No. 27: Thursday, 14 November 2019

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1 **Meeting of Senate**

The Senate met at 9.30 am. The President (Senator the Honourable Scott Ryan) took the chair, read prayers and made an acknowledgement of country.

2 **Unparliamentary language—Statement by President**

The President made a statement relating to unparliamentary language and matters raised in the Senate during question time on 13 November 2019 and earlier in the week.

3 **Documents**

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.*

- Amendments to Australian Accounting Standards – Interest Rate Benchmark Reform—AASB 2019-3 [F2019L01442].
- **Customs Act 1901**—Customs By-law No. 1919366 [F2019L01439].
- **Midwife Professional Indemnity (Commonwealth Contribution) Scheme Act 2010**—Midwife Professional Indemnity (Commonwealth Contribution) Scheme Amendment (Eligible Midwives) Rules 2019 [F2019L01444].

4 **Committees—Leave to meet during sitting**

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

- Education and Employment Legislation Committee—public meeting on Thursday, 5 December 2019, from 4 pm, for the committee’s consideration of the 2019-20 supplementary Budget estimates.
- Legal and Constitutional Affairs References Committee—private meeting otherwise than in accordance with standing order 33(1) today, from 11 am.
- Multi-Jurisdictional Management and Execution of the Murray Darling Basin Plan—Select Committee—private meeting otherwise than in accordance with standing order 33(1) today, from 4.30 pm.
5 National Disability Insurance Scheme Amendment (Streamlined Governance) Bill 2019

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

In the committee

Bill, taken as a whole by leave, debated.

Explanatory memorandum: The Minister for Families and Social Services (Senator Ruston) tabled a supplementary explanatory memorandum relating to the government amendments to be moved to the bill.

Senator Ruston moved the following amendments together by leave:

Schedule 1, heading, page 3 (line 1), omit “Amendments”, substitute “Main amendments”.

Page 16 (after line 19), at the end of the Bill, add:

Schedule 2—Other amendments

National Disability Insurance Scheme Act 2013

1 At the end of section 66

Add:

(4) If:

(a) the CEO or an Agency officer is served with a summons or notice, or is otherwise subject to a requirement, under the Royal Commissions Act 1902; and

(b) in order to comply with the summons, notice or requirement, the CEO or Agency officer would be required to disclose information that is protected Agency information;

then, despite sections 62 and 67G of this Act, the CEO or Agency officer must, subject to the Royal Commissions Act 1902, disclose that information. The information is taken to have been disclosed for the purposes of the Royal Commissions Act 1902 and of the Royal Commission concerned.

2 At the end of section 67E

Add:

(4) If:

(a) the Commissioner or a Commission officer is served with a summons or notice, or is otherwise subject to a requirement, under the Royal Commissions Act 1902; and

(b) in order to comply with the summons, notice or requirement, the Commissioner or Commission officer would be required to disclose information that is protected Commission information;

then, despite sections 67B and 67G of this Act, the Commissioner or Commission officer must, subject to the Royal Commissions Act 1902, disclose that information. The information is taken to have been disclosed for the purposes of the Royal Commissions Act 1902 and of the Royal Commission concerned.

3 Section 67G

After “except for the purposes of this Act”, insert “or the Royal Commissions Act 1902”.
4 Application provision

The amendments of sections 66 and 67E of the National Disability Insurance Scheme Act 2013 made by this Schedule apply in relation to a summons or notice served, or a requirement made, on or after the commencement of this item (whether the protected Agency information or protected Commission information came into existence before, on or after that commencement).

Debate ensued.

The Minister for Finance (Senator Cormann) moved—That the committee report progress and ask leave to sit again.

Question put.

The committee divided—

**AYES, 35**

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* Tellers

Question agreed to.

The President resumed the chair and the Temporary Chair of Committees (Senator Griff) reported that the committee had considered the bill, made progress and asked leave to sit again.

Senator Cormann moved—That the committee have leave to sit again at a later hour.

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

Question—That the question be now put—put.
The Senate divided—

AYES, 34

Senators—

Abetz  Cormann  McDonald  Rennick
Antic  Davey  McGrath*  Roberts
Askew  Duniam  McKenzie  Ruston
Bernardi  Fawcett  McMahon  Scarr
Birmingham  F ierravanti-Wells  O’Sullivan  Seselja
Bragg  Griff  Paterson  Smith, Dean
Brockman  Hanson  Patrick  Stoker
Chandler  Henderson  Payne  Van
Colbeck  Hume

NOES, 31

Senators—

Ayres  Green  McKim  Sterle
Brown  Hanson-Young  O’Neill  Urquhart
Carr  Keneally  Polley  Walsh
Chisholm  Kitching  Pratt  Waters
Ciccone  Lambie  Sheldon  Watt
Di Natale  Lines  Siewert  Whish-Wilson
Faruqi  McAllister  Smith, Marielle  Wong
Gallagher  McCarthy*  Steele-John

*Tellers

Question agreed to.

Main question put and passed.

6 National Disability Insurance Scheme Amendment (Streamlined Governance) Bill 2019—Consideration

Leave refused: The Minister for Finance (Senator Cormann) sought leave to move a motion relating to the consideration of the National Disability Insurance Scheme Amendment (Streamlined Governance) Bill 2019. An objection was raised and leave was not granted.

Suspension of standing orders: Senator Cormann, pursuant to contingent notice, moved—that so much of the standing orders be suspended as would prevent him moving a motion to provide for the consideration of a matter, namely a motion to provide for a limitation of debate on the bill.

Closure: Senator Cormann moved—that the question be now put.

Question—that the question be now put—put.

The Senate divided—

AYES, 36

Senators—

Abetz  Cormann  McDonald  Reynolds
Antic  Davey  McGrath  Roberts
Askew  Duniam  McKenzie  Ruston
Bernardi  Fawcett  McMahon  Ryan
Birmingham  F ierravanti-Wells  O’Sullivan  Scarr
Bragg  Griff  Paterson  Seselja
Brockman  Hanson  Patrick  Smith, Dean*
Chandler  Henderson  Payne  Stoker
Colbeck  Hume  Rennick  Van
NOES, 32

Senators—
Ayres  Gallagher  McCarthy*  Steele-John
Brown  Green  McKim  Sterle
Carr  Hanson-Young  O’Neill  Urquhart
Chisholm  Keneally  Polley  Walsh
Ciccone  Kittchig  Pratt  Waters
Di Natale  Lambie  Shelton  Watt
Dodson  Lines  Siewert  Whish-Wilson
Faruqi  McAllister  Smith, Marielle  Wong

* Tellers

Question agreed to.

Question—That the motion to suspend standing orders be agreed to—put.
The Senate divided—

AYES, 36

Senators—
Abetz  Cormann  McDonald  Reynolds
Antic  Davey  McGrath  Roberts
Askew  Duniam  McKenzie  Ruston
Bernardi  Fawcett  McMahon  Ryan
Birmingham  Fierravanti-Wells  O’Sullivan  Scarr
Bragg  Griff  Paterson  Seselja
Brockman  Hanson  Patrick  Smith, Dean*
Chandler  Henderson  Payne  Stoker
Colbeck  Hume  Rennick  Van

NOES, 32

Senators—
Ayres  Gallagher  McCarthy*  Steele-John
Brown  Green  McKim  Sterle
Carr  Hanson-Young  O’Neill  Urquhart
Chisholm  Keneally  Polley  Walsh
Ciccone  Kittchig  Pratt  Waters
Di Natale  Lambie  Shelton  Watt
Dodson  Lines  Siewert  Whish-Wilson
Faruqi  McAllister  Smith, Marielle  Wong

* Tellers

Question agreed to.

