2013-16

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 139

TUESDAY, 23 FEBRUARY 2016

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1 **MEETING OF SENATE**

The Senate met at 12.30 pm. The President (Senator the Honourable Stephen Parry) took the chair, read prayers and made an acknowledgement of country.

2 **DOCUMENTS**

The following document was tabled pursuant to standing order 61(1)(b):


The following documents were tabled by the Clerk pursuant to statute:

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

*Civil Aviation Act 1988—Civil Aviation Safety Regulations 1998—Exemption—solo flight training using ultralight aeroplanes registered with the RAA at Camden Aerodrome—CASA EX04/16 [F2016L00132].*

*Excise Act 1901—Excise (Mass of CNG) Determination 2016 (No. 1) [F2016L00131]. Excise (Volume of LPG–Temperature and Pressure Correction) Determination 2016 (No. 1) [F2016L00130].*

*Food Standards Australia New Zealand Act 1991—Food Standards (Application A1100–Maximum Permitted Level of Acesulphame Potassium in Chewing Gum) Variation [F2016L00127].*


The following documents were tabled by the Clerk pursuant to order:

Indexed lists of departmental and agency files for the period 1 July to 31 December 2015—Statement of compliance pursuant to the order of the Senate of 30 May 1996, as amended—Agriculture portfolio.

3 COMMITTEES—LEAVE TO MEET DURING SITTINGS

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

Economics Legislation Committee—public meeting today, from 4.30 pm, to take evidence for the committee’s inquiry into the provisions of the Corporations Amendment (Crowd-sourced Funding) Bill 2015.

Legal and Constitutional Affairs Legislation Committee—private meeting otherwise than in accordance with standing order 33(1) on Wednesday, 24 February 2016, from 11 am.

Legal and Constitutional Affairs References Committee—private meeting otherwise than in accordance with standing order 33(1) on Wednesday, 24 February 2016, from 4 pm, for the committee’s inquiry into revenge pornography.

Rural and Regional Affairs and Transport References Committee—public meetings—

Today, from 5 pm, to take evidence for the committee’s inquiry into the use of Flag of Convenience shipping in Australia.

Thursday, 25 February 2016, from 4 pm, to take evidence for the committee’s inquiry into aspects of road safety in Australia.

4 BROADCASTING LEGISLATION AMENDMENT (DIGITAL RADIO) BILL 2015

Order of the day read for the adjourned debate on the motion of the Assistant Minister for Agriculture and Water Resources (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 Minister for Communications (Senator Fifield) the bill was read a third time.

5 CRIMES LEGISLATION AMENDMENT (PROCEEDS OF CRIME AND OTHER MEASURES) BILL 2015

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.

Question—That the bill stand as printed—divided, at the request of Senator McKim, in respect of Schedule 1, item 4, subsections 319(2), (3), (4) and (5).
Schedule 1, item 4, subsections 319(2), (3), (4) and (5) debated.
Question—That Schedule 1, item 4, subsections 319(2), (3), (4) and (5) stand as printed—put.

The committee divided—

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Subsections agreed to.

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

Page 2, clause 2 (table item 2), omit the table item, substitute:

<table>
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<td>The day after this Act receives the Royal Assent.</td>
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Page 12 (after line 22), after Schedule 2, insert:

**Schedule 2A—Amendments relating to the Corporations Act 2001**

_Corporations Act 2001_

1 _Section 9 (after paragraph (a) of the definition of financial records)_

Insert:

(ab) books, records or accounts needed to explain details of transactions that deal with assets; and

2 _After section 190B_

Insert:

**190C Internal accounting controls**

1 A director of a corporation must ensure that the corporation has a system of internal accounting controls.

2 To comply with subsection (1), the system must ensure that:
   (a) transactions are executed in accordance with appropriate authorisation; and
   (b) transactions are recorded; and
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(c) assets of the corporation are regularly accounted for and reconciled; and
(d) appropriate authorisations are in place in relation to dealing with assets of the corporation.

3 Paragraph 286(1)(a)
Repeal the paragraph, substitute:
(a) correctly record and explain its financial position and performance; and
(ab) correctly record and explain its transactions in sufficient detail so that the record accurately reflects the transactions; and

4 Application provisions
The amendments made by items 1 and 3 of this Schedule apply to transactions that occur on or after the commencement of this Schedule.

