address, should be required to share the same NBN service,

(iv) this service limitation has not been an issue with previous technologies and this limitation is not acceptable as Australia transitions to the NBN,

(v) Australians should not suffer loss of quality, flexibility, stability, or cost-effectiveness when transitioning to the NBN, particularly when this transition is ultimately not optional; and

(b) calls on the Government to deliver a fit-for-purpose national broadband network that meets the needs of all Australians, including those living in outbuildings and granny flats. (general business notice of motion no. 894)

Senators Martin, Williams and O’Sullivan: To move on the next day of sitting—That the Senate—

(a) notes that:

(i) 28 years after the creation of the Australian Football League’s (AFL) national competition, Tasmania remains without a team in either the men’s or women’s competitions,

(ii) along with Victoria, South Australia and Western Australia, Tasmania is an original foundational state for Australian Rules football,

(iii) Australian Rules football remains one of the biggest social institutions in Tasmania, and plays an important role in the health and well-being of Tasmanians, as well as supporting the strength and cohesion of communities throughout the state,

(iv) Tasmania has been a regular and proud source of talent for the AFL since its inception,

(v) despite three decades of support by the community and many politicians, including the bipartisan recommendations of a Senate committee, the AFL has not committed to a Tasmanian AFL team, and

(vi) Tasmanian football is at the crossroads and with limited talent pathways there is significant risk to community interest and enthusiasm which is compounded by increasing competition from other sports;

(b) expresses its support for the establishment and inclusion of a Tasmanian team in the AFL at the soonest feasible opportunity; and

(c) calls on the AFL to commission a new business plan for the inclusion of a Tasmanian team in the national league in 2023. (general business notice of motion no. 895)
Senator Hanson-Young: To move on the next day of sitting—That the Senate—

(a) notes that:
   (i) the Australian Financial Review published, on 25 June 2018, an opinion piece by the Honourable Alexander Downer entitled ‘An undemocratic motley crew with too much power’,
   (ii) in the opinion piece, Mr Downer referred to the Senate as not having ‘the same democratic legitimacy as the lower house’,
   (iii) Mr Downer took issue with the presumption from some current and former senators that ‘they think they have the same rights as lower house members’, and
   (iv) Mr Downer endorsed the Constitutional Review Committee’s recommendation to provide the Parliament with the power to reduce the number of senators by as much as half;

(b) further notes that:
   (i) 40% of voters from Mr Downer’s home state – South Australia – voted in the Senate for a party other than Labor or the Liberal Party at the 2016 election, and
   (ii) Mr Downer crudely slanders this clear expression of the will of the South Australian public by arguing that the crossbench is nothing more than ‘a motley group of populists who convince voters to vote for them by promising the world’, and

(c) rejects this interjection as the latest example of the Downer dynasty talking down the ability of the South Australian public to make an informed and considered voting decision. (general business notice of motion no. 896)

Senator Siewert: To move on 20 August 2018—That the following legislative instruments, made under the Social Security (Administration) Act 1999, be disallowed:

(a) the Social Security (Administration) (Trial of Cashless Welfare Arrangements) Determination 2018 [F2018L00245]; and


11 Leave of absence

Senator Bushby, by leave, moved—That leave of absence be granted to the following senators:

(a) Senator Payne for today, on account of parliamentary business; and

(b) Senator Williams for 25 and 26 June 2018, for personal reasons.

Question put and passed.

12 Postponements

Business was postponed as follows:

Business of the Senate notice of motion no. 1 standing in the name of the Leader of the Australian Greens (Senator Di Natale) for today, proposing the disallowance of the Product Emissions Standards Rules 2017, postponed till 13 August 2018.

Business of the Senate notice of motion no. 3 standing in the name of Senator Rhiannon for today, proposing a reference to the Procedure Committee, postponed till 27 June 2018.
13 **Committees—Extensions of time to report**

The following committees were granted extensions of time to report:

- **Community Affairs Legislation Committee**—

- **Economics References Committee**—Banking, insurance and financial services sector, extended to 15 November 2018.

- **Education and Employment References Committee**—Exploitation of cleaners working in retail chains, extended to 15 October 2018.

- **Environment and Communications References Committee**—
  - Australian content on broadcast, radio and streaming services, extended to 17 October 2018.
  - Great Barrier Reef 2050 Partnership Program, extended to 15 August 2018.
  - Impact of climate change on housing, buildings and infrastructure, extended to 13 August 2018.
  - Regulatory framework governing water use, extended to 21 August 2018.
  - Rehabilitation of mining and resources projects, extended to 18 October 2018.