Senator Cormann moved—That:
(a) if consideration of the National Disability Insurance Scheme Amendment (Streamlined Governance) Bill 2019 is not completed by 1.30 pm today, the questions on all remaining stages of the bill shall then be put; and
(b) paragraph (a) operate as a limitation of debate under standing order 142.

Question put.
The Senate divided—

**AYES**, 36

Senators—

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**NOES**, 32

Senators—

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*Tellers*

Question agreed to.

*Statement by leave*: Senator Steele-John, by leave, made a statement relating to the matter.

7 **National Disability Insurance Scheme Amendment (Streamlined Governance) Bill 2019**

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

—in the committee

Consideration resumed of the bill—and of the amendments moved by the Minister for Families and Social Services (Senator Ruston) (see entry no. 5).

Debate resumed.

—at 11.45 am: The President resumed the chair and the Chair of Committees (Senator Lines) reported progress.

8 **Petition**

The following petition, lodged with the Clerk by Senator Fierravanti-Wells, was received:

From 10,000 petitioners, requesting that the Senate pass a Religious Freedom Act that contains general protections for religious believers.

*Leave refused*: Senator Fierravanti-Wells sought leave to make a statement relating to the petition. An objection was raised and leave was not granted.
9 Leave of absence
Senator Urquhart, by leave, moved—That leave of absence be granted to the following senators for today:
(a) Senator Bilyk, on account of parliamentary business; and
(b) Senator Gallagher, for personal reasons.
Question put and passed.

10 Notices
The Chair of the Standing Committee on Regulations and Ordinances (Senator Fierravanti-Wells): To move 15 sitting days after today—That the Helicopter Aerial Application Endorsements Exemption 2019, made under the Civil Aviation Act 1988, be disallowed [F2019L01132].

Senator Brown: To move on the next day of sitting—That the Senate—
(a) notes that:
   (i) the Department of Home Affairs employs over 100 dedicated and hardworking Tasmanians to process visa applications,
   (ii) this is crucial work that ensures the integrity of our visa processing system and is the cornerstone of our sovereignty as a nation,
   (iii) the Federal Government’s plan to privatise Australia’s visa system threatens the livelihoods of over 100 Tasmanians and their families, and
   (iv) privatising Australia’s visa system will lead to increased costs of visas, greater risks of worker exploitation, data security breaches and will make protecting national security more difficult;
(b) condemns the Federal Government for auctioning Australian jobs off to the highest bidder, and for undermining the integrity of our visa processing system and our nation’s sovereignty; and
(c) calls on the Federal Government to guarantee the protection of these 104 jobs in Tasmania, and the 2000 jobs across Australia, which will be lost under the Morrison Government if they persist with their efforts to privatise Australia’s visa system. (general business notice of motion no. 265)

Senator Waters: To move on the next day of sitting—That the Senate—
(a) notes that:
   (i) the parliamentary inquiry into Australia’s Family Law System is going ahead, despite the strong opposition of the women’s safety sector,
   (ii) specialist services across the women’s safety sector have been contacted by survivors who are concerned that the inquiry is going ahead, and concerned they will not be believed when they speak of family violence,
   (iii) concerns continue to be raised by the women’s safety sector, including from the Australian Women Against Violence Alliance, that:
      (A) this inquiry is unnecessary and harmful,
      (B) many victims and survivors of family violence will not feel safe to give evidence, and
(C) those victims, survivors and other persons who do wish to give
evidence should be supported to do so, having regard to mental
and physical health risks,

(iv) specialist domestic and family violence services expect an increase in
demand while the inquiry remains under way, and

(v) the secretariat of the Joint Select Committee on Australia’s Family Law
System has been informed about the essential safeguards that are needed
to mitigate these concerns, but no commitments have yet been made; and

(b) calls on the Federal Government to take action to ensure that witnesses who
choose to give evidence to the inquiry can do so safely, and that evidence given to
the inquiry is treated respectfully, by:

(i) putting in place the essential safeguards being called for by women’s safety
experts to protect witnesses during the conduct of the inquiry, including
rules about giving evidence in confidence or remotely, ensuring safe access
to hearing venues, and media protocols,

(ii) not holding hearings until such safeguards and support for survivors of
violence are implemented, and

(iii) adequately funding frontline domestic, family and sexual violence and
crisis housing services and community legal services to ensure that all
survivors can access these services when and where they need them.

(\textit{general business notice of motion no. 266})

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

(1) That there be laid on the table by the Minister representing the Minister for the
Environment, by not later than the last sitting day of each year, the report detailing
Australia’s estimated future greenhouse gas emissions, Australia’s emissions
projections.

(2) This order is of continuing effect. (\textit{general business notice of motion no. 267})

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

(a) notes that:

\begin{itemize}
  \item[(i)] Newstart has not had an increase in real terms for 25 years, and
  \item[(ii)] Newstart is a poverty trap; and
\end{itemize}

(b) calls on the Federal Government to raise the rate of Newstart immediately.

(\textit{general business notice of motion no. 268})

\textit{Notices of motion withdrawn:}

Senator Siewert, pursuant to notice of intention given on 13 November 2019, withdrew
business of the Senate notice of motion no. 3, standing in her name and in the name of
Senator McKim for today for the disallowance of the Quality of Care Amendment
(Minimising the Use of Restraints) Principles 2019 [F2019L00511].
The Chair of the Standing Committee on Regulations and Ordinances (Senator Fierravanti-Wells), pursuant to notice of intention given on 13 November 2019, withdrew business of the Senate notices of motion no. 1 and 2 standing in her name for two sitting days after today for the disallowance of the following instruments:

- Air Services Regulations 2019 [F2019L00371].
- Road Vehicle Standards Rules 2018 [F2019L00198].

11 **Selection of Bills—Standing Committee—Report no. 8 of 2019**

The Chair of the Selection of Bills Committee (Senator Dean Smith) tabled the following report:

**SELECTION OF BILLS COMMITTEE**

**REPORT NO. 8 OF 2019**

1. The committee met in private session on Wednesday, 13 November 2019 at 7:37 pm.

2. The committee recommends that—

   (a) the provisions of the Anti-Money Laundering and Counter-Terrorism Financing and Other Legislation Amendment Bill 2019 be referred immediately to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 7 February 2020; and

   (b) the provisions of the Australian Sports Anti-Doping Authority Amendment (Sport Integrity Australia) Bill 2019 be referred immediately to the Community Affairs Legislation Committee for inquiry and report by 3 February 2020; and

   (c) the Public Governance, Performance and Accountability Amendment (Tax Transparency in Procurement and Grants) Bill 2019 be referred immediately to the Finance and Public Administration Legislation Committee for inquiry and report by 19 March 2020.

