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40 Adjournment

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

2 DEFENCE LEGISLATION AMENDMENT (WOOMERA PROHIBITED AREA) BILL 2013
Order of the day read for the adjourned debate on the motion of Senator Farrell—That this bill be now read a second time.
Debate resumed.
Time expired: The time for general business orders of the day for the consideration of bills reached the limit of 2 hours 20 minutes.
Debate adjourned till the next day of sitting, Senator Kroger in continuation.

3 NOTICES
Senator Waters: To move on 25 March 2014—That the following matter be referred to the Environment and Communications References Committee for inquiry and report by 25 June 2014:
The adequacy of the Australian and Queensland governments’ efforts to stop the rapid decline of the Great Barrier Reef, including but not limited to:
(a) management of the impacts of industrialisation of the reef coastline, including dredging, offshore dumping, and industrial shipping, in particular, but not limited to, current and proposed development in the following regions or locations:
   (i) Gladstone Harbour and Curtis Island,
   (ii) Abbot Point,
   (iii) Fitzroy Delta, and
   (iv) Cape Melville and Bathurst Bay;
(b) management of the impacts of agricultural runoff;
(c) management of non-agricultural activities within reef catchments impacting on the reef, including legacy mines, current mining activities and practices, residential and tourism developments, and industrial operations including Yabulu;
(d) ensuring the Great Barrier Reef Marine Park Authority has the independence, resourcing and capacity to act in the best interest of the long-term health of the reef;
(e) the adequacy, timeliness and transparency of independent scientific work undertaken to support government decisions impacting the reef;
(f) whether government decision processes impacting the reef are consistent with the precautionary principle;
(g) whether the strategic assessments currently underway are likely to protect the reef from further decline;
(h) the identification and protection of off-limits areas on the reef coastline to help protect the health of the reef;
(i) consistency of efforts with the World Heritage Committee’s recommendations on what is required to protect the reef;
(j) the extent to which government decisions impacting the reef, including
development of the strategic assessments and Reef 2050 Plan, involve genuine,
open and transparent consultation with the Australian community, affected
industries and relevant scientific experts, and genuine consideration of the
broader community’s views in final decisions; and

(k) any other related matters.

Senator Urquhart: To move on the next day of sitting—That the Senate welcomes the
United Nations General Assembly’s designation of 2014 as the International Year of
Solidarity with the Palestinian People. (general business notice of motion no. 191)

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

(a) notes:

(i) Australia’s co-sponsorship of the:

(A) 2012 United Nations (UN) General Assembly Human Rights
Council (HRC) resolution calling on the Sri Lankan Government
to implement the recommendations of the Lessons Learnt and
Reconciliation Commission of Sri Lanka and to take credible and
independent actions to ensure justice, equity, accountability and
reconciliation for all Sri Lankans, and

(B) 2013 UN General Assembly HRC resolution expressing concern
at continuing reports of violations of human rights in Sri Lanka,
and reiterating the call on the Government of Sri Lanka to
implement the commission’s recommendations and to fulfil its
commitment to conduct an independent and credible
investigation into allegations of violations of international human
rights law and international humanitarian law,

(ii) reports of continuing violations of human rights in Sri Lanka;
intimidation of and reprisals against human rights defenders, members
of civil society and journalists; threats to judicial independence and the
rule of law; and a rapid rise in violence and discrimination on the basis
of religion or belief in Sri Lanka, and

(iii) the High Commissioner for Human Rights’ conclusion that national
mechanisms have consistently failed to establish the truth and achieve
justice in Sri Lanka, and her recommendation that the HRC establish an
international inquiry mechanism to further investigate the alleged
violations of human rights law and international humanitarian law and
monitor any domestic accountability processes; and

(b) calls on the Australian Government to:

(i) maintain Australia’s strong record of support for human rights at the
25th session of the HRC, and

(ii) join with the United Kingdom and the United States and other
co-sponsoring nations and commit the Australian Government to the
strongest possible support to the draft HRC resolution A/HRC/25/L.1. (general business notice of motion no. 192)
Senator Whish-Wilson: To move on the next day of sitting—That the following matter be referred to the Foreign Affairs, Defence and Trade References Committee for inquiry and report by 15 May 2014:

Australia’s future activities and responsibilities in the Southern Ocean and Antarctic waters, including:

(a) Australia’s management and monitoring of the Southern Ocean in relation to illegal, unreported and unregulated fishing;
(b) cooperation with international partners on management and research under international treaties and agreements;
(c) appropriate resourcing in the Southern Ocean and Antarctic territory for research and governance; and
(d) any other related matters.