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

AYES, 12

Senators—

Di Natale                      Madigan                      Rice                      Waters
Hanson-Young                  McKim                        Siewert (Teller)           Whish-Wilson
Ludlam                       Rhiannon                     Simms                     Xenophon

NOES, 27

Senators—

Back                         Collins                      Ludwig                    O’Sullivan
Bernardi                     Edwards                      Macdonald                 Reynolds
Bilyk (Teller)               Fawcett                      McAllister                 Ronaldson
Bullock                      Gallacher                    McKenzie                  Singh
Bushby                       Gallagher                    McLucas                   Smith
Cameron                      Ketter                       Moore                     Williams
Canavan                      Lindgren                     O’Neill

Question negatived.
Bill agreed to.
Bill to be reported without amendment.

The Acting Deputy President (Senator Edwards) resumed the chair and the Temporary Chair of Committees reported accordingly.

On the motion of the Minister for Northern Australia (Senator Canavan) the report from the committee was adopted and the bill read a third time.

6 Tax Laws Amendment (Implementation of the Common Reporting Standard) Bill 2015
Order of the day read for the adjourned debate on the motion of the Minister for Indigenous Affairs (Senator Scullion)—That this bill be now read a second time.

Debate resumed.
At 2 pm: Debate was interrupted while Senator Whish-Wilson was speaking.
7 QUESTIONS
Questions without notice were answered.

8 ORDER FOR PRODUCTION OF DOCUMENTS—EXPLANATION
Senator Xenophon, pursuant to standing order 164, asked the Minister for Defence (Senator Payne) for an explanation of the minister’s failure to comply with an order for the production of documents of 17 November 2014 concerning the submarines tender process (see entry no. 21, 17 November 2014).
Senator Payne provided an explanation.
Senator Xenophon moved—That the Senate take note of the explanation.
Debate ensued.
Question put and passed.

9 MOTIONS TO TAKE NOTE OF ANSWERS
Senator Urquhart moved—That the Senate take note of the answers given by the Attorney-General (Senator Brandis) and the Minister for Finance (Senator Cormann) to questions without notice asked by Senators Urquhart and Gallacher today relating to tax policy.
Debate ensued.
Question put and passed.
Senator Ludlam 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 Ludlam today relating to tax policy.
Question put and passed.

10 PETITION
The following petition, lodged with the Clerk by Senator Bernardi, was received:

From 9,499 petitioners, requesting that the Senate call on the Government to remove all federal funding from the Safe Schools Coalition Australia program.

11 NOTICES
Senator Simms: To move on the next day of sitting—That the following matter be referred to the Education and Employment References Committee for inquiry and report by 20 June 2016:
The prevalence and impacts of homophobia, transphobia and discrimination against people with intersex variations in Australian schools, with particular reference to:
(a) prevalence of bullying, verbal and physical abuse;
(b) impacts of bullying on academic performance;
(c) long-term health effects and other implications of bullying;
(d) levels of support provided to individuals subjected to bullying; and
(e) potential government support that could be provided to reduce the prevalence of bullying.
Senators Madigan, Leyonhjelm, Lambie, Muir and Wang, the Leader of the Glenn Lazarus Team (Senator Lazarus) and Senators Day and Xenophon: To move on the next day of sitting—That the following matters be referred to the Education and Employment References Committee for inquiry and report by 30 June 2016:

The ramifications for professional sports people of Australia’s participation in the international sports anti-doping framework, with particular reference to:


(b) the operation in domestic professional sports of the:
   (i) Australian Sports Anti-Doping Authority Act 2006 (the ASADA Act),
   (ii) National Anti-Doping Scheme, and
   (iii) National Anti-Doping Framework;

(c) the investigatory powers of ASADA in comparison with similar bodies in other jurisdictions and conventional law enforcement agencies;

(d) the judicial process provided for under the ASADA Act, including, but not limited to, the rights accorded to accused sportspersons and others during the investigatory phase, the rules governing admissibility of evidence at each stage of the process, the standard of proof applicable at each stage of the process, and rights to appeal any finding of guilt or associated penalties;

(e) how professional sporting competitions have responded to the obligations imposed by the World Anti-Doping Agency (WADA), and the effects on the individual sports person;

(f) the effect on domestic professional sporting competitions of the regulation by WADA and the rulings of the Court of Arbitration for Sport; and

(g) any related matters.