3. The committee recommends that the following bills not be referred to committees:

   - Aged Care Legislation Amendment (New Commissioner Functions) Bill 2019
   - Communications Legislation Amendment (Deregulation and Other Measures) Bill 2019
   - Education Legislation Amendment (2019 Measures No. 1) Bill 2019
   - Fair Work Amendment (Restoring Penalty Rates) Bill 2018 [No. 2]

4. The committee deferred consideration of the following bills to its next meeting:

   - Air Services Amendment Bill 2018
   - Australian Sports Anti-Doping Authority Amendment (Enhancing Australia’s Anti-Doping Capability) Bill 2019
   - Constitution Alteration (Freedom of Expression and Freedom of the Press) 2019
   - Customs Amendment (Safer Cladding) Bill 2019
   - Discrimination Free Schools Bill 2018
   - Family Law (Self-Assessment) Bill 2019
Governor-General Amendment (Cessation of Allowances in the Public Interest) Bill 2019
Great Australian Bight Environment Protection Bill 2019
Health Legislation Amendment (Data-matching and Other Matters) Bill 2019
Military Rehabilitation and Compensation Amendment (Single Treatment Pathway) Bill 2019
National Integrity (Parliamentary Standards) Bill 2019
Official Development Assistance Multilateral Replenishment Obligations (Special Appropriation) Bill 2019
Regional Forest Agreements Legislation (Repeal) Bill 2017
Social Services Legislation Amendment (Better Targeting Student Payments) Bill 2019
Social Services Legislation Amendment (Ending the Poverty Trap) Bill 2018
Social Services Legislation Amendment (Payment Integrity) Bill 2019
Telecommunications Legislation Amendment (Unsolicited Communications) Bill 2019
Transport Security Amendment (Serious Crime) Bill 2019
Treasury Laws Amendment (Reducing Pressure on Housing Affordability Measures) Bill 2019
Foreign Acquisitions and Takeovers Fees Imposition Amendment (Near-new Dwelling Interests) Bill 2019.

5. The committee considered the Australian Citizenship Amendment (Citizenship Cessation) Bill 2019 but was unable to reach agreement.

Dean Smith
Chair

Senator Dean Smith moved—that the report be adopted.

The Minister for Families and Social Services (Senator Ruston) moved the following amendment:

At the end of the motion, add “and, in respect of the Australian Citizenship Amendment (Citizenship Cessation) Bill 2019, the bill not be referred to a committee.”

Question—that the amendment be agreed to—put and passed.
Main question, as amended, put and passed.

12 Leave of absence

Senator Siewert, by leave, moved—that leave of absence be granted to Senator Rice for today, for personal reasons.

Question put and passed.

Senator Dean Smith, by leave, moved—that leave of absence be granted to Senator Canavan for today, on account of ministerial business.

Question put and passed.
13 **Order of business—Rearrangement**

The Minister for Families and Social Services (Senator Ruston) moved—That—

(a) the following government business orders of the day be considered from 12.45 pm today:
   - No. 5 National Health Amendment (Safety Net Thresholds) Bill 2019
   - No. 6 Education Legislation Amendment (2019 Measures No. 1) Bill 2019
   - No. 7 Defence Service Homes Amendment Bill 2019
   - No. 8 Treasury Laws Amendment (International Tax Agreements) Bill 2019
   - No. 9 Medical and Midwife Indemnity Legislation Amendment Bill 2019; and

(b) government business be called on after consideration of the bills listed in paragraph (a) and considered till not later than 2 pm today.

Question put and passed.

Senator Ruston moved—That the order of general business for consideration today be as follows:

(a) general business notice of motion no. 251 standing in the name of the Leader of Pauline Hanson’s One Nation (Senator Hanson) relating to a Bradfield-type scheme;

(b) general business notice of motion no. 263 standing in the name of Senator Patrick relating to export policy; and

(c) orders of the day relating to documents.

Question put and passed.

14 **Postponements**

Business was postponed as follows:

Business of the Senate notice of motion no. 4 standing in the name of Senator Patrick for today, proposing a reference to the Foreign Affairs, Defence and Trade References Committee, postponed till 25 November 2019.

General business notice of motion no. 226 standing in the name of Senator Waters for today, relating to violence against women, postponed till 25 November 2019.

General business notice of motion no. 249 standing in the names of Senators Sheldon and Gallacher for today, relating to the road transport industry, postponed till 25 November 2019.

15 **National Apology to the Forgotten Australians and Former Child Migrants—10 year anniversary**

The Minister for Families and Social Services (Senator Ruston), also on behalf of Senators Siewert, Hanson, Lambie, Brown and Griff, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 261—That the Senate—

(a) notes that:

   (i) 16 November 2019 marks the 10 year anniversary of the National Apology to the Forgotten Australians and Former Child Migrants,

   (ii) an estimated 500,000 children and 7,000 child migrants were placed in institutional or out-of-home care in the last century,
many of these children experienced appalling abuse, mistreatment and neglect, most often by the very people responsible for their care, and these Australians faced, and continue to face, an injustice no child should have;

(b) commemorates this anniversary of an acknowledgement of truth that had previously been denied;

(c) acknowledges the victims of this wrong and the deep levels of profound loss, grief, trauma and pain they continue to suffer;

(d) remembers those whose suffering was overwhelming and are tragically no longer with us;

(e) remains strongly committed to supporting forgotten Australians and former child migrants;

(f) reiterates the central principle that children’s interests are paramount and at the centre of all decisions impacting their lives; and

(g) continues to work with state and territory governments to make certain we do not repeat the mistakes of the past.

Statements by leave: Senators Ruston and Siewert, by leave, made statements relating to the motion.

Question put and passed.

16 Community Affairs References Committee—Reference—Access to medicinal cannabis

The Leader of the Australian Greens (Senator Di Natale), also on behalf of Senator Urquhart, pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 3—That the following matter be referred to the Community Affairs References Committee for inquiry and report by 12 February 2020:

The current barriers to patient access to medicinal cannabis in Australia, including:

(a) the appropriateness of the current regulatory regime through the Therapeutic Goods Administration (TGA) Special Access Scheme, Authorised Prescriber Scheme and clinical trials;

(b) the suitability of the Pharmaceutical Benefits Scheme for subsidising patient access to medicinal cannabis products;

(c) the interaction between state and territory authorities and the Commonwealth, including overlap and variation between state and territory schemes;

(d) Australia’s regulatory regime in comparison to international best practice models for medicinal cannabis regulation and patient access;

(e) the availability of training for doctors in the current TGA regulatory regime for prescribing medicinal cannabis to their patients;

(f) the education of doctors in the Endogenous Cannabinoid System (ECS), and the appropriateness of medicinal cannabis treatments for various indications;

(g) sources of information for doctors about uses of medicinal cannabis and how these might be improved and widened;
(h) delays in access, and the practice of product substitution, due to importation of medicinal cannabis and the shortage of Australian manufactured medicinal cannabis products;

(i) the current status of the domestic regulated medicinal cannabis industry;

(j) the impacts on the mental and physical wellbeing of those patients struggling to access medicinal cannabis through Australia’s regulatory regime;

(k) the particular barriers for those in rural and remote areas in accessing medicinal cannabis legally;

(l) the significant financial barriers to accessing medicinal cannabis treatment;

(m) the number of Australian patients continuing to rely on unregulated supply of medicinal cannabis due to access barriers and the impacts associated with that; and

(n) any related matters.

Statement by leave: The Assistant Minister for Forestry and Fisheries (Senator Duniam), by leave, made a statement relating to the motion.

Question put.

