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1 **MEETING OF SENATE**
The Senate met at 9.30 am. The President (Senator the Honourable Stephen Parry) took the chair, read prayers and made an acknowledgement of country.

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

- Administrative Appeals Tribunal—Report for 2015-16, including the report of the Immigration Assessment Authority.
- Australian Safeguards and Non-Proliferation Office—Report for 2015-16.
- Companies Auditors and Liquidators Disciplinary Board (CALDB)—Report for 2015-16.
- Department of Parliamentary Services—Report for 2015-16.
- Department of the Prime Minister and Cabinet—Report for 2015-16, including reports of the Aboriginals Benefit Account, Aboriginal and Torres Strait Islander Land Account and the Office of the Registrar of Indigenous Corporations.
- Family Court of Australia—Report for 2015-16, including financial statements for the Federal Circuit Court of Australia.
- Inspector-General of Intelligence and Security (IGIS)—Report for 2015-16.

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

- Taxation Determination TD 2016/16.


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

- Departmental and agency appointments and vacancies—Budget (Supplementary) estimates 2016-17—Letters of advice pursuant to the order of the Senate of 24 June 2008—Department of Human Services.
Education and Training portfolio.
Prime Minister and Cabinet portfolio.
Treasury portfolio.

Departmental and agency grants—Letters of advice pursuant to the order of the Senate of 24 June 2008—Budget (Supplementary) estimates 2016-17—
Agriculture and Water Resources portfolio [2].
Australian Organ and Tissue Donation and Transplantation Authority.
Department of Education and Training.
Department of Human Services.
Industry, Innovation and Science portfolio.
National Blood Authority.
Prime Minister and Cabinet portfolio.
Treasury portfolio.

Estimates hearings—Unanswered questions on notice—Statements pursuant to the order of the Senate of 25 June 2014—
Additional estimates 2015-16—Department of Defence.
Budget estimates 2016-17—
Australian Public Service Commission.
Department of Defence.
Department of Human Services.

Indexed lists of departmental and agency files for the period 1 January to 30 June 2016—Statements of compliance pursuant to the order of the Senate of 30 May 1996, as amended—
Commonwealth Ombudsman.
Department of Human Services.
Department of the Prime Minister and Cabinet.
Infrastructure and Regional Development portfolio.
Inspector-General of Intelligence and Security.

3 COMMITTEE—LEAVE TO MEET DURING SITTING
A committee was authorised to meet during the sitting of the Senate, as follows:
Legal and Constitutional Affairs Legislation Committee—private meeting otherwise than in accordance with standing order 33(1) today, from 1.50 pm.

4 TREASURY LAWS AMENDMENT (INCOME TAX RELIEF) BILL 2016
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.
Bill further debated.

Document: The Minister for Finance (Senator Cormann) tabled the following document:
Bill further debated and agreed to.
Bill to be reported without amendment.

The Acting Deputy President (Senator Sterle) resumed the chair and the Temporary Chair of Committees reported accordingly.
On the motion of Senator Cormann the report from the committee was adopted and the bill read a third time.
Suspension of sitting: On the motion of Senator Cormann the sitting of the Senate was suspended at 10.26 am till noon to enable senators to attend a meeting of the House of Representatives for an address by the Prime Minister of the Republic of Singapore.

At noon—

5 National Cancer Screening Register Bill 2016
National Cancer Screening Register (Consequential and Transitional Provisions) Bill 2016

Messages from the House of Representatives were reported transmitting for the concurrence of the Senate the following bills:
Message no. 33, dated 12 October 2016—A Bill for an Act to establish and provide for a cancer screening register, and for related purposes.
Message no. 34, dated 12 October 2016—A Bill for an Act to deal with consequential and transitional matters arising from the enactment of the National Cancer Screening Register Act 2016, and for related purposes.
The Minister for Employment (Senator Cash) 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 Cash moved—that these bills be now read a second time.