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

(a) notes that:
   (i) on 3 February 2016, the Senate referred the ‘need for a nationally-consistent approach to alcohol-fuelled violence’ to the Legal and Constitutional Affairs References Committee,
   (ii) late night violence and alcohol abuse has terrible consequences and is putting health and law enforcement services under tremendous pressure,
   (iii) other large cities have retained a vibrant night life by providing 24 hour public transport, a range of support services and policing, and diversity in the density of licensed premises,
   (iv) since the Sydney CBD entertainment precinct’s lockout laws commenced there have been huge costs to creative communities, live performances have declined by 40 per cent, jobs have been lost and dozens of venues have closed,
   (v) on Sunday, 21 February 2016, about 15 000 people protesting in Sydney against the lockout policy of the New South Wales Liberal/National Government singled out job losses, the lack of personal freedoms and lost opportunities for young people as key concerns, and
   (vi) residents and visitors to Sydney’s entertainment precinct should not be punished due to the behaviour of a small minority, and local communities should have a right to choose whether or not to have state lockout laws imposed on their localities; and
calls on the Federal Government to urge the New South Wales Government to work with the community and key stakeholders to find innovative and integrated long-term solutions that will keep Sydney vibrant, open and safe. (general business notice of motion no. 1035)

Senators Wang and Madigan: To move on the next day of sitting—

(1) That a select committee, to be known as the Select Committee relating to the establishment of a National Integrity Commission, be established to inquire into and report, on or before 22 September 2016, on the following matters:

(a) the adequacy of the Australian Government’s legislative, institutional and policy framework in addressing all facets of institutional, organisational, political and electoral, and individual corruption and misconduct, with reference to:

(i) the effectiveness of the current federal and state/territory agencies and commissions in preventing, investigating and prosecuting corruption and misconduct,

(ii) the interrelation between federal and state/territory agencies and commissions, and

(iii) the nature and extent of coercive powers possessed by the various agencies and commissions, and whether those coercive powers are consistent with fundamental democratic principles;

(b) whether a national integrity commission should be established to address institutional, organisational, political and electoral, and individual corruption and misconduct, with reference to:

(i) the scope of coverage by any national integrity commission,

(ii) the legislative and regulatory powers required by any national integrity commission to enable effective operation,

(iii) the advantages and disadvantages associated with domestic and international models of integrity and anti-corruption commissions/agencies,

(iv) whether any national integrity commission should have broader educational powers,

(v) the necessity of any privacy and/or secrecy provisions,

(vi) any budgetary and resourcing considerations, and

(vii) any reporting accountability considerations; and

(c) any other related matter.

(2) That the committee consist of 6 senators, 2 nominated by the Leader of the Government in the Senate, 2 nominated by the Leader of the Opposition in the Senate, and Senators Wang and Madigan.

(3) That:

(a) participating members may be appointed to the committee on the nomination of the Leader of the Government in the Senate, the Leader of the Opposition in the Senate or any minority groups or independent senators;

(b) participating members may participate in hearings of evidence and deliberations of the committee, and have all the rights of members of the committee, but may not vote on any questions before the committee; and

(c) a participating member shall be taken to be a member of the committee for the purpose of forming a quorum of the committee if a majority of members of the committee is not present.
(4) That every nomination of a member of the committee be notified in writing to the President of the Senate.

(5) That the committee may proceed to the dispatch of business notwithstanding that not all members have been duly nominated and appointed and notwithstanding any vacancy.

(6) That Senator Wang chair the committee.

(7) That the committee elect a member as its deputy chair, who shall act as chair when the chair is absent from a meeting of the committee or the position of chair is temporarily vacant.

(8) That the chair, or the deputy chair when acting as chair, may appoint another member of the committee to act as chair during the temporary absence of both the chair and deputy chair at a meeting of the committee.

(9) That, in the event of an equally divided vote, the chair, or the deputy chair when acting as chair, has the casting vote.

(10) That 3 members of the committee constitute a quorum of the committee.

(11) That the committee have power to appoint subcommittees consisting of 2 or more of its members, and to refer to any such subcommittee any of the matters which the committee is empowered to examine.

(12) That 2 members of a subcommittee constitute a quorum of that subcommittee.

(13) That members of the committee who are not members of a subcommittee may participate in the proceedings of that subcommittee but shall not vote, move any motion or be counted for the purpose of a quorum.

(14) That the committee and any subcommittee have power to send for and examine persons and documents, to move from place to place, to sit in public or in private, notwithstanding any prorogation of the Parliament or dissolution of the House of Representatives, and have leave to report from time to time its proceedings, the evidence taken and such interim recommendations as it may deem fit.