4 SELECTION OF BILLS—STANDING COMMITTEE—REPORT NO. 3 OF 2014

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

SELECTION OF BILLS COMMITTEE
REPORT NO. 3 OF 2014

1. The committee met in private session on Wednesday, 19 March 2014 at 7.22 pm.

2. The committee resolved to recommend—That—

   (a) the provisions of the Agricultural and Veterinary Chemicals Legislation Amendment (Removing Re-approval and Re-registration) Bill 2014 be referred immediately to the Rural and Regional Affairs and Transport Legislation Committee for inquiry and report by 16 June 2014;
   (b) the Competition and Consumer Amendment (Misuse of Market Power) Bill 2014 be referred immediately to the Economics Legislation Committee for inquiry and report by 24 June 2014;
   (c) the provisions of the Corporations Amendment (Streamlining of Future of Financial Advice) Bill 2014 be referred immediately to the Finance and Public Administration Legislation Committee for inquiry and report by 16 June 2014; and
   (d) the Flags Amendment Bill 2014 be referred immediately to the Finance and Public Administration Legislation Committee for inquiry and report by 16 June 2014.

3. The committee resolved to recommend—That the following bills not be referred to committees:

   Civil Aviation Amendment (CASA Board) Bill 2014
   Defence Force Retirement Benefits Legislation Amendment (Fair Indexation) Bill 2014
   Environment Protection and Biodiversity Conservation Amendment Bill 2014
   Export Market Development Grants Amendment Bill 2014
   Great Barrier Reef Legislation Amendment Bill 2014
   Social Security Amendment (Caring for People on Newstart) Bill 2014
   Statute Law Revision Bill (No. 1) 2014.

The committee recommends accordingly.
4. The committee deferred consideration of the following bills to its next meeting:
   Amending Acts 1901 to 1969 Repeal Bill 2014
   Australian Charities and Not-for-profits Commission (Repeal) (No. 1) Bill 2014
   Classification (Publications, Films and Computer Games) Amendment (Classification Tools and Other Measures) Bill 2014
   Clean Energy Finance Corporation (Abolition) Bill 2013 [No. 2]
   End Cruel Cosmetics Bill 2014
   G20 (Safety and Security) Complementary Bill 2014
   Independent National Security Legislation Monitor Repeal Bill 2014
   Intellectual Property Laws Amendment Bill 2014
   Marriage (Celebrant Registration Charge) Bill 2014
   Marriage Amendment (Celebrant Administration and Fees) Bill 2014
   National Broadband Network Companies Amendment (Tasmania) Bill 2014
   Omnibus Repeal Day (Autumn 2014) Bill 2014
   Paid Parental Leave Amendment Bill 2014
   Personal Property Securities Amendment (Deregulatory Measures) Bill 2014

Helen Kroger
Chair
20 March 2014.

Senator Kroger moved—that the report be adopted.
Question put and passed.

5 ORDER OF BUSINESS—REARRANGEMENT

The Assistant Minister for Social Services (Senator Fifield) moved—that—
(a) the following government business orders of the day be considered from 12.45 pm today:
   Farm Household Support Bill 2014
   Farm Household Support (Consequential and Transitional Provisions) Bill 2014
   Quarantine Charges (Collection) Bill 2014
   Quarantine Charges (Imposition—General) Bill 2014
   Quarantine Charges (Imposition—Customs) Bill 2014
   Quarantine Charges (Imposition—Excise) Bill 2014
   Civil Aviation Amendment (CASA Board) Bill 2014; 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 Fifield moved—that the order of general business for consideration today be as follows:
(a) general business notice of motion no. 188 standing in the name of Senator Siewert, relating to the Western Australian Senate election; and
(b) orders of the day relating to government documents.

Question put and passed.
6 ROUTINE OF BUSINESS—VARIATION
The Assistant Minister for Social Services (Senator Fifield), by leave, moved—that
the routine of business from not later than 4 pm till not later than 4.30 pm shall be
consideration of the first anniversary of the National Apology for Forced Adoptions.
Question put and passed.

7 LEAVE OF ABSENCE
Senator Kroger, by leave, moved—that leave of absence be granted to Senators Cash
and Madigan for today, for personal reasons.
Question put and passed.