The Senate divided—

AYES, 35

Senators—

Ayres          Green          McCarthy         Smith, Marielle
Brown         Griff          McKim          Steele-John
Carr            Hanson        O’Neill         Sterle
Chisholm      Hanson-Young   Patrick        Urquhart*
Ciccone        Keneally       Polley          Walsh
Di Natale      Kitching       Pratt           Waters
Dodson         Lambie         Roberts        Watt
Faruqui        Lines          Sheldon        Whish-Wilson
Gallagher     McAllister      Siewert

NOES, 31

Senators—

Abetz          Cormann        McGrath        Ruston
Antic          Davey          McKenzie      Ryan
Askew          Duniam        McMahon        Scarr
Bernardi       Fawcett        O’Sullivan     Seselja
Bragg          F ierravanti-Wells  Paterson    Smith, Dean*
Brockman    Henderson        Payne           Stoker
Chandler       Hume           Rennick       Van
Colbeck        McDonald       Reynolds

* Tellers

Question agreed to.
17 Rural and Regional Affairs and Transport References Committee—Reference—Federal Government’s drought response

Senator Urquhart, at the request of the Chair of the Rural and Regional Affairs and Transport References Committee (Senator Sterle) and pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 2—that the following matter be referred to the Rural and Regional Affairs and Transport References Committee for inquiry and report by 18 June 2020:

The Federal Government’s response to the drought, and the adequacy and appropriateness of policies and measures to support farmers, regional communities and the Australian economy, with particular reference to:

(a) loans and financial support;
(b) water availability, infrastructure, agreement and supply measures;
(c) various market impacts of the measures;
(d) interaction with existing legislative and regulatory instruments across jurisdictions;
(e) the response to the Drought Coordinator’s report;
(f) preparedness for the current drought and the capacity of the Australian Government to prepare for future drought; and
(g) any other related matters.

Question put and passed.

18 Days of meeting

The Assistant Minister for Forestry and Fisheries (Senator Duniam), at the request of the Minister for Families and Social Services (Senator Ruston) and pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 1—that the days of meeting of the Senate for 2020 be as follows:

Autumn sittings:
- Tuesday, 4 February to Thursday, 6 February
- Monday, 10 February to Thursday, 13 February
- Monday, 24 February to Thursday, 27 February
- Monday, 23 March to Thursday, 26 March

Budget sittings:
- Tuesday, 12 May to Thursday, 14 May

Winter sittings:
- Monday, 15 June to Thursday, 18 June
- Monday, 22 June to Thursday, 25 June
Spring sittings:
Tuesday, 11 August to Thursday, 13 August
Monday, 17 August to Thursday, 20 August
Monday, 7 September to Thursday, 10 September
Monday, 14 September to Thursday, 17 September
Monday, 12 October to Thursday, 15 October
Monday, 9 November to Thursday, 12 November
Monday, 23 November to Thursday, 26 November
Monday, 30 November to Thursday, 3 December.

Question put and passed.

19 Legislation committees—Estimates hearings
The Assistant Minister for Forestry and Fisheries (Senator Duniam), at the request of the Minister for Families and Social Services (Senator Ruston), amended government business notice of motion no. 2 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—

(1) That estimates hearings by legislation committees for 2020 be scheduled as follows:

**2019-20 additional estimates:**
Monday, 2 March and Tuesday, 3 March (*Group A*)
Wednesday, 4 March and Thursday, 5 March (*Group B*).

**2020-21 Budget estimates:**
Monday, 25 May to Thursday, 28 May, and, if required, Friday, 29 May (*Group A*)
Tuesday, 2 June to Friday, 5 June, and, if required, Friday, 19 June (*Group B*)
Monday, 19 October and Tuesday, 20 October (*supplementary hearings—* *Group A*),
Wednesday, 21 October and Thursday, 22 October (*supplementary hearings—* *Group B*).

(2) That cross portfolio estimates hearings on Indigenous matters and on Murray Darling Basin Plan matters be scheduled for Friday, 6 March, Friday, 29 May and Friday, 23 October, but not restricted to these days.

(3) That the committees consider the proposed expenditure in accordance with the allocation of departments and agencies to committees agreed to by the Senate.

(4) That committees meet in the following groups:

**Group A:**
Environment and Communications
Finance and Public Administration
Legal and Constitutional Affairs
Rural and Regional Affairs and Transport

**Group B:**
Community Affairs
Economics
Education and Employment
Foreign Affairs, Defence and Trade.
That the committees report to the Senate on the following dates:

(a) Tuesday, 24 March 2020 in respect of the 2019-20 additional estimates; and

(b) Tuesday, 23 June 2020 in respect of the 2020-21 Budget estimates.

Question put and passed.

20 Protection visas—Order for production of documents

Senator Urquhart, at the request of Senator Keneally and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 246—

(1) The Senate notes that the Australian public has a right to know vital information that is held within the Department of Home Affairs, and that regular and timely information should be reported to the Senate and the Australian people to provide oversight and transparency on activities of the Department.

(2) That a monthly update of onshore protection visa lodgements be laid on the table by the Minister representing the Minister for Home Affairs, by not later than 14 days after each:

(a) 31 January;
(b) 28 February;
(c) 31 March;
(d) 30 April;
(e) 31 May;
(f) 30 June;
(g) 31 July;
(h) 31 August;
(i) 30 September;
(j) 31 October;
(k) 30 November; and
(l) 31 December.

(3) Each monthly update must include the total number of:

(a) protection visa lodgements made onshore during the period;
(b) protection visa lodgements made onshore at airports, by airport and state, during the period;
(c) individuals, by country of origin, that made a lodgement for a protection visa onshore during the period;
(d) individuals, by age and gender, that made a lodgement for a protection visa onshore during the period;
(e) refugee status determinations made during the period;
(f) individuals granted a Final Protection Visa during the period;
(g) individuals, by country of origin, granted a Final Protection Visa during the period, and the grant rate;
(h) individuals, by age and gender, granted a Final Protection Visa during the period, and the grant rate;
(i) individuals that were not granted a Final Protection Visa during the period, and the grant rate;
(j) individuals, by country of origin, that were not granted a Final Protection Visa during the period, and the grant rate;
(k) individuals, by age and gender, that were not granted a Final Protection Visa during the period, and the grant rate;
(l) individuals that were not granted a Final Protection Visa that were deported during the period, and the deportation rate;
(m) refugee status determinations awaiting a decision at the end of the period; and
(n) individuals that were not granted a Final Protection Visa that have yet to be deported at the end of the period.

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

(5) This order is of continuing effect.

Statement by leave: The Assistant Minister for Forestry and Fisheries (Senator Duniam), by leave, made a statement relating to the motion.
Question put and passed.

21 Agricultural workforce

Senator Urquhart, at the request of Senator Keneally and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 247—That the Senate—

(a) notes that:
   (i) 21 November is National Agriculture Day,
   (ii) farmers are the lifeblood of this country, and we have always relied on Australia’s farming sector to underpin our economic growth and prosperity,
   (iii) current workforce shortages in the horticultural industry are adversely impacting production on our farms and, in turn, the livelihoods of our farmers,
   (iv) this workforce labour shortage is now a crisis, as stated by the Member for Mallee, and demonstrated in a recent expose by The Project,
   (v) the demand for workers is being met by unscrupulous labour hire companies who trade on the vulnerable,
   (vi) Australia’s airports have become a pathway for criminal syndicates and people smugglers to traffic migrant workers into Australia, and exploit the loopholes and delays caused by the Minister for Home Affairs (Mr Dutton) and the Department of Home Affairs,
   (vii) although the Federal Government has refused to acknowledge the issue, the Assistant Minister for Customs, Community Safety and Multicultural Affairs has written that ‘Organised crime and illegitimate labour-hire companies are using this loophole to bring out illegal workers who are often vulnerable and open to exploitation’,
(viii) while the Federal Government has ignored this issue, the people smugglers have changed their business model from boats to planes, and
(ix) the people smugglers victimise both foreign workers and our farmers by exploiting loopholes in our visa system, putting the livelihood of farmers and the lives of vulnerable people at risk; and
(b) calls on the Federal Government to take immediate action to combat workforce shortages in our horticultural industry by preventing the ongoing trafficking and exploitation of foreign workers by criminal syndicates and people smugglers.