(15) That the committee be provided with all necessary staff, facilities and resources and be empowered to appoint persons with specialist knowledge for the purposes of the committee with the approval of the President.

(16) That the committee be empowered to print from day to day such papers and evidence as may be ordered by it, and a daily Hansard be published of such proceedings as take place in public. (general business notice of motion no. 1036)

Senators Xenophon and Carr: To move on the next day of sitting—That the Senate—

(a) notes:

(i) the importance of Australia’s steel industry, not only in terms of revenue but also jobs and the economic value created through the multiplier effect,

(ii) the recent announcement by Arrium OneSteel that unless operating conditions improve at their steel manufacturing facility in Whyalla, thousands of jobs could be lost in the region, and

(iii) actions by the United States of America, India and Canada in recent weeks, in relation to imposing duties on steel dumped in those markets, as well as a current investigation by the European Commission of imported steel in the European Union;
(b) calls on the Government to:

(i) uphold the provisions of the *Australian Jobs Act 2013* and the ‘Buy Australian at Home and Abroad’ principles, and

(ii) urgently uphold procurement rules that recognise the economic value and contribution to the Australian economy of local production of steel, including the positive impact on small- and medium-enterprises in the Australian steel industry supply chain when compared to using imported steel, and taking this into account:

(A) seek to maximise the use of locally-milled and locally-fabricated steel in federally-funded infrastructure and construction projects where possible, and

(B) ensure all taxpayer-funded infrastructure and construction projects be supplied with steel made to the Australian standard, and refer to the South Australian Government’s policy as a best practice model for third party certification to ensure that steel procured for public works is independently tested and certified to Australian standards; and

(c) expedite the Australian Dumping Commission’s investigation into allegations of steel being dumped in Australia, and, if need be, provide additional resources to the Commission to effect this. (*general business notice of motion no. 1037*)

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

(a) notes that three United Nations human rights experts have urged the Parliament of Western Australia not to adopt new anti-protest laws which would criminalise legitimate protests, including those by environmentalists and human rights defenders;

(b) recognises the important role public protest and free speech have played, and continue to play, in a healthy democratic society; and

(c) calls on the Government of Western Australia to abandon these divisive and unnecessary laws. (*general business notice of motion no. 1038*)

The Leader of the Opposition in the Senate (Senator Wong): To move on the next day of sitting—That the Commonwealth Electoral Amendment Bill 2016 be referred to the Joint Standing Committee on Electoral Matters for inquiry and report by 12 May 2016. (*general business notice of motion no. 1039*)

Senator Waters: To move on the next day of sitting—That there be laid on the table by the Minister representing the Minister for Industry, Innovation and Science, no later than 9 am on 3 March 2016, the following documents in relation to the restructuring of the Commonwealth Scientific and Industrial Research Organisation (CSIRO) Oceans and Atmosphere division reported on 4 February 2016:

(a) the written briefing prepared in December 2015 by Dr Ken Lee, Director of the CSIRO Oceans and Atmosphere division, for submission to the CSIRO executive for the ‘Deep Dive’ meeting;

(b) documents from November to December 2015 demonstrating the consultation that was undertaken with the Oceans and Atmosphere Flagship Research Program Leaders in preparing the above briefing;

(c) any written communication from Dr Alex Wonhas or Dr Larry Marshall to the CSIRO Oceans and Atmosphere division subsequent to the briefing mentioned in paragraph (a) requesting a proposal for more extensive restructuring;
(d) documents from January 2016 demonstrating any consultation that was undertaken by Dr Ken Lee with the Oceans and Atmosphere Flagship Research Program Leaders in developing the proposal for more extensive restructuring;

(e) all written communication from December 2015 until the present between the CSIRO Oceans and Atmosphere Flagship and either Dr Wonhas or Dr Marshall in relation to any proposed more extensive restructuring, including:
   (i) communications detailing the scope, rationale and implications of the restructuring,
   (ii) guidelines or criteria to be used in choosing specific areas to be restructured,
   (iii) the rationale for a reduction of 100 equivalent full-time staff, and
   (iv) the decision to proceed after the CSIRO executive meeting on or around 27 January 2016;

(f) documents from December 2015 until the present demonstrating the consultation process that is being undertaken with the Oceans and Atmosphere Flagship Research Program Leaders, including guidelines or criteria being used, to determine the specific research groups and teams to be restructured;