Explanatory memorandum: Senator Cash tabled a revised explanatory memorandum relating to the National Cancer Screening Register Bill 2016.

Debate ensued.
Senator Watt moved the following amendment in respect of the National Cancer Screening Register Bill 2016:
At the end of the motion, add “but the Senate condemns the Government for outsourcing Australians’ most sensitive health information to Telstra before the Parliament even saw the necessary legislation”.
At 12.45 pm: Debate was interrupted while Senator Watt was speaking.

6 Senators’ Statements
Senators made statements.
7 **QUESTIONS**
Questions without notice were answered.

8 **MOTIONS TO TAKE NOTE OF ANSWERS**
Senator Carr moved—That the Senate take note of the answers given by the Attorney-General (Senator Brandis) to questions without notice asked by Opposition senators today relating to the Solicitor-General.
Debate ensued.
Question put and passed.

Senator McKim moved—That the Senate take note of the answer given by the Attorney-General (Senator Brandis) to a question without notice asked by Senator McKim today relating to asylum seekers.
Question put and passed.

9 **PETITIONS**
The following 2 petitions, lodged with the Clerk by the senators indicated, were received:

Senator Back, from 1 petitioner, requesting that the Senate take action concerning the Defence Force Retirement and Death Benefits Scheme.

Senator Williams, from 35 petitioners, requesting that the Senate call on the Government to remove all federal funding from the Safe Schools Coalition program.

10 **NOTICES**
Senator Marshall: 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 7 August 2017:

The incidence of, and trends in, corporate avoidance of the *Fair Work Act 2009*, with particular reference to:

(a) the use of labour hire and/or contracting arrangements that affect workers’ pay and conditions;
(b) voting cohorts to approve agreements with a broad scope that affect workers’ pay and conditions;
(c) the use of agreement termination that affect workers’ pay and conditions;
(d) the effectiveness of transfer of business provisions in protecting workers’ pay and conditions;
(e) the avoidance of redundancy entitlements by labour hire companies;
(f) the effectiveness of any protections afforded to labour hire employees from unfair dismissal;
(g) the approval of enterprise agreements by workers not yet residing in Australia that affect workers’ pay and conditions;
(h) the extent to which companies avoid their obligations under the *Fair Work Act 2009* by engaging workers on visas;
(i) whether the National Employment Standards and modern awards act as an effective ‘floor’ for wages and conditions and the extent to which companies enter into arrangements that avoid those obligations;
(j) legacy issues relating to WorkChoices and Australian Workplace Agreements;
(k) the economic and fiscal impact of reducing wages and conditions across the economy; and
(l) any other related matters.

Senator Xenophon: To move on the next day of sitting—That the following matters be referred to the Rural and Regional Affairs and Transport References Committee for inquiry and report by 28 November 2016:

The use of drones in Australia, with particular reference to:
(a) public safety, security and privacy;
(b) benefits to the community and the economy;
(c) registration and training needs of both private and commercial users/operators;
(d) professional standards framework for commercial users/operators;
(e) insurance requirements of both private and commercial users/operators;
(f) the use of current and emerging drone technologies with respect to enhancing public safety, security and privacy;
(g) current and future regulatory requirements, including consideration of:
   (i) the Civil Aviation Legislation Amendment (Part 101) Regulation 2016,
   (ii) state and local government regulations, and
   (iii) regulations in other jurisdictions;
(h) legislative enforcement difficulties/impediments and solutions; and
(i) any other related matters.