Statements by leave: The Assistant Minister for Forestry and Fisheries (Senator Duniam), the Leader of Pauline Hanson’s One Nation (Senator Hanson) and Senator McKim, by leave, made statements relating to the motion.

Question put and passed.

22 National Relay Service—CapTel services
Senator Urquhart, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 248—That the Senate—
(a) notes that:
(i) the National Relay Service (NRS) allows deaf and hearing impaired Australians to make and receive telephone calls through the use of text relay services,
(ii) the NRS can be accessed through different options, including CapTel, teletypewriters, SMS and internet relay,
(iii) the Federal Government has decided to end access to CapTel for NRS users as of 1 February 2020,
(iv) CapTel currently carries up to 60% of total call minutes generated by users who rely on the NRS,
(v) according to the Australian Bureau of Statistics National Health Survey, the number of Australians over the age of 65 who are deaf or hearing impaired has increased from 1.016 million in 2012 to 1.211 million in 2018,
(vi) the Federal Government is reducing operational funding to the NRS from $27.7 million to $22 million per annum – a reduction of 20%, and
(vii) up to 3,500 elderly Australians, some whom live alone, currently rely on CapTel to stay in touch with family and friends, and to access emergency services;
(b) further notes that:
(i) the average age of a CapTel user is 82 years old,
(ii) many elderly deaf Australians impacted by this decision consider CapTel is the best technology to support their communications needs,
(iii) the Federal Government did not consult CapTel users on its decision, and
(iv) the Federal Government is seeking to force many CapTel users onto teletypewriters – in 2016, the Department of Communications referred to this technology as ‘legacy’ and sought views on phasing it out;
(c) condemns the Federal Government for not consulting elderly CapTel users, or their concerned family members, before making a decision that would affect their welfare; and

(d) calls on the Federal Government to stop imposing inferior communications options on CapTel users, and instead consult the community to find the best outcome.

Statement by leave: The Assistant Minister for Forestry and Fisheries (Senator Duniam), by leave, made a statement relating to the motion.

Question put.

The Senate divided—

AYES, 36

Senators—

Ayres Gallager McAllister Siewert
Brown Green McCarthy Smith, Marielle
Carr Griff McKim Steele-John
Chisholm Hanson O'Neill Sterle
Ciccone Hanson-Young Patrick Urquhart*
Di Natale Keneally Polley Walsh
Dodson Kitching Pratt Waters
Farrell Lambie Roberts Watt
Faruqi Lines Sheldon Whish-Wilson

NOES, 32

Senators—

Abetz Colbeck McDonald Reynolds
Antic Cormann McGrath Ruston
Askew Davey McKenzie Ryan
Bernardi Duniam McMahon Scarr
Birmingham Fawcett O'Sullivan Seselja
Bragg Fierravanti-Wells Paterson Smith, Dean*
Brockman Henderson Payne Stoker
Chandler Hume Rennick Van

*Tellers

Question agreed to.

23 Western Australia Education Awards

Senator Dean Smith, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 250—That the Senate—

(a) notes that the 2019 Western Australian Education Awards were announced on 28 October 2019;

(b) further notes that there are 11 award categories, including WA Beginning Teacher of the Year, which is awarded to a new teacher who brings fresh ideas, enthusiasm and passion to their classrooms and to the profession;

(c) congratulates the winner of the 2019 WA Beginning Teacher of the Year, Ms Tasmin Drummond, from Vasse Primary School, Kaloorup Road, Vasse WA; and
(d) recognises all finalists nominated for 2019 WA Beginning Teacher of the Year: Mr Dion Alfonsi from Shenton College, Stubbs Terrace, Shenton Park WA; Mr Kieron Alford from Belmont City College, Fisher Street, Belmont WA; and Ms Julie Hughes from Ashdale Secondary College, Westport Parade, Darch WA.

Question put and passed.

24 Early childhood education

Senator Urquhart, at the request of Senators Marielle Smith and Bilyk and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 252—That the Senate—

(a) recognises that:

(i) the first three years of life determine essential foundations for learning, development, and well-being into adulthood,

(ii) access to affordable, high quality early education and care is critical to children’s early development,

(iii) all Australian children deserve access to quality early education and care, regardless of where they live, and

(iv) childcare costs are going up for working families, who are already struggling with stagnating wages, a slowing economy, and skyrocketing costs of living; and

(b) calls on the Federal Government to make early childhood education and care a priority, provide long-term funding certainty for four year old preschool and extend the program to three year olds.

Statements by leave: The Assistant Minister for Forestry and Fisheries (Senator Duniam), Senator Faruqi and the Leader of Pauline Hanson’s One Nation (Senator Hanson), by leave, made statements relating to the motion.

Question put.

The Senate divided—

AYES, 33

Senators—

Ayres, Gallagher, McCarthy, Smith, Marielle
Brown, Green, McKim, Steele-John
Carr, Griff, O’Neill, Sterle
Chisholm, Hanson-Young, Patrick, Urquhart*
Ciccone, Keneally, Polley, Walsh
Di Natale, Kitching, Pratt, Waters
Dodson, Lines, Sheldon, Watt
Farrell, McAllister, Siewert, Whish-Wilson
Faruqi
25 **Ronald McDonald House Charities Australia**

The Assistant Minister for Finance, Charities and Electoral Matters (Senator Seselja), also on behalf of Senator Kitching, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 253—That the Senate—

(a) notes that:

(i) 16 November 2019 is McHappy Day,

(ii) McHappy Day is one of the largest national fundraisers for Ronald McDonald House Charities Australia, and has been running for over 25 years to support families of seriously ill and injured children,

(iii) Ronald McDonald House Charities is a national not-for-profit with a mission of helping seriously ill and injured children and their families,

(iv) Ronald McDonald House is a well-known children’s charity, with a local presence in communities across the country, including regional Australia,

(v) the cornerstone of the Ronald McDonald House Charities is providing a ‘home away from home’ for families of seriously ill children being treated at nearby hospitals, and

(vi) many generous donors support this incredibly important cause, and thanks them for their contribution; and

(b) recognises all the staff at Ronald McDonald House and volunteers across Australia who help raise money for seriously ill and injured children and their families in their time of need.

Question put and passed.

26 **Franchising taskforce—Order for production of documents**

Senator Urquhart, at the request of Senator O’Neill and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 254—That there be laid on the table by the Minister for Employment, Skills, Small and Family Business, by no later than 3.30 pm on 25 November 2019:

(a) the 75 submissions received by the Franchising Taskforce;

(b) the names and titles of the people and organisations who submitted to the Franchising Taskforce;
(c) the minutes of the 31 roundtables and 57 bilateral meetings the Franchising Taskforce undertook;
(d) the minutes of the meeting with the Franchising Council of Australia;
(e) the minutes of the meeting with McDonalds Australia;
(f) the minutes of the meeting with the Australian Association of Franchisees; and
(g) the minutes of the meeting with Professor Jenny Buchan.

Statement by leave: The Assistant Minister for Forestry and Fisheries (Senator Duniam), by leave, made a statement relating to the motion.