(g) any written briefings for Dr Wonhas or Dr Marshall for the CSIRO executive meeting on or around 27 January 2016 concerning proposed restructuring in the CSIRO Oceans and Atmosphere Flagship;

(h) the minutes or other records of any CSIRO board meeting which considered the restructuring of the Oceans and Atmosphere Flagship;

(i) all project description and project budget documents for projects concerning the Cape Grim observing station and the associated Gas Lab analysis, for the past 5 years, up to and including 2015-16; and

(j) any written communication between Dr Marshall and CSIRO staff concerning clean coal technology from November 2015 until the present. (general business notice of motion no. 1040)

The Leader of the Glenn Lazarus Team (Senator Lazarus): To move on the next day of sitting—That there be laid on the table by each Government minister, no later than 4 pm on Thursday, 12 May 2016, any documents relevant to the outsourcing of work by their government departments and associated agencies (including any commissions, bureaus and corporations), to foreign businesses (including wholly-owned foreign businesses, companies registered in Australia with a foreign parent company/companies and foreign companies with a majority shareholding held outside of Australia), specifically:

(a) the name and location of each government department and agency that is party to a procurement contract with a foreign business (contract);

(b) the number of contracts that currently exist between each government department and their agencies and foreign business;

(c) for each foreign company/business engaged by government departments and their agencies pursuant to contract, the foreign company/business name and the country in which their office is located and/or is operating;

(d) the date each contract commenced, and the date that contract is due to be finalised or reviewed for the purpose of further negotiations;

(e) the nature and scope of works required to be performed pursuant to each contract, including:
   (i) where the works are managed and performed,
(ii) the composition of the workforce, including whether Australian workers are required to be engaged by the contract,
(iii) the number of Australian workers engaged by the contract, and
(iv) the monetary value of each contract; and
(f) prior to the commencement of each contract, information as to:
   (i) whether the requirement for goods and/or services previously existed,
   (ii) whether the provision of those goods and/or services were performed by
       the Government, or
   (iii) whether the provisions of those goods and/or services was managed and
       performed on the Government’s behalf, and, if so, the name and location
       of the business responsible for the provision of those goods and/or
       services. (general business notice of motion no. 1041)

Notice of motion withdrawn: Senator Xenophon withdrew general business notice of
motion no. 1024 standing in his name for 24 February 2016, proposing the introduction of the Commonwealth Electoral Amendment (Above the Line Voting)
Bill 2016.

12 PRIVATE SENATORS’ BILLS—CONSIDERATION
The Minister for Vocational Education and Skills (Senator Ryan) moved—That the
following general business orders of the day be considered on Thursday, 25 February
2016 under the order relating to the consideration of private senators’ bills:

   No. 36 Migration Amendment (Protecting Babies Born in Australia) Bill 2014.
   No. 76 Veterans’ Entitlements Amendment (Expanded Gold Card Access)
       Bill 2015.

Question put and passed.

13 LEAVE OF ABSENCE
Senator McEwen, by leave, moved—That leave of absence be granted to Senator Peris
from 23 to 25 February 2016, for personal reasons.
Question put and passed.

14 POSTPONEMENT
Business was postponed as follows:

General business notice of motion no. 1034 standing in the name of Senator
Hanson-Young for 24 February 2016, relating to asylum seeker children,
postponed till 2 March 2016.

15 CONSIDERATION OF LEGISLATION
The Minister for Vocational Education and Skills (Senator Ryan), pursuant to notice of
motion not objected to as a formal motion, moved government business notice of
motion no. 1—That the provisions of paragraphs (5) to (8) of standing order 111 not
apply to the following bills, allowing them to be considered during this period of
sittings:

   Dairy Produce Amendment (Dairy Service Levy Poll) Bill 2016
   Narcotic Drugs Amendment Bill 2016
   Offshore Petroleum and Greenhouse Gas Storage Amendment Bill 2016
Parliamentary Entitlements Amendment (Injury Compensation Scheme) Bill 2016
Tax Laws Amendment (Small Business Restructure Roll-over) Bill 2016.
Question put and passed.

16 FOREIGN AFFAIRS, DEFENCE AND TRADE LEGISLATION COMMITTEE—
ADDITIONAL ESTIMATES 2015-16—DIRECTION TO MEET
Senator Xenophon, also on behalf of Senator McEwen, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1031—That the Foreign Affairs, Defence and Trade Legislation Committee meet to consider additional estimates 2015-16 prior to 10 March 2016 to further examine the Department of Defence and that Dr Rob Bourke, Economic Adviser, Capability Acquisition and Sustainment Group appear before the committee at that time to answer questions.