Senators Smith and Fawcett: To move on the next day of sitting—That the Senate—
(a) notes the death, on 28 September 2016, of Mr Shimon Peres, a founding father, staunch defender, former Prime Minister and former President of Israel;
(b) extends its appreciation for Mr Peres’ extraordinary lifetime of service to his own nation, and to advancing the cause of peace in the Middle East, which was internationally recognised through his receipt of the Nobel Peace Prize in 1994; and
(c) expresses its deepest sympathies to the family of Mr Peres and to the people of Israel at the loss of this extraordinary statesman. (general business notice of motion no. 87)

Senator Brown: To move on the next day of sitting—That the Senate—
(a) notes that:
   (i) National Carers Week 2016 runs from Sunday, 16 October to Saturday, 22 October, and
   (ii) during National Carers Week, Australians are encouraged to show their appreciation for unpaid carers and learn about caring in Australia; and
(b) recognises that:
   (i) an estimated 2.8 million Australians provide unpaid care and support for people who have a disability, mental illness, chronic condition, terminal illness or who are aged,
(ii) these carers make an extraordinary contribution to our communities as well as our national economy,

(iii) the replacement cost of this informal care is valued at $60.3 billion over the course of a year, and

(iv) any one at any time can become a carer. *(general business notice of motion no. 88)*

Senators O’Sullivan, Xenophon, Back, Fawcett, Rice and Sterle: To move on the next day of sitting—That the following matter be referred to the Rural and Regional Affairs and Transport References Committee for inquiry and report by 27 April 2017:

(a) current and future regulatory requirements that impact on the safe commercial and recreational use of Remotely Piloted Aircraft Systems (RPAS), Unmanned Aerial Systems (UAS) and associated systems, including consideration of:
   (i) Civil Aviation Safety Regulation Part 101,
   (ii) local design and manufacture of RPAS and associated systems,
   (iii) importation of RPAS and associated systems,
   (iv) state and local government regulation, and
   (v) overseas developments, including work by the International Civil Aviation Organization (ICAO) and overseas aviation regulatory jurisdictions;

(b) the existing industry and likely future social and economic impact of RPAS technology;

(c) the international regulatory/governance environment for RPAS technology and its comparison to Australian regulation;

(d) current and future options for improving regulatory compliance, public safety and national security through education, professional standards, training, insurance and enforcement;

(e) the relationship between aviation safety and other regulation of RPAS, for example, regulation by state and local government agencies on public safety, security and privacy grounds;

(f) the potential recreational and commercial uses of RPAS, including agriculture, mining, infrastructure assessment, search and rescue, fire and policing operations, aerial mapping and scientific research;

(g) insurance requirements of both private and commercial users/operators, including consideration of the suitability of existing data protection, liability and insurance regimes, and whether these are sufficient to meet growing use of RPAS;

(h) the use of current and emerging RPAS and other aviation technologies to enhance aviation safety; and

(i) any other related matters.

Senators Kakoschke-Moore and Xenophon: To move on the next day of sitting—That the Senate—

(a) supports Stay Smart Online Week;

(b) notes that:
   (i) Ms Sonya Ryan, CEO of the Carly Ryan Foundation, has supported Stay Smart Online Week by invitation of the Government for the past three years at no cost to the Government,
   (ii) the Carly Ryan Foundation is a leader in online safety education,
(iii) the Carly Ryan Foundation has visited and supported over 5,000 schools, colleges and regional areas, educating Australian youth and the community about cyber safety, and

(iv) the Carly Ryan Foundation receives no funding from the Government;

(c) recognises the work of the Carly Ryan Foundation in raising awareness and education about cyber safety; and

(d) calls on the Government to provide funding to the Carly Ryan Foundation.

(General business notice of motion no. 89)

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

(a) notes:

(i) the Organisation for Economic Co-operation and Development (OECD) September 2016 Interim Economic Outlook, which states that all countries have room to restructure their spending and tax policies by increasing infrastructure spending and using fiscal measures to support structural reforms,

(ii) the International Monetary Fund (IMF) April 2016 World Economic Outlook, which states that infrastructure investment is needed across a range of countries and that countries with fiscal space should not wait to take advantage of low interest rates, and