- **Finance and Public Administration Legislation Committee**—2018-19 Budget estimates, extended to 4 July 2018.

14 **Telecommunications Legislation Amendment Bill 2018**

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

**That the following bill be introduced:**

A Bill for an Act to amend legislation relating to telecommunications, and for other purposes.

Question put and passed.

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

*Explanatory memorandum:* Senator McGrath tabled an explanatory memorandum relating to the bill.

*Consideration of legislation:* Pursuant to order, the debate was adjourned till the first day in the next period of sittings, 13 August 2018.
15 Charities and not-for-profit organisations—Impact of proposed foreign influence laws

Senator Siewert, also on behalf of Senators Rhiannon and McKim, amended general business notice of motion no. 868 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—that the Senate—

(a) notes that:
   (i) on Friday, 15 June 2018, the Hands Off Our Charities Alliance released a set of ‘Red Line Principles’ that provide guidance to Parliament in light of some recent government proposals around foreign involvement in Australian politics, and
   (ii) the Red Line Principles provide a framework to enable Parliament to get the balance right in promoting and protecting public participation in our democracy while recognising concerns over improper influence from big business and foreign entities;

(b) affirms that it is critical that the ability of charities and not-for-profits to use funding for issues-based advocacy is not restricted; that there is a clear distinction between issues-based advocacy and politically partisan electioneering, which is already regulated in the Charities Act 2013; and that organisations do not face a greater compliance burden; and

(c) calls on the Government to:
   (i) support the Red Line Principles, and
   (ii) work to ensure that any bill seeking to deal with the problem of covert foreign influence in Australia does not have unintended consequences, including adverse impacts on charities and on freedom of the press.

Statements by leave: The Assistant Minister to the Prime Minister (Senator McGrath) and Senator Chisholm, by leave, made statements relating to the motion.

Question put.

The Senate divided—

AYES, 33

Bartlett
Brown
Cameron
Carr
Chisholm
Collins
Di Natale
Dodson
Farrell
Gallacher
Griff
Hanson-Young
Hinch
Keneally
Kitching
Marshall
McAllister

McCarthy
McKim
O’Neill
Patrick
Pratt
Rhiannon
Rice

Siewert
Singh
Steele-John
Sterle
Urquhart*
Watt
Whish-Wilson

NOES, 28

Abetz
Anning
Bernardi
Birmingham
Burston
Bushby*
Canavan
Cash
Colbeck
Duniam
Fawcett
Ferravanti-Wells
Fifield
Gichuhi

Hume
Macdonald
Martin
McGrath
McKenzie
Molan
O’Sullivan

Paterson
Reynolds
Ruston
Scullion
Seselja
Smith, Dean
Stoker

*Tellers

Question agreed to.
16 New South Wales—Abortion clinics—Exclusion zones

Senator Anning amended general business notice of motion no. 872 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

(a) notes that:

(i) the New South Wales (NSW) Parliament has copied the socialist government in Victoria to ban protests by people trying to protect the rights of the unborn outside abortion clinics,

(ii) people who enter the 150 metre ‘exclusion zone’ arbitrarily declared around abortion clinics to peacefully protest in defence of the right to life now face jail terms,

(iii) these ‘exclusion zones’ are nothing more than an attempt to restrict freedom of speech,

(iv) no such ‘exclusion zones’ apply to any other forms of protest and violent left-wing protesters opposed to democracy and capitalism do not face such draconian punishments, and

(v) a democratic government should not involve itself in regulating the faith and prayers of Australians, much less imprisoning people for them; and

(b) condemns the NSW Parliament for introducing a law which severely restricts freedom of speech and political expression.

*Statements by leave: Senator Anning, the Assistant Minister to the Prime Minister (Senator McGrath), Senator Rice and the Leader of Derryn Hinch’s Justice Party (Senator Hinch), by leave, made statements relating to the motion.*

Question put.

The Senate divided—

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*Tellers *

Question negatived.
Great Australian Bight

Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 875—That the Senate—

(a) notes that:
   (i) around 85% of marine life within the Great Australian Bight is found nowhere else on Earth, and
   (ii) British Petroleum (BP) claimed in an application to the Commonwealth offshore petroleum regulator that an oil spill in the Great Australian Bight would be ‘socially acceptable’, further claiming ‘in most instances, the increased activity associated with cleanup operations will be a welcome boost to local economies’;

(b) recognises that:
   (i) Mayo’s coastal communities would be among the hardest hit if oil spilled in the Bight, and
   (ii) 74% of Mayo residents want World Heritage Listing for the Great Australian Bight; and

(c) calls on the Government to respect the wishes of the overwhelming majority of Mayo residents, by beginning the process of listing the Great Australian Bight for World Heritage Status — not only to protect, but also to celebrate what’s great about the Bight.