Question put and passed.

27 New South Wales water access licences—Order for production of documents

Senator Patrick, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 255—

(1) That the Senate notes that the Australian Broadcasting Corporation’s Four Corners story, ‘Cash splash’, aired allegations of mismanagement of funds under the Commonwealth’s water savings efficiency program, including:
   (a) the construction of new dams on greenfield sites under a program intended to save water by upgrading existing irrigation developments; and
   (b) water holders purchasing water in different valleys, and passing these onto the Department of Agriculture as a water saving from an infrastructure upgrade.

(2) That the Senate has, flowing from its oversight responsibilities, an obligation to examine allegations raised in respect of the proper and efficient expenditure of taxpayers’ money.

(3) That there be laid on the table by the Minister representing the Minister for Water Resources, Drought, Rural Finance, Natural Disaster and Emergency Management, by no later than midday on 26 November 2019:
   (a) all correspondence, assessments, technical assessments, reports and audits relating to the Commonwealth purchase of water relating to the following New South Wales (NSW) water access licences: 9628, 23848, 37739, 37738, 15026, 4605, 41568, 7559, 5266, 4529, 5541, 5310, 14803, 9315, 7446, 88123, 8314, 7721, 8676, 37222, 15364, 37379, 16354, 3607 and 11236;
   (b) any other purchase through a water efficiency project in NSW, where the total price paid is in excess of $1 million; and
   (c) any other purchase through a water efficiency project in NSW, where the project was located in a different valley to the water recovered.

Question put and passed.
28 Intersex persons

Senator Siewert, at the request of Senators Rice and Pratt and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 256—That the Senate—

(a) notes that:
   (i) 8 November 2019 was Intersex Day of Solidarity, and
   (ii) Intersex Day of Solidarity is marked internationally, and is a chance to highlight issues facing intersex people; and

(b) calls on all parliamentarians to:
   (i) commit to learning more about the lives and experiences of people with variations of sex characteristics, and
   (ii) agree to read and consider affirming the Darlington Statement, a joint consensus statement by organisations and independent advocates which sets out the priorities of the intersex human rights movement in Australia and New Zealand.

Statements by leave: The Assistant Minister for Forestry and Fisheries (Senator Duniam) and the Leader of Pauline Hanson’s One Nation (Senator Hanson), by leave, made statements relating to the motion.

Question put.

The Senate divided—

AYES, 33

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NOES, 33

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*Tellers

The ayes and noes were equal and so the question was negatived.
29 Fire service chiefs

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. 257—That the Senate urges the Prime Minister, as a matter of priority, to meet with the 23 former fire service chiefs with over 600 years of experience between them, who sought a meeting in both April and again in September, but were rejected by the Prime Minister’s office.

Statements by leave: The Assistant Minister for Forestry and Fisheries (Senator Duniam) and the Leader of Pauline Hanson’s One Nation (Senator Hanson), by leave, made statements relating to the motion.

Question put and passed.

30 Water allocation agreements—Order for production of documents

Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 258—That there be laid on the table by the Minister representing the Prime Minister, by 5 pm on 15 November 2019:

(a) the written agreement between the South Australian Government and the Commonwealth Government for 100 gigalitres of Murray-Darling River water to be cut from South Australia’s allocation, and the Commonwealth to fund the increased use of the state’s desalination plant;

(b) the project agreement setting out the terms and conditions of the ‘Water for Fodder’ program;

(c) all other correspondence between the South Australian Government, the Commonwealth Government, the Murray-Darling Basin Authority and the Commonwealth Environmental Water Holder in relation to this deal; and

(d) all other relevant documentation or agreements between the Commonwealth Government and state governments, and relevant departments and agencies, including the Murray-Darling Basin Authority and the Commonwealth Environmental Water Holder.

Statement by leave: The Assistant Minister for Forestry and Fisheries (Senator Duniam), by leave, made a statement relating to the motion.

Question put and passed.

31 Murray-Darling Basin

Senator Roberts, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 259—That the Senate—

(a) notes that:
   (i) areas of the Murray-Darling Basin are experiencing a water crisis,
   (ii) water trading rules have allowed speculators to hold temporary irrigation water from the market which has forced the price so high that only large commercial farms can afford to purchase water for a narrow range of crops,
   (iii) in times of drought, irrigated farms provide a lifeline for native fauna, and
   (iv) the Bureau of Meteorology ‘18 month rainfall deficiency’ indicates areas that are affected by drought; and
calls on the Minister for Water Resources, (Mr Littleproud) to amend the legislative instrument, ‘Basin Plan 2012’, consistent with subsection (4)(7) of Schedule 3 of the Water Act 2007, as follows:

(i) a temporary water licence (allocation trade) must not be completed unless the purchaser can show that the water will be used for agricultural purposes as determined by the Irrigation Infrastructure Operator,

(ii) an entity cannot be both a buyer and a seller of temporary water in any 12 month period,

(iii) temporary water must be used within a year of purchase,

(iv) inter-valley transfers cannot occur out of a region in drought,

(v) government entities are prevented from accessing the temporary water trading market,

(vi) water metering capability by a purchaser is not to be used to prevent a temporary water trade, and

(vii) these measures will commence on 1 January 2020 and remain in place until the drought ends.

Statements by leave: The Assistant Minister for Forestry and Fisheries (Senator Duniam) and Senator Gallagher, by leave, made statements relating to the motion.

Question put.

The Senate divided—

**AYES, 2**

Senators—

Hanson*     Roberts

**NOES, 60**

Senators—

Abetz         Dodson       Lines        Ryan
Antic         Duniam       McAllister   Scarr
Askew         Farrell       McDonald     Seselja
Ayres         Faruqi       McKenzie     Sheldon
Bernardi      Fawcett      McKim       Siewert
Birmingham    Ferravanti-Wells McMahan     Smith, Dean
Bragg         Gallagher    O’Neill      Smith, Marielle
Brockman      Green        O’Sullivan   Steele-John
Carr          Griff        Paterson     Stoker
Chandler      Hanson-Young Patrick     Urquhart*
Ciccone       Henderson    Payne        Van
Colbeck       Hume         Pratt        Walsh
Cormann       Keneally     Rennick      Waters
Davey         Kitching     Reynolds     Watt
Di Natale     Lambie       Ruston       Whish-Wilson

* Tellers

Question negatived.

**After 12.45 pm—**

32 National Health Amendment (Safety Net Thresholds) Bill 2019

Order of the day read for the adjourned debate on the motion of the Minister for Families and Social Services (Senator Ruston)—That this bill be now read a second time.
Debate resumed.
Question put and passed.
Bill read a second time.
No amendments to the bill were circulated and no senator required that it be considered in committee.
On the motion of the Assistant Minister for Forestry and Fisheries (Senator Duniam) the bill was read a third time.

33 **Education Legislation Amendment (2019 Measures No. 1) Bill 2019**
Order of the day read for the adjourned debate on the motion of the Assistant Minister for Forestry and Fisheries (Senator Duniam)—That this bill be now read a second time.
Debate resumed.
Question put and passed.
Bill read a second time.
No amendments to the bill were circulated and no senator required that it be considered in committee.
On the motion of Senator Duniam the bill was read a third time.

34 **Defence Service Homes Amendment Bill 2019**
Order of the day read for the adjourned debate on the motion of the Assistant Minister for Forestry and Fisheries (Senator Duniam)—That this bill be now read a second time.
Debate resumed.
Question put and passed.
Bill read a second time.
No amendments to the bill were circulated and no senator required that it be considered in committee.
On the motion of the Minister for Defence (Senator Reynolds) the bill was read a third time.