(iii) the August 2016 and final speech of the former Reserve Bank Governor, Mr Glenn Stevens, in which he drew a distinction between borrowing to invest in the right investment assets—long-lived assets that yield an economic return—as opposed to borrowing to pay pensions, welfare and routine government expenses; and

(b) calls on the Government to:

(i) distinguish between ‘good’ debt, used to fund investment in transformative and productivity enhancing infrastructure, and ‘bad’ debt, used to fund recurrent spending, and

(ii) release a mini-Budget which distinguishes between borrowing for recurrent purposes from borrowing for capital, and in which it increases borrowing to invest in public infrastructure that would help provide a more sustainable economic future and create jobs. (General business notice of motion no. 90)

11 LEAVE OF ABSENCE

Senator Siewert, by leave, moved—That leave of absence be granted to Senator Waters for today, on account of ill health.

Question put and passed.

12 POSTPONEMENTS

Senator Siewert, by leave and at the request of Senators Waters and Dastyari, moved—That business of the Senate notice of motion no. 3 standing in the name of Senators Waters and Dastyari for today, proposing a reference to the Environment and Communications References Committee, be postponed till the next day of sitting.

Question put and passed.
Business was postponed as follows:

Business of the Senate notice of motion no. 1 standing in the name of Senator Leyonhjelm for today, proposing the disallowance of the Customs (Prohibited Imports) Amendment (Shotguns and Shotgun Magazines) Regulation 2016, postponed till 21 November 2016.

Business of the Senate notice of motion no. 4 standing in the names of Senators Cameron, Xenophon, Rhiannon and Lambie for today, proposing a reference to the Education and Employment References Committee, postponed till 13 October 2016.

General business notice of motion no. 82 standing in the name of Senator Siewert for today, relating to Mr Marlon Noble, postponed till 13 October 2016.

13 **REGULATORY POWERS (STANDARDISATION REFORM) BILL 2016**
**PRIVACY AMENDMENT (RE-IDENTIFICATION OFFENCE) BILL 2016**

The Attorney-General (Senator Brandis), pursuant to notices of motion not objected to as formal motions, moved government business notices of motion nos 1 and 2—That the following bills be introduced:


A Bill for an Act to amend the *Privacy Act 1988*, and for related purposes.

Question put and passed.

Senator Brandis presented the bills and 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 Brandis moved—That these bills be now read a second time.

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**Explanatory memoranda:** Senator Brandis tabled explanatory memoranda [2] relating to the bills.

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**Consideration of legislation:** Pursuant to order, the debate was adjourned and the resumption of the debate made an order of the day for the first day in the next period of sittings, 7 November 2016.

Senator Brandis moved—That the bills be listed on the *Notice Paper* as separate orders of the day.

Question put and passed.

14 **ROUTINE OF BUSINESS—VARIATION—FIRST SPEECHES**

The Assistant Minister to the Prime Minister (Senator McGrath), at the request of the Minister for Communications (Senator Fifield) and pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 3—That consideration of the business before the Senate on Thursday, 13 October 2016 be interrupted at approximately 4 pm, but not so as to interrupt a senator speaking, to enable Senator Griff to make his first speech without any question before the chair.

Question put and passed.
15 **CRIMINAL CODE AMENDMENT (MISREPRESENTATION OF AGE TO A MINOR) BILL 2016**

Senator Kakoschke-Moore, also on behalf of Senators Xenophon and Griff and the Leader of Derryn Hinch’s Justice Party (Senator Hinch), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 81—That the following bill be introduced:


Question put and passed.

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

Question put and passed.

Bill read a first time.

Senator Kakoschke-Moore moved—That this bill be now read a second time.

Explanatory memorandum: Senator Kakoschke-Moore, by leave, tabled an explanatory memorandum relating to the bill.

Debate adjourned till the next day of sitting. Senator Kakoschke-Moore in continuation.