Statements by leave: The Assistant Minister to the Prime Minister (Senator McGrath) and Senators Chisholm, Griff and Hanson-Young, by leave, made statements relating to the motion.

Question put.

The Senate divided—

AYES, 12

Senators—

Bartlett Hansen-Young Rhiannon Steele-John
Di Natale McKim Rice Storer
Griff Patrick Siewert* Whish-Wilson

NOES, 39

Senators—

Abetz Carr Leyonhjelm Reynolds
Anning Chisholm Marshall Ruston
Bernardi Colbeck Martin Seselja
Bilyk Dodson McAllister Singh
Birmingham Gallacher McCarthy Smith, David
Brown Gichuhi McGrath Smith, Dean
Burston Hanson McKenzie Sterle
Bushby Hinch Molan Urquhart*
Cameron Hume Moore Watt
Canavan Keneally Paterson

* Tellers

Question negatived.
18 Mount Barker aquatic centre

Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 876—That the Senate—

(a) notes that:
   (i) the Federal Government has announced $10 million in funding for an aquatic centre rebuild in Mount Barker, in the federal electorate of Mayo, and
   (ii) this money is the public’s, not the Liberal Party’s,
(b) recognises that the Turnbull Government will be in a position to deliver this funding regardless of the outcome of the Mayo by-election; and
(c) calls on the Government to honour this commitment irrespective of the result of the Mayo by-election.

Statements by leave: The Assistant Minister to the Prime Minister (Senator McGrath) and Senators Chisholm and Griff, by leave, made statements relating to the motion.

Question put and passed.

19 Palestine

Senator Anning, by leave, amended general business notice of motion no. 860 to read as follows:

That the Senate—

(a) notes the unethical use of money to fund and promote terrorism by the Palestinian Authority;
(b) acknowledges that the sponsorship, advocacy and enabling of terrorism and acts of violence against innocent civilians is not consistent with Australian values;
(c) notes the lack of transparency in the use of funds received by the Palestinian Authority from Australia, both directly and through contributions to the United Nations;
(d) welcomes the letter from the Foreign Minister of 29 May 2018 to the Palestinian Authority, raising concerns over and seeking assurances that Australian funding does not in any way enable or encourage acts of violence against Israel;
(e) recognises that, to achieve lasting peace, the so-called ‘Palestinian Authority Martyrs’ Fund’ must be suspended; and
(f) calls on the Australian Government to:
   (i) maintain scrupulous oversight of Australian aid to the Palestinian territories, and
   (ii) demand the proper investigation of the content and delivery of education services provided by the United Nations Relief and Works Agency.

Motion determined as not formal: Senator Anning requested that the motion be taken as formal. An objection was raised and the motion was not proceeded with as a formal motion.
20 United States of America—Border protection policies

Motion determined as not formal: Senator McKim requested that general business notice of motion no. 878 standing in his name for today, relating to United States of America immigration policy, be taken as formal. An objection was raised and the motion was not proceeded with as a formal motion.

Proposed suspension of standing orders: Senator McKim, at the request of the Leader of the Australian Greens (Senator Di Natale) and pursuant to contingent notice, moved—that so much of the standing orders be suspended as would prevent Senator Di Natale moving a motion relating to the conduct of the business of the Senate, namely a motion to give precedence to general business notice of motion no. 878.

Debate ensued.

Question put.

The Senate divided—

AYES, 11

Senators—

Bartlett
Di Natale
Hanson-Young
Hinch
McKim
Rhiannon
Rice
Siewert*
Storer
Whish-Wilson

NOES, 39

Senators—

Abetz
Anning
Bernardi
Bilyk
Brown
Burston
Bushby
Cameron
Carr
Chisholm
Colbeck
Dodson
Dunniam
Farrell
Fawcett
Ferravanti-Wells
Gallacher
Georgiou
Hanson
Hume
Keneally
Ketter
Marshall
Martin
McCarthy
McGrath
McKenzie
Molan
O’Neill
Paterson
Pratt
Reynolds
Singh
Smith, David
Smith, Dean
Sterle
Stoker
Urquhart*

* Tellers

Question negatived.