35 **Treasury Laws Amendment (International Tax Agreements) Bill 2019**
Order of the day read for the adjourned debate on the motion of the Assistant Minister for Forestry and Fisheries (Senator Duniam)—That this bill be now read a second time.
Debate resumed.
Question put and passed.
Bill read a second time.
No amendments to the bill were circulated and no senator required that it be considered in committee.
On the motion of Senator Duniam the bill was read a third time.

36 **Medical and Midwife Indemnity Legislation Amendment Bill 2019**
Order of the day read for the adjourned debate on the motion of the Minister for Families and Social Services (Senator Ruston)—That this bill be now read a second time.
Debate resumed.
No. 27—14 November 2019

Question put and passed.
Bill read a second time.
No amendments to the bill were circulated and no senator required that it be considered in committee.
On the motion of the Assistant Minister for Forestry and Fisheries (Senator Duniam) the bill was read a third time.

37 National Disability Insurance Scheme Amendment (Streamlined Governance) Bill 2019
Order of the day read for the further consideration of the bill in committee of the whole.

In the committee
Consideration resumed of the bill—and of the amendments moved by the Minister for Families and Social Services (Senator Ruston) (see entry no. 5).
Debate resumed.
Limitation of debate: The time allotted for consideration of the bill expired (see entry no. 6).
Question—That the amendments be agreed to—put and passed.
The following amendments circulated by the Australian Greens were considered:

Schedule 1, item 7, page 6 (lines 17 to 24), omit subsection 127(4), substitute:

(4) Before the Minister appoints a Board member other than the Chair, the Minister must:
(a) seek the support of all the host jurisdictions for the appointment; and
(b) be satisfied that the appointment is supported by the Commonwealth; and
(c) secure the support of a majority of host jurisdictions for the appointment.

Schedule 1, item 7, page 7 (lines 20 to 27), omit subsection 127(4D).
Schedule 1, page 7 (after line 27), after item 7, insert:

7A Subsection 134(4)
Repeal the subsection, substitute:

(4) Before the Minister terminates the appointment of a Board member other than the Chair, the Minister must:
(a) seek the support of all the host jurisdictions for the termination; and
(b) be satisfied that the termination is supported by the Commonwealth; and
(c) secure the support of a majority of the host jurisdictions for the termination.

Schedule 1, item 11, page 9 (lines 21 to 25), omit the item, substitute:

11 Subsections 147(2) to (3A)
Repeal the subsections, substitute:

(2) The Minister must consult the host jurisdictions about the appointment of the Principal Member.

(3) Before the Minister appoints a member of the Advisory Council other than the Principal Member, the Minister must:
(a) seek the support of all the host jurisdictions for the appointment; and
(b) be satisfied that the appointment is supported by the Commonwealth; and
(c) secure the support of a majority of the host jurisdictions for the appointment.
(3A) The Minister must give a notice (the original notice) in writing to one host jurisdiction Minister for each host jurisdiction seeking the agreement of that host jurisdiction to the appointment covered by subsection (3) and requesting the agreement be given before the end of 28 days beginning on the day the notice is given.

(3B) If, immediately before the end of that 28-day period:
   (a) no host jurisdiction Minister for a host jurisdiction has informed the Minister whether that host jurisdiction agrees to the appointment; and
   (b) no host jurisdiction Minister for that host jurisdiction has made a request under subsection (3C);
then, at the end of that period, that host jurisdiction is taken to have agreed to the appointment.

(3C) If, before the end of that 28-day period, a host jurisdiction Minister for a host jurisdiction gives a notice in writing to the Minister requesting a longer period within which that host jurisdiction may agree to the appointment:
   (a) that host jurisdiction may give that agreement before the end of 90 days beginning on the day the original notice was given; and
   (b) if, immediately before the end of that 90-day period, no host jurisdiction Minister for that host jurisdiction has informed the Minister whether that host jurisdiction agrees to the appointment, then, at the end of that period, that host jurisdiction is taken to have so agreed.

Schedule 1, item 12, page 9 (lines 26 to 31), omit the item, substitute:

12 Subsection 155(4)
   Repeal the subsection, substitute:
   (4) Before the Minister terminates the appointment of a member of the Advisory Council other than the Principal Member, the Minister must:
      (a) seek the support of all the host jurisdictions for the termination; and
      (b) be satisfied that the appointment is supported by the Commonwealth; and
      (c) secure the support of a majority of the host jurisdictions for the termination.

(5) The Minister must give a notice (the original notice) in writing to one host jurisdiction Minister for each host jurisdiction seeking the agreement of that host jurisdiction to the termination covered by subsection (4) and requesting the agreement be given before the end of 28 days beginning on the day the notice is given.

(6) If, immediately before the end of that 28-day period:
   (a) no host jurisdiction Minister for a host jurisdiction has informed the Minister whether that host jurisdiction agrees to the termination; and
   (b) no host jurisdiction Minister for that host jurisdiction has made a request under subsection (7);
then, at the end of that period, that host jurisdiction is taken to have agreed to the termination.

(7) If, before the end of that 28-day period, a host jurisdiction Minister for a host jurisdiction gives a notice in writing to the Minister requesting a longer period within which that host jurisdiction may agree to the termination:
   (a) that host jurisdiction may give that agreement before the end of 90 days beginning on the day the original notice was given; and
   (b) if, immediately before the end of that 90-day period, no host jurisdiction Minister for that host jurisdiction has informed the Minister whether that host jurisdiction agrees to the termination, then, at the end of that period, that host jurisdiction is
taken to have so agreed.

Question—That the amendments be agreed to—put.

The committee divided—

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*Tellers

Question negatived.

Bill agreed to and reported with amendments.

The President resumed the chair and the Chair of Committees (Senator Lines) reported accordingly.

Question—That the remaining stages of the bill be agreed to and the bill be now passed—put.

The Senate divided—

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NOES, 31

Senators—

Ayres          Faruqi          McAllister         Smith, Marielle
Brown          Gallagher       McCarthy*         Steele-John
Carr           Green          McKim            Sterle
Chisholm       Hanson-Young   O’Neill          Walsh
Ciccone        Keneally       Polley           Waters
Di Natale      Kitching       Pratt            Watt
Dodson         Lambie         Sheldon          Whish-Wilson
Farrell        Lines          Siewert

*Tellers

Question agreed to.
Bill read a third time.

38 Protection of the Sea (Prevention of Pollution from Ships) Amendment (Air Pollution) Bill 2019
Order of the day read for the adjourned debate on the motion of the Minister for Families and Social Services (Senator Ruston)—That this bill be now read a second time.
Debate resumed.

At 2 pm: Debate was interrupted while Senator Whish-Wilson was speaking.

39 Questions
Questions without notice were answered.

40 Motions to take note of answers
Senator Polley moved—That the Senate take note of the answers given by the Minister for Aged Care and Senior Australians (Senator Colbeck) to questions without notice asked by Opposition senators today relating to aged care funding and home care packages.
Debate ensued.

Question put and passed.

Senator Whish-Wilson moved—That the Senate take note of the answer given by the Minister for Finance (Senator Cormann) to a question without notice asked by Senator Di Natale today relating to bushfires.

Question put and passed.