Statements by leave: The Minister for Vocational Education and Skills (Senator Ryan) and Senator Xenophon, by leave, made statements relating to the motion.
Question put and passed.

17 REGIONAL AUSTRALIA—TASMANIA—BUSHFIRES
Senator McEwen, at the request of Senator Bilyk and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1033—That the Senate—
(a) notes:
   (i) the devastating and destructive impact of bushfires in Tasmania which are affecting the people of Tasmania and destroying Tasmanian wilderness areas,
   (ii) grave concern for the survival of Indigenous cultural heritage sites in the area, as well as precious flora and fauna, and
   (iii) the unwavering commitment and hard work of the Tasmanian Fire Service, the Tasmanian Parks and Wildlife Service, SES and volunteers for their resilience and exceptional efforts responding to this natural disaster; and
(b) thanks the Tasmanian Fire Service, the Tasmanian Parks and Wildlife Service, SES and volunteers for their resilience, unwavering commitment and exceptional efforts responding to this natural disaster.

Statement by leave: The Minister for Vocational Education and Skills (Senator Ryan), by leave, made a statement relating to the motion.
Question put and passed.

18 FAMILY AND COMMUNITY SERVICES—POKER MACHINE LICENSING
Senator Lambie, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1005—That the Senate—
(a) notes that Parliamentary Library research indicates that:
   (i) states and territories are responsible for regulating and issuing licences to operate poker machines,
   (ii) reporting of data on poker machine activity varies considerably, and there is no apparent requirement to report ownership of licences making the details of the ownership of the licences difficult to obtain, and
(iii) Victoria provides reasonably comprehensive data on poker machines, including ownership, but no other jurisdiction publishes such detailed data; and
(b) calls on the Government to work with state and territory governments to establish a national register to allow the public and media to easily identify the persons, companies or groups who hold poker machine licences and own poker machines.

Question put and passed.

19 PRIMARY INDUSTRIES—QUEENSLAND MEAT INDUSTRY

The Leader of the Glenn Lazarus Team (Senator Lazarus), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1030—That the Senate—

(a) acknowledges that rural and regional Queensland is suffering from drought and ongoing job losses across many sectors, including the meat processing industry;
(b) calls on the Government to take immediate action to prevent further job losses in the Queensland meat industry by:
   (i) establishing a dedicated working group comprised of Government, employers and employees, including representative groups/bodies to consult with employers, employees and unions in the meat processing industry to ascertain what level of support would be useful in protecting employment levels in the industry; and
   (ii) developing an industry accord in consultation with industry stakeholders, including those within the meat processing, live export and farming sectors, which delivers positive outcomes for all stakeholders and reduces job losses in the meat processing industry; and
(c) further calls on the Government to investigate and report on the extent to which recently signed free trade agreements (FTAs), such as the China-Australia Free Trade Agreement, have altered demand and supply patterns in the local meat industry and, if FTAs have contributed to local jobs being lost, how such agreements can be strengthened to prevent this from happening in the future.

Statements by leave: The Minister for Northern Australia (Senator Canavan) and Senator Lazarus, by leave, made statements relating to the motion.

Question put and passed.

20 EDUCATION—SAFE SCHOOLS COALITION AUSTRALIA PROGRAMME

Senator Lindgren, also on behalf of Senator Bernardi, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1029—That the Senate—

(a) notes that:
   (i) bullying and harassment should never be tolerated in any forum,
   (ii) schools should provide a safe and supportive learning environment for all students, and
   (iii) schools participating in the Safe Schools Coalition Australia program should carefully consider the suitability of resources, including web-based resources, for all their students;
(b) requests that all parents are provided information about the program to allow them to make an informed decision regarding their child’s participation, and that schools respect their decision, including the right to exclude their child from the program; and

(c) requests that all schools considering joining the program respectfully consult parents in making any such decision.

*Statements by leave:* Senators Moore and Simms, by leave, made statements relating to the motion.

Question put and negatived.