Motion determined as not formal: Senator McKim requested that general business notice of motion no. 883 standing in his name for today, relating to the former First Lady of the United States of America, Mrs Laura Bush, be taken as formal. An objection was raised and the motion was not proceeded with as a formal motion.

21 Ramsay Centre for Western Civilisation

Senator Bernardi amended general business notice of motion no. 871 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—that the Senate—

(a) notes the Australian National University’s (ANU) refusal to host the self-funded Ramsay Centre for Western Civilisation on campus, notwithstanding that it already hosts centres promoting understanding of Islam and Asian cultures; and

(b) calls on:

(i) the ANU to reconsider its opposition to hosting the Centre in the interests of celebrating Western civilisation’s foundational contributions to Australia,
(ii) the Minister for Education and Training (Senator Birmingham), given that he said it would be a ‘great loss’ if no university partners with the Centre – to assist in securing a location for the Centre, and

(iii) the Government to consider making future higher education funding grants conditional on supporting academic freedom and freedoms of association and speech on university campuses.

Statements by leave: The Assistant Minister to the Prime Minister (Senator McGrath) and Senator Chisholm, by leave, made statements relating to the motion.

Question put.

The Senate divided—

AYES, 29

Senators—

Abetz Anning Bernardi Birmingham Bushby* Canavan Cash Colbeck

Duniam Fawcett Ferravanti-Wells Fifield Georgiou Gichuhi Hanson

Hume Leyonhjelm Macdonald Martin McGrath McKenzie Molan

O’Sullivan Paterson Reynolds Scullion Sessela Smith, Dean

The Senate divided—

NOES, 32

Senators—

Bartlett Bilyk Brown Cameron Carr Chisholm Di Natale Dodson

Gallacher Griff Hanson-Young Hinch Keneally Ketter Marshall McAllister

McCarthy McKim Moore Patrick Pratt Rhiannon Rice Siewert

Singh Smith, David Steele-John Sterle Storer Urquhart* Watt

* Tellers

Question negatived.

22 Notice of motion withdrawn

Senator Bernardi withdrew general business notice of motion no. 852 standing in his name for today, relating to the approval of euthanasia drugs by the Therapeutic Goods Administration.

23 Australia Day, national flag and anthem

Senator Bernardi, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 856—That the Senate—

(a) supports:

(i) Australia Day being held on 26 January each year, and

(ii) our national flag and anthem; and

(b) opposes any move to change these symbols.

Statements by leave: The Assistant Minister to the Prime Minister (Senator McGrath) and Senators Chisholm and Siewert, by leave, made statements relating to the motion.

Question put and passed.
Government procurement

Senator Rhiannon, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 863—That the Senate—

(a) notes that:
   (i) the Australian Government’s hire of public sector workers and purchase of goods and services makes it the largest single spender in Australian markets,
   (ii) in 2016-17, $47 billion in Australian Government procurement contracts were reported,
   (iii) government objectives differ from profit-driven firms, and
   (iv) there is a need to ensure that procurement practices uphold the Government’s social and ecological obligations for the long-term wellbeing of our community; and

(b) calls on the Government to:
   (i) make procurement decisions with consideration of broader policy objectives, including supporting local industry and job creation,
   (ii) ensure that, in any government procurement decision which selects an imported tender over local content, the Government must have publicly available justifications as to why the imported choice is better value, where ‘value’ considers the financial cost and the benefit to local industry and local employment opportunities,
   (iii) ensure that Australia does not enter into any free trade agreements that restrict the Government’s ability to preference and support local suppliers, and
   (iv) ensure existing policies promoting local procurement are better monitored and enforced.

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

Question put and passed.

Aged care home care packages

Senator Urquhart, at the request of Senator Polley and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 870—That the Senate—

(a) notes that:
   (i) the public release of the latest quarterly data on the home care package wait list has been delayed by the Turnbull Government,
   (ii) there was a commitment to release the data two months after the period that the data covers, and this time-frame has now not been met,
   (iii) the latest figures showed around 105,000 older Australians are now waiting for a home care package they were approved for,
   (iv) the average wait time for a high level package has blown out to more than a year, and
   (v) the demand for home care packages grew by 20,000 older Australians in the last six months of 2017 alone;

(b) condemns the Turnbull Government for the aged care crisis it made on its watch; and
(c) calls on the Turnbull Government to be honest with older Australians and immediately release the latest round of data on the wait-list for home care packages.