16 **INDUSTRY—SOUTH AUSTRALIA—RENEWABLE ENERGY**

Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 64—That the Senate—

(a) notes the large storm that lashed South Australia on 28 and 29 September 2016;

(b) acknowledges the incredible effort of hundreds of emergency services personnel and volunteers who responded to the storm damage under very difficult circumstances; and

(c) expresses support for the renewable energy industry in South Australia and endorses South Australia’s strong renewable energy target.

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

Question put and passed.

17 **ENVIRONMENT AND COMMUNICATIONS REFERENCES COMMITTEE—AUSTRALIA’S VIDEO GAME DEVELOPMENT INDUSTRY—GOVERNMENT RESPONSE—ORDER FOR PRODUCTION OF DOCUMENTS**

Senator Ludlam amended general business notice of motion no. 69 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That—

(a) the Senate notes that:

(i) the video games industry is the fastest-growing entertainment industry in the world,

(ii) in recent years, the industry in Australia has generated over $2 billion in retail revenue, and it continues to grow,

(iii) it is larger than the local film industry, but Federal Government assistance has been cut,
(iv) the Senate inquiry into the future of Australia’s video game development industry was held from June 2015 to April 2016, with the final report presented on 29 April 2016, which was unanimously agreed to, and

(v) under resolution of the Senate, the Government is required to respond to Senate inquiries within three months of reporting; and

(b) there be laid on the table by the Minister for the Arts, no later than 2 pm on Thursday, 13 October 2016, the government response to the report of the Environment and Communications References Committee on the future of Australia’s video game development industry.

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

Question put and passed.

18 TRADE—INVESTOR-STATE DISPUTE SETTLEMENT CLAUSES

Senator Lambie, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 79—That the Senate—

(a) notes that:

(i) Investor-State Dispute Settlement (ISDS) clauses in trade agreements restrict Australia’s sovereignty and ability to fairly regulate and legislate in the public interest,

(ii) ISDS clauses in trade agreements empower multi-national corporations to sue governments for decisions which impede company profits,

(iii) approximately 52 per cent of ISDS claims were partly or fully successful in the multi-national corporations’ favour, and 60 per cent of the cases decided on merit were won by investors,

(iv) ISDS clauses are a drain on the taxpayer and government resources,

(v) in 2009, Swedish energy company Vattenfall brought a successful ISDS claim against the German Government, for imposing quality controls for waste waters released from their power plant which supposedly made their investment project ‘unviable’, and

(vi) in 2015, United States company Bilcon, brought a successful ISDS claim against the Canadian Government, for not allowing it to build a quarry and marine terminal in an ecologically sensitive coastal area in eastern Canada; and

(b) calls on the Government to ban ISDS for all trade agreements.

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

Question put and passed.
RESILIENCE OF ELECTRICITY INFRASTRUCTURE IN A WARMING WORLD—SELECT COMMITTEE—APPOINTMENT

Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 86—

(1) That a select committee, to be known as the Select Committee into the Resilience of Electricity Infrastructure in a Warming World, be established to inquire into and report on, by 10 February 2017, the following matters:

(a) the role of storage technologies and localised, distributed generation to provide Australia’s electricity networks with the resilience to withstand the increasing severity and frequency of extreme weather events driven by global warming;

(b) measures that should be taken by federal, state and local governments to hasten the rollout of such technologies in order to:

(i) create jobs in the installation, manufacture and research of storage and distribution technologies,

(ii) stimulate household and business demand for storage technologies,

(iii) anticipate the rapid deployment of localised distributed generation through changes to market rules,

(iv) drive the reduction in technology costs through economies of scale, and

(v) seize on the opportunities to be a global leader in deploying storage technologies because of Australia’s high fixed electricity tariffs and significant penetration of rooftop solar; and

(c) any other relevant matters.

(2) That the committee consist of 7 senators, 2 nominated by the Leader of the Government in the Senate, 3 nominated by the Leader of the Opposition in the Senate, 1 nominated by the Leader of the Australian Greens and 1 nominated by minority groups and independent senators.