21 **COMMUNICATIONS—DIGITAL ENCRYPTION TECHNOLOGIES**

Senator Ludlam, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 1032—That the Senate—

(a) notes that:

(i) strong digital encryption protects the personal and financial information of millions of people,

(ii) encryption is an important tool to prevent identity theft and other crime,

(iii) encryption ensures that public interest whistleblowers, journalists and other civil society actors can conduct their activities more securely,

(iv) the Government, through services such as Medicare and Centrelink, and digital platforms such as myGov, depends on encryption to keep client information safe, and

(v) any decrease in public trust in digital systems and services will present an obstacle to the Government’s agile innovation agenda; and

(b) calls on the Government to:

(i) support the continued development and use of strong encryption technologies,

(ii) resist any push from other governments to weaken encryption on personal devices, and

(iii) work with law enforcement to develop alternative avenues to obtain information through warrants and targeted surveillance that does not put every Australian at greater risk of identity theft.

Question put.

The Senate divided—

**AYES, 16**

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NOES, 39

Senators—
  Abetz Fawcett Madigan Polley
  Back Fifield Marshall Reynolds
  Bernardi Gallacher McAllister Ronaldson
  Bilby Gallagher McEwen (Teller) Ryan
  Bullock Johnston McKenzie Seselja
  Bushby Ketter McLucas Singh
  Canavan Lindgren Moore Smith
  Dastyari Lines O’Neill Sterle
  Day Ludwig O’Sullivan Williams
  Edwards Macdonald Parry

Question negatived.

22 FOREIGN AFFAIRS—IRAN AND NORTH KOREA—NUCLEAR PROGRAMS

Motion determined as not formal: Senator Lambie requested that general business notice of motion no. 1004 standing in her name for today, relating to nuclear programs in North Korea and Iran, be taken as formal.

An objection was raised and the motion was not proceeded with as a formal motion.

Statements by leave: The Minister for Vocational Education and Skills (Senator Ryan) and Senator Lambie, by leave, made statements relating to the motion.

23 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—SENATE—ELECTORAL LAW CHANGES

The President informed the Senate that, at 8.30 am today, Senators Day, Leyonhjelm and Moore had each submitted a letter in accordance with standing order 75 proposing a matter of public importance for discussion. The question of which proposal would be submitted to the Senate was determined by lot.

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

The rushed changes to voting laws that will extinguish Senate diversity.

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

24 DOCUMENTS—CONSIDERATION

The following document tabled earlier today (see entry no. 2) was considered:

Regional Telecommunications Independent Review Committee—Regional telecommunications review 2015—Government response. Motion to take note of document moved by Senator Cameron, debated and agreed to.

25 COMMITTEE REPORTS AND GOVERNMENT RESPONSES—TABLING AND CONSIDERATION PERSUANT TO STANDING ORDER 62(4)

Senator Smith, on behalf of the Joint Committee of Public Accounts and Audit, tabled the following reports:

Public Accounts and Audit—Joint Statutory Committee—
  455th report—Parliamentary delegation to New Zealand and Fiji by members of the JCPAA, dated February 2016.
Senator Smith moved—That the Senate take note of the reports.
Question put and passed.

Senator Smith, on behalf of the Parliamentary Standing Committee on Public Works, tabled the following reports:

Public Works—Joint Statutory Committee—

Senator Smith moved—That the Senate take note of the reports.
Question put and passed.

Senator O’Sullivan, on behalf of the Joint Standing Committee on Treaties, tabled the following report:


Senator O’Sullivan moved—That the Senate take note of the report.
Question put and passed.

Senator Macdonald, on behalf of the Joint Select Committee on Northern Australia, tabled the following report and documents:

Northern Australia—Joint Select Committee—Scaling up: Inquiry into opportunities for expanding aquaculture in Northern Australia—Report, dated February 2016 and minutes of proceedings.

Senator Macdonald moved—That the Senate take note of the report.
Debate ensued.
Debate adjourned till the next day of sitting, Senator Cameron in continuation.

The Minister for Northern Australia (Senator Canavan) tabled the following document:

The Minister for Northern Australia (Senator Canavan) tabled the following document:


Orders of the day nos 1 and 2 relating to committee reports and government responses were called on but no motion was moved.

26 COMMITTEE MEMBERSHIP
The Acting Deputy President (Senator Gallacher) informed the Senate that the President had received letters requesting changes in the membership of committees.