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

Question put and passed.

26 Child poverty
Senator Bernardi, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 873—That the Senate—

(a) notes that:
   (i) on 23 June 2018, it will be 31 years since the then Prime Minister, Mr Hawke, told the Australian Labor Party’s election campaign launch that ‘by 1990 no Australian child will be living in poverty’,
   (ii) in 1990, the Australian Council of Social Services (ACOSS) recorded that 500,000 children were still living in poverty,
   (iii) in 2017, ACOSS indicated that an estimated 731,000 children were living in poverty,
   (iv) census data indicates that the majority of electorates with the lowest household incomes are outside the capital cities,
   (v) a disproportionate number of children living in poverty live in remote communities, particularly Indigenous communities, and
   (vi) the last Productivity Commission estimate showed $33.4 billion a year is spent on Indigenous Australians, and Indigenous-specific spending rose from $1.1 billion in 1990 to $6 billion in 2017; and

(b) calls on the Government to implement measures in communities with high incidence rates of child poverty that will actually lift families and communities out of poverty.

Question put and passed.

27 Climate change—Protection of agricultural sector
Senator Rice, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 874—That the Senate—

(a) commends recent public comments relating to the impacts of climate change from the Minister for Agriculture and Water Resources, including that ‘we need to help farmers adapt and change as the climate changes, to protect our food production, our rural jobs and country towns’.

(b) notes that:
   (i) the Garnaut Climate Change Review found that, by 2100, under the no mitigation case, there would be a 92% decline in irrigated agricultural production in the Murray-Darling Basin, and that under the hot, dry extreme case there would be ‘devastating consequences for the Australian wheat industry, leading to complete abandonment of production for most regions’;
(ii) vast sectors of Australian agriculture will be unable to effectively adapt to 3 or 4 or more degrees of warming, and that greenhouse gas reduction is the cheaper and more cost effective option for reducing climate change impacts on both our agricultural industries and rural and regional communities; and

(iii) the synthesis report into the aggregate effects of the Intended Nationally Determined Contributions (INDCs) submitted under the Paris Agreement, which was produced by the United Nations Framework Convention on Climate Change secretariat and presented at COP 22 in Marrakesh, found that the estimated aggregate annual global emission levels resulting from the implementation of the INDCs do not fall within the scope of least-cost 2°C scenarios by 2025 and 2030; and

(c) calls on the Government to protect Australian agriculture by committing Australia to do our fair share of implementing Article 2 of the Paris Agreement, which would require Australia to reduce our emissions in line with holding the increase in the global average temperature to well below 2°C above pre-industrial levels and pursuing efforts to limit the temperature increase to 1.5°C above pre-industrial levels.

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

Question put and passed.

28 Cambodia

The Leader of the Australian Greens (Senator Di Natale), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 877—That the Senate—

(a) notes:

(i) the suppression of democracy in Cambodia, the jailing of Opposition leader Kem Sokha and the dissolution of the main Opposition party, the Cambodian National Rescue Party, ahead of the 29 July 2018 national election,

(ii) the continued intimidation of journalists, closure of radio stations, including Radio Free Asia, and government moves to exert broad control over online news and social networking,

(iii) that such a pre-election environment is not conducive to holding free and fair national elections,

(iv) the restricted entry provisions imposed by the United States Government on people involved in Cambodian actions to undermine democracy, and

(v) that the European Union and the United States are not providing funding for the national election committee;

(b) recalls that, on 21 March 2018, Australia and 44 other countries delivered a Joint Statement at the 37th Session of the UN Human Rights Council, stating ‘an electoral process from which the main democratic opposition party has been arbitrarily excluded cannot be considered genuine or legitimate’;

(c) recognises Australia’s key leadership role in the Paris Peace Accord of 1991, which brought an end to the Cambodian Vietnamese war and began the move to democracy in Cambodia; and
(d) as a friend of Cambodia, urges the Cambodian Government to allow all its citizens to exercise their democratic rights, particularly ahead of the 2018 national election.

Question put and passed.