41 Committee reports and government responses—Tabling and consideration
Senator Urquhart, at the request of the Chair of the Standing Committee of Privileges (Senator O’Neill), tabled the following report:

Privileges—Standing Committee—177th report—Possible threat to senators, dated November 2019.

Senator O’Neill moved—That the Senate take note of the report.

Question put and passed.
42 Government response—Rural and Regional Affairs and Transport References Committee—Reports—Aspects of road safety in Australia—Order for production of documents—Document

The Minister for Trade, Tourism and Investment (Senator Birmingham) tabled the following document:

Government response—Rural and Regional Affairs and Transport References Committee—Reports—Aspects of road safety in Australia—Order of 13 November 2019—Letter to the President of the Senate from the Minister for Resources and Northern Australia (Senator Canavan), dated 14 November 2019, responding to the order.

43 Independent Health Advice Panel—Order for production of documents—Documents

The Minister for Trade, Tourism and Investment (Senator Birmingham) tabled the following documents:

Independent Health Advice Panel—Order of 13 November 2019—Letter to the President of the Senate from the Minister for Employment, Skills, Small and Family Business (Senator Cash), dated 13 November 2019, responding to the order, and attachments as follows—

Letter from the First Assistant Secretary, Health Services Division, Department of Home Affairs (Mr Hayward) to the Minister for Home Affairs (Mr Dutton), dated 24 October 2019.


1 April to 30 June 2019—Correction.

1 July to 30 September 2019—

Report.

Government response.

Senator Keneally moved—That the Senate take note of the documents.

Debate ensued.

Question put and passed.

44 Regional Jobs and Investment Packages—Business Grants Hub—Order for production of documents—Document

The Minister for Trade, Tourism and Investment (Senator Birmingham) tabled the following document:

Regional Jobs and Investment Packages—Business Grants Hub—Order of 13 November 2019—Letter to the President of the Senate from the Minister for Resources and Northern Australia (Senator Canavan), dated 14 November 2019, responding to the order.

Senator Watt moved—That the Senate take note of the document.

Question put and passed.
Regional Jobs and Investment Packages—Ministerial panels—Order for production of documents—Document
The Minister for Trade, Tourism and Investment (Senator Birmingham) tabled the following document:

Regional Jobs and Investment Packages—Ministerial panels—Order of 13 November 2019—Letter to the President of the Senate from the Minister for Resources and Northern Australia (Senator Canavan), dated 14 November 2019, responding to the order.

General business was called on.

Export policy
Senator Patrick, pursuant to notice, moved general business notice of motion no. 263—That the Senate—
(a) notes that:
(i) Australia has a propensity to simply export its raw materials and commodities to countries that then profit by doing the value add and selling it back to us, and
(ii) this approach denies Australia economic activity and job opportunities;
and
(b) calls on the Australian Government to adjust policy and support settings to ensure we value add before exporting.

Debate ensued.
Question put.
A division was called for.
Pursuant to standing order 57(3), the matter was deferred till the next day of sitting.

Bradfield-type scheme in Queensland
The Leader of Pauline Hanson’s One Nation (Senator Hanson), pursuant to notice, moved general business notice of motion no. 251—That the Senate acknowledges that the construction of a Bradfield-type scheme in Queensland would create far-reaching, positive outcomes in regards to water security, economic growth, the environment and job numbers, for all Australians.

Debate ensued.
At 6 pm: Debate was interrupted while Senator Roberts was speaking.

Documents—Orders of the day—Consideration
The following orders of the day relating to documents were considered:

Clean Energy Regulator—2018 Annual Statement to the Parliament on the progress towards the 2020 Large-scale Renewable Energy Target. Motion of Senator Urquhart to take note of document called on. Debate adjourned till Thursday at general business.
Migration Act 1958—Section 199E—Independent Health Advice Panel—Quarterly report for the period 1 April to 30 June 2019 and government responses. Motion of Senator McCarthy to take note of documents agreed to.

Paladin contract relating to Manus Island—Independent Health Advice Panel reports—Order of 12 September 2019—Letter to the President of the Senate from the Minister for Employment, Skills, Small and Family Business (Senator Cash) responding to the order, and attachments. Motion of Senator Ciccone to take note of documents agreed to.

Department of Agriculture and Water Resources—Report for 2018-19, including reports of the National Residue Survey, the Water Efficiency Labelling and Standards Scheme and the Water for the Environment Special Account. Motion of Senator McCarthy to take note of document agreed to.

Australian Communications and Media Authority and the Office of the eSafety Commissioner—Report for 2018-19. Motion of Senator Urquhart to take note of document agreed to.

Australian Organ and Tissue Donation and Transplantation Authority—Report for 2018-19. Motion of Senator Urquhart to take note of document agreed to.


National Health Funding Pool—Report for 2018-19, including financial statements for state and territory State Pool Accounts. Motion of Senator Urquhart to take note of documents agreed to.


Aged Care Quality and Safety—Royal Commission—Interim report (3 volumes). Motion of Senator Siewert to take note of document agreed to.

Migration Act 1958—Section 486O—Assessment of detention arrangements—Commonwealth Ombudsman’s reports—Report nos 36 to 40 of 2019, and government responses to those reports. Motion of Senator McKim to take note of documents agreed to.


Grandparent carers—Resolution of 18 September 2019—Letter to the President of the Senate from the Victorian Minister for Disability, Ageing and Carers (Mr Donnellan). Motion of Senator Siewert to take note of document debated. Debate adjourned till Thursday at general business.

Status of government responses in the Senate to parliamentary committee reports as at 30 September 2019. Motion of Senator Urquhart to take note of document called on. Debate adjourned till Thursday at general business.

49 Committee reports and government responses—Orders of the day—Consideration

The following orders of the day relating to committee reports and government responses were considered:

Economics References Committee—Regional inequality in Australia—Report. Motion of Senator Urquhart to take note of report called on. Debate adjourned till the next day of sitting.

Education and Employment References Committee—Report—The appropriateness and effectiveness of the objectives, design, implementation and evaluation of jobactive—Additional information. Motion of Senator Urquhart to take note of documents called on. Debate adjourned till the next day of sitting.

Finance and Public Administration References Committee—Compliance by former Ministers of State with the requirements of the Prime Minister’s Statement of Ministerial Standards—Report. Motion of Senator Urquhart to take note of report agreed to.

Economics References Committee—Report—Governance and operation of the Northern Australia Infrastructure Facility (NAIF)—Government response. Motion of Senator Urquhart to take note of document called on. Debate adjourned till the next day of sitting.

Education and Employment References Committee—Report—Vocational education and training in South Australia—Government response. Motion of Senator Urquhart to take note of document called on. Debate adjourned till the next day of sitting.
Auditor-General’s reports—Orders of the day—Consideration
The following orders of the day relating to reports of the Auditor-General were considered:

Audit report no. 45 of 2018-19—Performance audit—Coordination and targeting of domestic violence funding and actions: Department of Social Services. Motion of Senator Urquhart to take note of document agreed to.

Audit report no. 12 of 2019-20—Performance audit—Award of funding under the Regional Jobs and Investment Packages: Department of Infrastructure, Transport, Cities and Regional Development; Department of Industry, Innovation and Science. Motion of Senator Urquhart to take note of document called on. Debate adjourned till the next day of sitting.

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

The Senate adjourned at 6.08 pm till Monday, 25 November 2019 at 10 am.

Attendance
Present, all senators except Senators Bilyk*, Canavan*, Gallacher* and Rice* (*on leave).

RICHARD PYE
Clerk of the Senate