8 CONSIDERATION OF LEGISLATION
The Assistant Minister for Social Services (Senator Fifield), 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:
Civil Aviation Amendment (CASA Board) Bill 2014
Farm Household Support Bill 2014
Farm Household Support (Consequential and Transitional Provisions) Bill 2014
Quarantine Charges (Collection) Bill 2014
Quarantine Charges (Imposition—Customs) Bill 2014
Quarantine Charges (Imposition—Excise) Bill 2014
Quarantine Charges (Imposition—General) Bill 2014.
Question put and passed.

9 INDUSTRY—ECONOMIC REVIEW OF SOUTH AUSTRALIA AND VICTORIA—ORDER
FOR PRODUCTION OF DOCUMENTS
Senator McEwen, at the request of Senator Carr and pursuant to notice of motion not
objected to as a formal motion, moved general business notice of motion no. 183—that
there be laid on the table by the Minister representing the Minister for Industry,
no later than noon on Monday, 24 March 2014, copies of the Review of the South
Australian Economy and the Victorian Manufacturing and Industry Economic Review,
originally announced by the Government on 18 December 2013.
Question put and passed.

10 YOUTH—EMOTIONAL RESILIENCE AND WELLBEING
Senator Wright, pursuant to notice of motion not objected to as a formal motion,
moved general business notice of motion no. 184—that the Senate—
(a) notes the 2014 Resilient Youth Australia survey’s finding that 34 per cent of
girls and 28 per cent of boys in years 7 to 12 feel constantly under strain and
unable to overcome difficulties;
(b) affirms that every school student in Australia should be able to access the tools
to develop emotional resilience; and
(c) calls on the Commonwealth Government to:
   (i) facilitate nationwide monitoring of adolescents’ emotional resilience and
   wellbeing, and
(ii) ensure every school provides an environment conducive to students’ wellbeing, including access to qualified mental health support personnel, to support school students during adolescence.

Statements by leave: The Assistant Minister for Social Services (Senator Fifield) and Senator Wright, by leave, made statements relating to the motion.

Question put and passed.

11 PRIVACY AMENDMENT (PRIVACY ALERTS) BILL 2014

Senator Singh, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 185—That the following bill be introduced:

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

Question put and passed.

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


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

12 LAW AND JUSTICE—RACIAL VILIFICATION

Senator Di Natale, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 186—That the Senate—

(a) notes proposals by the Abbott Government to repeal the provisions of section 18C of the Racial Discrimination Act 1975 which provide protections against racial vilification;

(b) commends the words of the Member for Hasluck, Mr Ken Wyatt, who said he did not support repeal of these provisions because 'Australia has come a long way in the last 30 or 40 years and what I wouldn’t like to see is a regression that allows those who have bigoted viewpoints to vilify any group of people’ and ‘I support the whole concept of free speech, but I think there are boundaries that you have to draw and this is one of them’; and

(c) reaffirms its strong stance against racial vilification.

Question put and passed.
13 ENVIRONMENT AND COMMUNICATIONS LEGISLATION COMMITTEE—LEAVE TO MEET DURING SITTING

Senator Kroger, at the request of the Chair of the Environment and Communications Legislation Committee (Senator Williams) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 187—That the Environment and Communications Legislation Committee be authorised to hold a public meeting during the sitting of the Senate on Wednesday, 26 March 2014, from 5 pm to 6 pm, to take evidence for the committee’s inquiry into Australia Post.

Question put and passed.

14 PRIMARY INDUSTRIES—NORTHERN BEEF CATTLE INDUSTRY

Senator Kroger, at the request of Senators Macdonald, O’Sullivan, Boswell, Eggleston and Back and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 189—That the Senate

(a) notes:

(i) the plight of the pastoral industry in Northern Australia, exacerbated by the drought, other natural disasters and the live cattle export ban, and

(ii) that the Assistant Treasurer (Senator Sinodinos) met with a representative gathering of pastoralists in Charters Towers on Monday, 10 March 2014;

(b) congratulates the Government on the drought package which will provide some relief to the northern beef cattle industry; and

(c) urges the Government to seriously address the ongoing issues which impact on the future of the northern beef cattle industry.

Question put and passed.