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

29 Yemen

Senator Whish-Wilson, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 879—That the Senate—

(a) notes that:

(i) 80% of people in Yemen are dependent on humanitarian assistance or protection,
(ii) 30% of people in Yemen are severely food insecure and at risk of starvation,
(iii) 70% of imports into Yemen flow through the Port of Hodeidah,
(iv) the United Nations Humanitarian Coordinator, Mr Mark Lowcock, has warned that if the operation of the Port of Hodeidah was to be interrupted the humanitarian consequences would be catastrophic, and
(v) the Saudi-led coalition’s military offensive on the City of Hodeidah is putting at risk the operation of the port; and

(b) calls on the Australian Government to support:

(i) United Nations’ efforts to find a non-military solution to the conflict in Yemen, and
(ii) efforts by the United Nations to ensure the Port of Hodeidah remains operational.

Question put and passed.

30 Electoral Matters—Joint Standing Committee—Reference

Senator Urquhart, at the request of Senator Farrell and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 880—That the Commonwealth Electoral Amendment (Lowering Voting Age and Increasing Voter Participation) Bill 2018 be referred to the Joint Standing Committee on Electoral Matters for inquiry and report by 18 October 2018.

Question put and passed.

31 Commonwealth Inscribed Stock Amendment (Restoring the Debt Ceiling) Bill 2018

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. 882—That the following bill be introduced:

A Bill for an Act to amend the Commonwealth Inscribed Stock Act 1911, and for related purposes.

Question put and passed.

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

Question put and passed.
Bill read a first time.
Senator Hanson moved—that this bill be now read a second time.

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

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

32 **Special Broadcasting Service—Broadcast of 2018 FIFA World Cup**

Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 884—that the Senate—

(a) notes that:
   (i) a 2016 sub-licensing deal between Optus and the Special Broadcasting Service (SBS) allowed Optus to screen all 64 matches of the 2018 FIFA World Cup, 39 of them exclusively,
   (ii) Optus charged customers $15 to access its streaming service of the World Cup, and
   (iii) technical errors left customers unable to watch matches during the tournament’s opening weekend;
(b) notes further that the SBS has since arranged to show all remaining group stage matches, for free, to all Australians;
(c) considers this experience has demonstrated, once again:
   (i) the importance of our public broadcasters, and
   (ii) that the SBS is an invaluable national public institution; and
(d) congratulates SBS for delivering outstanding value for money to taxpayers.

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

Question put and passed.

33 **Discussion of matter of public importance—Health system**

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

The need for Australia to have a more transparent and accountable health system that helps consumers make informed choices.

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

34 **Documents—Consideration**

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

Motion to take note of documents nos 5 to 10 moved by Senator Bartlett and agreed to.
Motion to take note of documents nos 1, 11 and 13 moved by Senator Urquhart. Consideration to resume on Thursday at general business.
Motion to take note of document no. 12 moved by Senator Rice. Consideration to resume on Thursday at general business.
35 **Firefighting foam contamination—Answer to question—Document**

The Minister for Communications (Senator Fifield) tabled the following document:

*Firefighting foam contamination—Answer to question—Letter to the President of the Senate from the Minister for Finance (Senator Cormann), dated 22 June 2018, providing information concerning a question without notice asked by Senator Rice on 19 June 2018.*

36 **Committee membership**

The Deputy President (Senator Lines) informed the Senate that the President had received a letter nominating senators to be members of a committee.

The Minister for Communications (Senator Fifield), by leave, moved—That Senators Bilyk and David Smith be appointed as members of the Select Committee on Charity Fundraising in the 21st Century.

Question put and passed.

37 **Aged Care (Single Quality Framework) Reform Bill 2018**

**Australian Research Council Amendment Bill 2018**

**National Consumer Credit Protection Amendment (Mandatory Comprehensive Credit Reporting) Bill 2018**

**Social Services Legislation Amendment (Payments for Carers) Bill 2018**

**Treasury Laws Amendment (2018 Measures No. 4) Bill 2018**

**Treasury Laws Amendment (2018 Superannuation Measures No. 1) Bill 2018**

**Treasury Laws Amendment (Accelerated Depreciation for Small Business Entities) Bill 2018**

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

- Message no. 402, dated 20 June 2018—A Bill for an Act to amend the law relating to aged care, and for related purposes.
- Message no. 412, dated 25 June 2018—A Bill for an Act to provide for mandatory comprehensive credit reporting, and for related purposes.
- Message no. 404, dated 21 June 2018—A Bill for an Act to amend the law relating to social security, and for related purposes.
- Message no. 413, dated 25 June 2018—A Bill for an Act to amend the law relating to taxation, superannuation, competition and consumers, and for related purposes.
- Message no. 401, dated 20 June 2018—A Bill for an Act to amend the law relating to taxation and superannuation, and for related purposes.
- Message no. 398, dated 19 June 2018—A Bill for an Act to amend the law relating to taxation, and for related purposes.