(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, the Leader of the Australian Greens or any minority party or independent senator;

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

(5) That the committee elect as chair a member nominated by the Leader of the Australian Greens and, as deputy chair, a member nominated by the Leader of the Opposition in the Senate.

(6) That the deputy chair shall act as chair when the chair is absent from a meeting of the committee or the position of chair is temporarily vacant.
(7) 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.

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

(9) 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.

(10) 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.

(11) That the committee be empowered to print from day to day such documents and evidence as may be ordered by it, and a daily Hansard be published of such proceedings as take place in public.

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

20 Finance and Public Administration References Committee—Reference

Senator Lambie, pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 2—

(1) That, with regard to Indigenous recognition in Tasmania, the Senate notes that the Premier of Tasmania made an historic Australia Day speech on 21 January 2016, where he disclosed that something was very wrong with Indigenous policy because:

(a) the Australian Bureau of Statistics reported that, from 2014, there were 25,845 Indigenous people in Tasmania while yet the Tasmanian Government estimated that there were only 6,000 Indigenous Tasmanians;

(b) there are Tasmanian families who identify as Tasmanian Aboriginals, yet the official statistics indicate that, potentially, only one in three members are actually recognised as such by the state;

(c) Federal Government funding represents the greatest proportion of support received by Tasmanian Aboriginals, contributing almost half a billion dollars in funding to Tasmanian Aboriginals, compared to about $8 million from the state government; and

(d) Tasmania’s existing Indigenous policy is a long way from aligning with the Commonwealth’s process; this means Tasmanians can be recognised as an Aboriginal in a national context, but not in their own home state.

(2) That the Commonwealth funding of Indigenous Tasmanians be referred to the Finance and Public Administration References Committee for inquiry and report by 28 November 2016, with particular reference to whether hundreds of millions of dollars in Commonwealth funds over the last decade were unfairly, unjustly, or illegally allocated to, and spent on, only 6,000 Indigenous Tasmanians, rather than almost 26,000.

Statements by leave: Senators Dodson, Siewert and Lambie, by leave, made statements relating to the motion.
Question put.
The Senate divided—

AYES, 35

Senators—
Back  Fierravanti-Wells  Macdonald  Roberts
Birmingham  Fifield  McGrath  Ruston
Burston  Griff  McKenzie  Ryan
Bushby*  Hanson  Nash  Scullion
Canavan  Hinch  O’Sullivan  Sinodinos
Cash  Hume  Parry  Smith
Culleton  Kakoschke-Moore  Paterson  Williams
Duniam  Lamble  Payne  Xenophon
Fawcett  Leyonhjelm  Reynolds

NOES, 30

Senators—
Bilyk  Dodson  Marshall  Rhiannon
Brown  Farrell  McAllister  Rice
Carr  Gallagher  McCarthy  Siewert
Chisholm  Hanson-Young  Moore  Urquhart*
Collins  Ketter  O’Neill  Watt
Dastyari  Lines  Pratt  Whish-Wilson
Di Natale  Ludlam  Rhiannon  Siewert*

* Tellers

Question agreed to.

21 POLITICS—POLITICAL DONATIONS—BANKS AND FINANCIAL INSTITUTIONS

Senator Rhiannon, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 80—That the Senate—

(a) notes that the National Bank of Australia has announced a voluntary ban on all political donations to avoid perceptions of impropriety or graft; and

(b) calls on all parties and members of Parliament to refuse political donations from all banks and financial institutions to avoid perceptions of impropriety or graft.

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

Question put.
The Senate divided—

AYES, 8

Senators—
Di Natale  Ludlam  Rhiannon  Siewert*
Hanson-Young  McKim  Rice  Whish-Wilson
Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 83—That the Senate—

(a) welcomes the decision by BP to withdraw its application to drill for oil in the Great Australian Bight; and

(b) calls on the Turnbull Government to permanently ban all oil exploration and drilling in the Great Australian Bight.