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

15 INDIGENOUS AUSTRALIANS—NATIONAL CLOSE THE GAP DAY

Senator Siewert, also on behalf of Senator Peris, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 190—That the Senate

(a) acknowledges that:

(i) 20 March 2014 is National Close the Gap Day, and

(ii) the gap in life expectancy and health outcomes between Aboriginal and non-Aboriginal people remains unacceptable;

(b) notes that in their 2014 report the Close the Gap Campaign Steering Committee called for:

(i) the implementation and monitoring of a comprehensive National Action Plan on health,

(ii) meaningful partnerships between Indigenous and non-Indigenous communities and health services,

(iii) improvements to Indigenous participation, control and delivery of health services,

(iv) a commitment to provide adequate and long-term financial resources, including strengthening of the Indigenous health workforce, and
(v) the need to address critical social issues that impact on Indigenous health, including poor housing, nutrition, employment and education; and

(c) urges the federal, state and territory governments to continue to work together to achieve these important outcomes.

Statement by leave: The Assistant Minister for Social Services (Senator Fifield), by leave, made a statement relating to the motion.

Question put and passed.

16 NATIONAL APOLOGY FOR FORCED ADOPTIONS—FIRST ANNIVERSARY

The Assistant Minister for Social Services (Senator Fifield), also on behalf of Senators Boyce, Moore and Siewert, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 168—That, on the first anniversary of the National Apology for Forced Adoptions on 21 March 2014, the Senate:

(a) acknowledges the ongoing pain and suffering of the mothers, children and fathers affected by the unethical, dishonest and sometimes illegal practices of the past;

(b) commends the National Archives of Australia, the Australian Institute of Family Studies, the Department of Social Services and members of the Forced Adoptions Implementation Working Group for their work in the past 12 months to realise the recommendations of the Community Affairs References Committee report; and

(c) resolves to continue to do all in its power to make sure these practices are never repeated.

Question put and passed.

17 COMMITTEES—ADDITIONAL INFORMATION—ESTIMATES

Senator Kroger, at the request of the chairs of the respective committees, tabled the following documents:

Budget estimates 2013-14 (Supplementary)—

Community Affairs Legislation Committee—Additional information received between 13 February and 19 March 2014—

Department of Human Services.

Health portfolio.

Social Services portfolio.

Environment and Communications Legislation Committee—Additional information received between 12 February and 19 March 2014—

Communications portfolio.

Environment portfolio.

Foreign Affairs, Defence and Trade Legislation Committee—Additional information received between 13 February and 19 March 2014—Defence portfolio.
18 QUARANTINE CHARGES (COLLECTION) BILL 2014
QUARANTINE CHARGES (IMPOSITION—GENERAL) BILL 2014
QUARANTINE CHARGES (IMPOSITION—CUSTOMS) BILL 2014
QUARANTINE CHARGES (IMPOSITION—EXCISE) BILL 2014

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

Message no. 86, dated 19 March 2014—A Bill for an Act to provide for the collection of quarantine charges, and for related purposes.

Message no. 87, dated 19 March 2014—A Bill for an Act to impose, as taxes, charges in relation to matters connected with the administration of the Quarantine Act 1908, so far as those charges are neither duties of customs nor duties of excise, and for related purposes.

Message no. 88, dated 19 March 2014—A Bill for an Act to impose, as taxes, charges in relation to matters connected with the administration of the Quarantine Act 1908, so far as those charges are duties of customs, and for related purposes.

Message no. 85, dated 19 March 2014—A Bill for an Act to impose, as taxes, charges in relation to matters connected with the administration of the Quarantine Act 1908, so far as those charges are duties of excise, and for related purposes.

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

Question put and passed.

Bills read a first time.

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

On the motion of Senator Fifield the debate was adjourned and the resumption of the debate made an order of the day for a later hour.

19 CIVIL AVIATION AMENDMENT (CASA BOARD) BILL 2014

A message from the House of Representatives was reported transmitting for the concurrence of the Senate the following bill:

Message no. 89, dated 19 March 2014—A Bill for an Act to amend the Civil Aviation Act 1988, and for related purposes.

The Assistant Minister for Social Services (Senator Fifield) moved—That this bill may proceed without formalities and be now read a first time.

Question put and passed.

Bill read a first time.

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

On the motion of Senator Fifield the debate was adjourned and the resumption of the debate made an order of the day for a later hour.

20 ABORIGINAL LAND RIGHTS (NORTHERN TERRITORY) AMENDMENT (DELEGATION) REGULATION—DISALLOWANCE

Order of the day read for the adjourned debate on the motion of Senator Moore—That the Aboriginal Land Rights (Northern Territory) Amendment (Delegation) Regulation 2013, as contained in Select Legislative Instrument 2013 No. 272 and made under the Aboriginal Land Rights (Northern Territory) Act 1976, be disallowed.