The Minister for Communications (Senator Fifield) moved—That these bills may proceed without formalities, may be taken together and be now read a first time.

Question put and passed.

Bills read a first time.

Senator Fifield moved—That these bills be now read a second time.

On the motion of Senator Fifield the debate was adjourned till the next day of sitting.
Consideration of legislation: Senator Fifield moved—That the bills be listed on the Notice Paper as separate orders of the day.
Question put and passed.

38 Social Services Legislation Amendment (Cashless Debit Card Trial Expansion) Bill 2018
A message from the House of Representatives was reported transmitting for the concurrence of the Senate the following bill:

Message no. 405, dated 21 June 2018—A Bill for an Act to amend the law relating to social security, and for related purposes.

The Minister for Communications (Senator Fifield) 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 Fifield moved—That this bill be now read a second time.

Consideration of legislation: Pursuant to order, the debate was adjourned till the day fixed for the Community Affairs Legislation Committee to report on the bill, 14 August 2018.

39 Australian Institute of Health and Welfare Amendment Bill 2018
Corporations (Review Fees) Amendment Bill 2018
Treasury Laws Amendment (APRA Governance) Bill 2018

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


Message no. 414, dated 25 June 2018—A Bill for an Act to amend the law relating to taxation, and for related purposes.

Message no. 416, dated 25 June 2018—A Bill for an Act to provide for an additional Deputy Chair of APRA, and for related purposes.

The Minister for Communications (Senator Fifield) moved—That these bills may proceed without formalities, may be taken together and be now read a first time.
Question put and passed.

Bills read a first time.

Senator Fifield moved—That these bills be now read a second time.

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

Consideration of legislation: Senator Fifield moved—That the bills be listed on the Notice Paper as separate orders of the day.
Question put and passed.
Notice
Senator McKim gave a notice of motion as follows: To move on the next day of sitting—that the provisions of the following bills be referred to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 14 August 2018:

(a) National Security Legislation Amendment (Espionage and Foreign Interference) Bill 2017; and
(b) Foreign Influence Transparency Scheme Bill 2017.

Committee membership
A message from the House of Representatives was reported informing the Senate of the appointment of a member of the House of Representatives to the Joint Standing Committee on Trade and Investment Growth, as follows:

Message no. 400, dated 20 June 2018—Mr TR Wilson.

Governor-General’s messages—Assent to laws
Messages from His Excellency the Governor-General were reported, informing the Senate that he had assented to the following laws:

21 June 2018—Messages nos—
17—
National Redress Scheme for Institutional Child Sexual Abuse Act 2018 (Act no. 45, 2018)

Australian Citizenship Amendment (Concessional Application Fees) Regulations—Disallowance
Senator McKim, pursuant to notice, moved business of the Senate notice of motion no. 2—that the Australian Citizenship Amendment (Concessional Application Fees) Regulations 2018, made under the Australian Citizenship Act 2007, be disallowed [F2018L00734].
Debate ensued.
Question put.
The Senate divided—

AYES, 31

Senators—
Bartlett
Bilyk
Brown
Chisholm
Collins
Di Natale
Dodson
Gallacher
Griff
Hanson-Young
Hinch
Keneally
Kitching
Lines
Marshall
McAllister*
McCarthy
McKim
Moore
O’Neill
Patrick
Rhiannon
Rice
Siewert
Singh
Smith, David
Steele-John
Sterle
Storer
Watt
Whish-Wilson
44 **Water Amendment Bill 2018**

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

Debate resumed.

The Assistant Minister for Agriculture and Water Resources (Senator Ruston) moved the following amendment:

> At the end of the motion, add “and, for the purposes of subsection 48(2) of the *Legislation Act 2003*, the Senate approves the making of an instrument the same in substance as the Basin Plan Amendment Instrument 2017 (No. 1), which was disallowed by the Senate on 14 February 2018”.

Question—That the amendment be agreed to—put.

The Senate divided—

**AYES, 44**

- Abetz
- Anning
- Bernardi
- Brockman
- Burston
- Bushby
- Canavan
- Colbeck
- Fierravanti-Wells
- Gallacher
- Georgiou
- Gichuhi
- Hanson
- Hume
- Lines
- Hanson-Young
- Hinch
- McKim

**NOES, 13**

- Abetz
- Anning
- Bernardi
- Burston
- Bushby
- Canavan
- Colbeck
- Fierravanti-Wells
- Gallacher
- Georgiou
- Gichuhi
- Hanson
- Hume
- Lines
- Hanson-Young
- Hinch
- McKim

* Tellers

Question agreed to.