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

Question put.

The Senate divided—

AYES, 11

Senators—

Di Natale Griff
Kakoschke-Moore Ludlam
Rhiannon Rice
Whish-Wilson
Xenophon

NOES, 55

Senators—

Abetz Back Bilyk Birmingham
Dodson Fawcett Fierravanti-Wells
Duniam Lines Marshall
Leyonhjelm Prat Marshall
Payne Reynolds Roberts

Burston Bushby Canavan Carr Cash
Gallacher Gallagher Hanson Hinch
McCarthy McGrath Moore Nash
Ruston Ryan McKenzie Smith

Brown Cameron Canavan Carr Cash
Fawcett Gallacher Hanson Hinch
McAllister McGrath Moore O’Neill
McDonald McKenzie Smith Urquhart
Reynolds Scullion Smith

Bushby* Cameron Canavan Carr
Fifield Gallacher Hanson Hinch
McGrath McKenzie Moore O’Neill
McCart Ryan Smith Urquhart

Collins Culleton Dastyari Dodson
Ketter Lambie Rhiannon Whish
Paterson Wilson

* Tellers

Question negatived.

* Tellers

Question negatived.
23 **FOREIGN AFFAIRS—CHINA**

*Motion determined as not formal:* Senator Lambie requested that general business notice of motion no. 85 standing in her name for today, relating to China, be taken as formal.

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

24 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—ADMINISTRATION—TURNBULL GOVERNMENT**

The President informed the Senate that Senator Gallagher had proposed that the following matter of public importance be submitted to the Senate for discussion:

The Turnbull Government’s lack of achievement in the 100 days since the election.

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

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25 **FIRST SPEECHES**

Pursuant to order, Senators Chisholm and Culleton made their first speeches.

26 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—ADMINISTRATION—TURNBULL GOVERNMENT**

Discussion of the matter of public importance proposed by Senator Gallagher (*see entry no. 24*) concluded.

27 **ANIMAL WELFARE—CIRCUS AND MOBILE DISPLAY PERMITS—DOCUMENT**

Senator Rhiannon, by leave, tabled the following document:

Animal welfare—Circus and mobile display permits—Petitioning document from 1132 signatories calling on the Senate to abolish permits which allow animals such as lions, tigers and elephants and non-human primates to be kept in circuses and mobile displays.

28 **DOCUMENTS—CONSIDERATION**

The following documents tabled earlier today (*see entry no. 2*) were considered:

*Stronger Futures in the Northern Territory Act 2012*—Independent review under section 117 of the Act—Report by KPMG. Motion to take note of document moved by Senator Siewert and debated. On the motion of Senator Urquhart the debate was adjourned till Thursday at general business.


Department of the Prime Minister and Cabinet—Report for 2015-16, including reports of the Aboriginals Benefit Account, Aboriginal and Torres Strait Islander Land Account and the Office of the Registrar of Indigenous Corporations. Motion to take note of document moved by Senator Macdonald. Debate adjourned till Thursday at general business, Senator Macdonald in continuation.


29 COMMITTEE REPORTS AND GOVERNMENT RESPONSES—TABLENG AND CONSIDERATION

The Chair of the Procedure Committee (Senator Lines) tabled the following report:

Procedure—Standing Committee—First report of 2016—Photography in the chamber; Ministerial statements; Caring for infants, dated October 2016.

Report ordered to be printed on the motion of Senator Lines.

Senator Lines, by leave, moved—That consideration of the report be made a business of the Senate order of the day for Tuesday, 8 November 2016.

Question put and passed.

Senator Lines moved—That the Senate take note of the report.

Question put and passed.

The Chair of the Standing Committee for the Scrutiny of Bills (Senator Polley) tabled the following reports and document:

Scrutiny of Bills—Standing Committee—
Alert Digest No. 7 of 2016, dated 12 October 2016.