Debate resumed.
Question put.
The Senate divided—

**AYES, 33**

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**NOES, 28**

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Question agreed to.

21 **CLEAN ENERGY LEGISLATION (CARBON TAX REPEAL) BILL 2013**
**OZONE PROTECTION AND SYNTHETIC GREENHOUSE GAS (IMPORT LEVY) AMENDMENT (CARBON TAX REPEAL) BILL 2013**
**OZONE PROTECTION AND SYNTHETIC GREENHOUSE GAS (IMPORT LEVY) (TRANSITIONAL PROVISIONS) BILL 2013**
**OZONE PROTECTION AND SYNTHETIC GREENHOUSE GAS (MANUFACTURE LEVY) AMENDMENT (CARBON TAX REPEAL) BILL 2013**
**TRUE-UP SHORTFALL LEVY (GENERAL) (CARBON TAX REPEAL) BILL 2013**
**TRUE-UP SHORTFALL LEVY (EXCISE) (CARBON TAX REPEAL) BILL 2013**
**CUSTOMS TARIFF AMENDMENT (CARBON TAX REPEAL) BILL 2013**
**EXCISE TARIFF AMENDMENT (CARBON TAX REPEAL) BILL 2013**
**CLEAN ENERGY (INCOME TAX RATES AND OTHER AMENDMENTS) BILL 2013**

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

In the committee

**CLEAN ENERGY LEGISLATION (CARBON TAX REPEAL) BILL 2013—**

Consideration resumed of the bill—and of the amendments moved by Senator Collins:

Title, page 1 (line 1), omit “repeal”, substitute “amend”.

Clause 2, page 1 (line 7) to page 2 (line 6), omit the clause, substitute:

2 **Commencement**

This Act commences on the day after this Act receives the Royal Assent.
Schedule 1, page 4 (line 1) to page 70 (line 21), omit the Schedule, substitute:

Schedule 1—Amendments

*Australian National Registry of Emissions Units Act 2011*

1 Subsection 66F(2) (paragraph (c) of the definition of *prescribed amount for the financial year in which the compliance deadline occurs*)

Repeal the paragraph.

2 Subsection 66F(4) (paragraph (c) of the definition of *prescribed amount for the financial year in which the compliance deadline occurs*)

Repeal the paragraph.

*Clean Energy Act 2011*

3 Section 4

Omit “, 1 July 2013 and 1 July 2014”, substitute “and 1 July 2013”.

4 Section 4

Before “1 July 2015”, insert “1 July 2014,”.

5 Section 5 (paragraph (b) of the definition of *fixed charge year*)

Omit “2013; or”, substitute “2013.”.

6 Section 5 (paragraph (c) of the definition of *fixed charge year*)

Repeal the paragraph.

7 Section 5 (paragraph (a) of the definition of *flexible charge year*)

Omit “1 July 2015”, substitute “1 July 2014”.

8 After paragraph 14(2)(b)

Insert:

(ba) if the regulations declare the carbon pollution cap, and the carbon pollution cap number, for the flexible charge year beginning on 1 July 2014—must have regard to any report that:

(i) was given to the Minister by the Climate Change Authority under section 60 of the *Climate Change Authority Act 2011*; and

(ii) dealt with the carbon pollution cap for that year; and

9 At the end of subsection 15(1)

Add “(other than regulations that declare the carbon pollution cap, and the carbon pollution cap number, for the flexible charge year beginning on 1 July 2014)”.

10 After section 15

Insert:

15A When regulations must be tabled—2014-15 flexible charge year

*Scope*

(1) This section applies to regulations that declare the carbon pollution cap, and the carbon pollution cap number, for the flexible charge year beginning on 1 July 2014.
When regulations must be tabled

(2) The Minister must take all reasonable steps to ensure that the regulations are tabled in each House of the Parliament under section 38 of the Legislative Instruments Act 2003 not later than 31 May 2014.

(3) The regulations must not be made, or tabled in a House of the Parliament, after 31 May 2014.

Reasons must be tabled

(4) If, on a particular day (the tabling day), a copy of the regulations is tabled in a House of the Parliament under section 38 of the Legislative Instruments Act 2003, the Minister must:

(a) cause to be tabled in that House a written statement setting out the Minister’s reasons for making the recommendation to the Governor-General about the regulations; and

(b) do so on, or as soon as practicable after, the tabling day.