Main question, as amended, put.
The Senate divided—

AYES, 44

Senators—

Anning          Fierravanti-Wells            Marshall            Reynolds
Bernardi        Gallacher                 Martin              Ruston
Bilyk           Georgiou                  McAllister          Seselja
Brockman        Gichuhi                   McCarthy            Singh
Brown           Hanson                   McGrath             Smith, David
Burston         Hume                     Molan               Smith, Dean
Bushby          Keneally                 Moore               Sterle
Cameron         Ketter                   O’Neill             Stoker
Colbeck         Kitching                 O’Sullivan          Storer
Duniam          Leyonhjelm               Paterson            Urquhart
Fawcett*        Lines                    Pratt               Watt

NOES, 12

Senators—

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

* Tellers

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

In the committee

Bill taken as a whole by leave.

Senator Hanson-Young moved the following amendment:

Page 6 (after line 11), at the end of the bill, add:

Schedule 2—Modifications of Basin Plan

Water Act 2007

1 At the end of Part 2AA

Add:

86AK Primacy of environmental considerations in delivering 450 GL of additional environmental water—modifications of Basin Plan 2012

(1) Section 7.09 of the Basin Plan 2012 has effect as if:

(a) the words “while maintaining or improving social and economic outcomes” were omitted from paragraph (a) of that section; and

(b) the words “economic, social and” were omitted from paragraph (d) of that section; and

(c) the words “and benchmark conditions of development” were omitted from paragraph (d) of that section.
(2) Subsection 7.17(2) of the Basin Plan 2012 has effect as if paragraph (b) of that subsection (including the heading) were omitted and substituted with the following:

**Improved environmental outcomes**

(b) The efficiency contributions to the proposed adjustments achieve improved environmental outcomes compared with the benchmark environmental outcomes.

2 Application

(1) The modifications of the Basin Plan 2012 made by subsection 86AK(1) of the Water Act 2007, as inserted by this Schedule, apply in relation to a supply measure or an efficiency measure, whether the supply measure, or the efficiency measure, was notified under section 7.12 of the Basin Plan 2012 before, on or after the commencement of this item.

(2) The modifications of the Basin Plan 2012 made by subsection 86AK(2) of the Water Act 2007, as inserted by this Schedule, apply in relation to an efficiency contribution that relates to an efficiency measure, whether the efficiency measure was notified under section 7.12 of the Basin Plan 2012 before, on or after the commencement of this item.

Debate ensued.

**Question**—That the amendment be agreed to—put.

The committee divided—

AYES, 12

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<th>Patrick</th>
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NOES, 38

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*Tellers

Question negatived.

**Bill agreed to and reported without amendment.**

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

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

**Question put.**
The Senate divided—

AYES, 38

Senators—

Anning  Gichuhi  McCarthy  Ruston
Bilyk    Hanson  McGrath  Seselja
Brockman Hume   Molan   Singh
Bushby  Keneally  Moore  Smith, David
Cameron Ketter  O’Neill  Smith, Dean*
Colbeck Kitching  O’Sullivan  Sterle
Duniam  Leyonhjelm  Paterson  Stoker
Fierravanti-Wells Marshall  Pratt  Storer
Gallacher Martin  Reynolds  Watt
Georgiou McAllister

NOES, 13

Senators—

Bartlett  Hanson-Young  Patrick  Siewert*
Bernardi  Hinch   Rhiannon  Steele-John
Di Natale McKim  Rice   Whish-Wilson
Griff

* Tellers

Question agreed to.

Bill read a third time.

45 Higher Education Support Legislation Amendment (Student Loan Sustainability) Bill 2018

Order of the day read for the adjourned debate on the motion of the Minister for International Development and the Pacific (Senator Fierravanti-Wells)—That this bill be now read a second time.

Debate resumed.

At 9.50 pm: Debate was interrupted while Senator Paterson was speaking.

46 Adjournment

The Acting Deputy President (Senator O’Sullivan) proposed the question—That the Senate do now adjourn.

Debate ensued.

The Senate adjourned at 10.18 pm till Tuesday, 26 June 2018 at midday.

47 Attendance

Present, all senators except Senators Payne*, Polley*, Sinodinos* and Williams* (*on leave).

RICHARD PYE
Clerk of the Senate

Published by authority of the Senate