The Minister for Northern Australia (Senator Canavan), by leave, moved—That senators be discharged from and appointed to committees as follows:

**Community Affairs Legislation Committee**—
- Discharged—Senator Johnston
  - Participating member: Senator Canavan
- Appointed—Senator Lindgren
  - Participating member: Senator Johnston

**Economics Legislation Committee**—
- Discharged—Senator Canavan
- Appointed—Senator Smith

**Economics References Committee**—
- Discharged—Senator Canavan
- Appointed—Senator Smith

**Education and Employment Legislation Committee**—
- Discharged—Senator Lindgren
  - Participating member: Senator Canavan
- Appointed—Senator Johnston
  - Participating member: Senator Lindgren

**Education and Employment References Committee**—
- Discharged—Senator Reynolds
  - Participating member: Senator Canavan
- Appointed—Senator Johnston
  - Participating member: Senator Reynolds

**Electoral Matters—Joint Standing Committee**—
- Appointed [for the purposes of the committee’s inquiry into the Commonwealth Electoral Amendment Bill 2016]—Participating members: Senators Di Natale, Hanson-Young, Ludlam, McKim, Rice, Siewert, Simms, Waters and Whish-Wilson
Environment and Communications References Committee—
   Appointed—
   Substitute member: Senator Gallacher to replace Senator Singh for the committee’s inquiry into oil or gas production in the Great Australian Bight Participating member: Senator Singh

Finance and Public Administration Legislation Committee—
   Discharged—
   Senator Smith
   Participating member: Senator Canavan
   Appointed—
   Senator Lindgren
   Participating member: Senator Smith

Finance and Public Administration References Committee—
   Discharged—
   Senator Smith
   Participating member: Senator Canavan
   Appointed—
   Senator Lindgren
   Participating member: Senator Smith

Human Rights—Joint Statutory Committee—
   Appointed—Senator O’Sullivan

Murray-Darling Basin Plan—Select Committee—
   Discharged—
   Senator Canavan
   Participating member: Senator Smith
   Appointed—Senator O’Sullivan

Northern Australia—Joint Select Committee—
   Discharged—Senator Canavan
   Appointed—Senator Lindgren

Scrutiny of Government Budget Measures—Select Committee—
   Discharged—
   Senator Canavan
   Participating members: Senators Ruston and Sinodinos
   Appointed—
   Senator Abetz
   Participating member: Senator Ronaldson

Unconventional Gas Mining—Select Committee—
   Discharged—Senator Canavan
   Appointed—Senator Johnston.

Question put and passed.
Tax Laws Amendment (Small Business Restructure Roll-over) Bill 2016

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


Message no. 551, dated 22 February 2016—A Bill for an Act to amend the law relating to taxation, and for related purposes.

The Minister for Northern Australia (Senator Canavan) 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 Canavan moved—That these bills be now read a second time.

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

Consideration of legislation: Senator Canavan moved—That the bills be listed on the Notice Paper as separate orders of the day.

Question put and passed.

28 Social Security (Administration) (Trial Area — Ceduna and Surrounding Region) Determination—Proposed Disallowance


Debate ensued.

Question put.

The Senate divided—

AYES, 11

Senators—

Di Natale
Hanson-Young
Ludlam
McKim
Muir
Rhiannon
Rice
Siewert (Teller)
Simms
Waters
Whish-Wilson

NOES, 28

Senators—

Abetz
Back
Bilyk (Teller)
Bullock
Bushby
Cameron
Collins
Gallacher
Gallagher
Lindgren
Lines
Ludwig
Madigan
Marshall
McGrath
McKenzie
McLucas
Moore
O'Neill
O'Sullivan
Reynolds
Ronaldson
Seselja
Singh
Smith
Wang
Williams
Xenophon

Question negatived.
29 Tax Laws Amendment (Implementation of the Common Reporting Standard) Bill 2015

Order of the day read for the adjourned debate on the motion of the Minister for Indigenous Affairs (Senator Scullion)—That this bill be now read a second time.
Debate resumed.
Question put and passed.
Bill read a second time.
The Senate resolved itself into committee for the consideration of the bill.

In the committee

Bill taken as a whole by leave.

Explanatory memorandum: The Minister for Education and Training (Senator Birmingham) tabled a supplementary explanatory memorandum relating to the government amendments to be moved to the bill.

Bill debated.

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

30 Adjournment

The Acting Deputy President (Senator Ketter) proposed the question—That the Senate do now adjourn.
Debate ensued.
The Senate adjourned at 9.53 pm till Wednesday, 24 February 2016 at 9.30 am.

31 Attendance

Present, all senators except Senators Colbeck* and Peris* (*on leave).

Rosemary Laing
Clerk of the Senate

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