Reports ordered to be printed on the motion of Senator Polley.

Senator Polley moved—That the Senate take note of the reports.

Question put and passed.

Senator Fawcett, at the request of the Chair of the Standing Committee on Regulations and Ordinances (Senator Williams), tabled the following report:


Report ordered to be printed on the motion of Senator Fawcett.

Senator Fawcett, on behalf of the Parliamentary Joint Committee on Human Rights, tabled the following report:


Report ordered to be printed on the motion of Senator Fawcett.
30 TRADE—WORLD TRADE ORGANIZATION GOVERNMENT PROCUREMENT AGREEMENT—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENT

The Assistant Minister to the Prime Minister (Senator McGrath) tabled the following document:

Trade—World Trade Organization Government Procurement Agreement—Letter to the President of the Senate from the Cabinet Secretary (Senator Sinodinos), dated 12 October 2016, responding to the order of the Senate of 10 October 2016 and raising a public interest immunity claim.

31 RURAL AND REGIONAL AFFAIRS AND TRANSPORT REFERENCES COMMITTEE—AUSTRALIAN GRAPE AND WINE INDUSTRY—GOVERNMENT RESPONSE—ORDER FOR PRODUCTION OF DOCUMENT—DOCUMENT

The Assistant Minister to the Prime Minister (Senator McGrath) tabled the following document:

Rural and Regional Affairs and Transport References Committee—Australian grape and wine industry—Government response—Letter from the Minister for Resources and Northern Australia (Senator Canavan) to the Clerk of the Senate (Dr Laing), dated 12 October 2016, responding to the order of the Senate of 10 October 2016.

32 ADMINISTRATION—2016 CENSUS—LEGAL ADVICE—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENT

The Assistant Minister to the Prime Minister (Senator McGrath) tabled the following document:

Administration—2016 Census—Legal advice—Letter to the President of the Senate from the Minister for Finance (Senator Cormann), dated 11 October 2016, responding to the order of the Senate of 12 September 2016 and raising a public interest immunity claim.

33 COMMITTEE MEMBERSHIP

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

Senator Back further informed the Senate that the President had received a letter from Senator Ludlam resigning his place on the Standing Committee of Privileges, with effect from 9.30 am on Thursday, 13 October 2016, and letters nominating Senators Hinch and Ludlam to be appointed to the resulting vacancy on the committee. A ballot will be held on 13 October 2016, immediately prior to the consideration of private senators’ bills.

The Assistant Minister to the Prime Minister (Senator McGrath), by leave, moved—

That senators be discharged from and appointed to committees as follows:

**National Broadband Network—Joint Standing Committee**—

- Appointed—Participating member: Senator Williams

**Privileges—Standing Committee**—

- Discharged—Senator Ludlam, with effect from 9.30 am on Thursday, 13 October 2016.

Question put and passed.
Pursuant to order, Senator Fawcett, at the request of the chairs of the respective committees, tabled the following reports:

Reports on annual reports referred to legislation committees—No. 2, dated October 2016—

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

Reports ordered to be printed on the motion of Senator Fawcett.

The Chair of the Legal and Constitutional Affairs Legislation Committee (Senator Macdonald), by leave, moved—That the Senate take note of the report of the Legal and Constitutional Affairs Legislation Committee.

Debate ensued.

Question put and passed.

Order of the day read for the adjourned debate on the motion of the Minister for Employment (Senator Cash)—That these bills be now read a second time—and on the amendment moved by Senator Watt in respect of the National Cancer Screening Register Bill 2016 (see entry no. 5).

Debate resumed.

At 7.20 pm: Debate was interrupted.

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

Debate ensued.

The Senate adjourned at 7.52 pm till Thursday, 13 October 2016 at 9.30 am.

Present, all senators except Senators Bernardi*, Day*, Singh* and Waters* (*on leave).

Printed by authority of the Senate

ROSEMARY LAING
Clerk of the Senate