11 Section 16 (at the end of the heading)
Add “—later flexible charge years”.

12 Subsection 16(3)
Omit “made for the purposes of section 14”, substitute “to which section 15 applies”.

13 Section 17 (heading)

14 Subsection 17(1)
Omit “1 July 2015”, substitute “1 July 2014”.

15 Subsection 17(2) (formula)
Repeal the formula, substitute:

Total emissions numbers for the eligible financial year beginning on 1 July 2012 \[\text{Total emissions numbers for the eligible financial year beginning on 1 July 2012} - 25,000,000\]

16 Subsection 18(1)
Omit “1 July 2016”, substitute “1 July 2015”.

17 Section 93
Before “1 July 2015”, insert “1 July 2014,”.

18 Subsection 100(1)
After “following table”, insert “(other than an exempt item)”.

19 Subsection 100(1) (table items 5 and 6)
Repeal the items.
20 Subsection 100(1) (table items 7, 8 and 9)

Repeal the items, substitute:

<table>
<thead>
<tr>
<th>7</th>
<th>The period:</th>
<th>the eligible financial year beginning on 1 July 2014</th>
<th>the amount prescribed by the regulations for the purposes of this table item</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(a) beginning at the emissions number publication time of the person for the eligible financial year beginning on 1 July 2014; and</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(b) ending at the end of 1 February 2016.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>8</th>
<th>The period:</th>
<th>the eligible financial year beginning on 1 July 2015</th>
<th>the amount obtained by multiplying the per unit charge applicable under item 7 by:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(a) beginning at the emissions number publication time of the person for the eligible financial year beginning on 1 July 2015; and</td>
<td></td>
<td>(a) 1.07625; or</td>
</tr>
<tr>
<td></td>
<td>(b) ending at the end of 1 February 2017.</td>
<td></td>
<td>(b) if another number is specified in the regulations—</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>that other number</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>9</th>
<th>The period:</th>
<th>the eligible financial year beginning on 1 July 2016</th>
<th>the amount obtained by multiplying the per unit charge applicable under item 8 by:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(a) beginning at the emissions number publication time of the person for the eligible financial year beginning on 1 July 2016; and</td>
<td></td>
<td>(a) 1.07625; or</td>
</tr>
<tr>
<td></td>
<td>(b) ending at the end of 1 February 2018.</td>
<td></td>
<td>(b) if another number is specified in the regulations—</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>that other number</td>
</tr>
<tr>
<td></td>
<td>The period:</td>
<td>the eligible financial year beginning on 1 July 2017</td>
<td>the amount obtained by multiplying the per unit charge applicable under item 9 by:</td>
</tr>
<tr>
<td>---</td>
<td>-------------</td>
<td>----------------------------------</td>
<td>-----------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>10</td>
<td>beginning at the emissions number publication time of the person for the eligible financial year beginning on 1 July 2017; and</td>
<td></td>
<td>(a) 1.07625; or</td>
</tr>
<tr>
<td></td>
<td>ending at the end of 1 February 2019.</td>
<td></td>
<td>(b) if another number is specified in the regulations—that other number</td>
</tr>
<tr>
<td>21 Subsection 100(1) (note)</td>
<td>Omit “Note”, substitute “Note 1”.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>22 At the end of subsection 100(1) (after the note)</td>
<td>Add:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Note 2: For exempt item, see subsections (13A), (13B) and (13C).</td>
<td></td>
<td></td>
</tr>
<tr>
<td>23 Subsection 100(2)</td>
<td>Omit “item 7, 8 or 9”, substitute “item 7, 8, 9 or 10”.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>24 Subsection 100(3) (heading)</td>
<td>Omit “items 1, 3 and 5”, substitute “items 1 and 3”</td>
<td></td>
<td></td>
</tr>
<tr>
<td>25 Subsection 100(3)</td>
<td>Omit “item 1, 3 or 5”, substitute “item 1 or 3”.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>26 Subsection 100(4) (heading)</td>
<td>Omit “6, 7, 8 and 9”, substitute “7, 8, 9 and 10”.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>27 Subsection 100(4)</td>
<td>Omit “item 2, 4, 6, 7, 8 or 9”, substitute “item 2, 4, 7, 8, 9 or 10”.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>28 Subsection 100(6)</td>
<td>After “subsection (1)”, insert “(other than an exempt item)”.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>29 At the end of subsection 100(6)</td>
<td>Add:</td>
<td></td>
<td>Note: For exempt item, see subsections (13A), (13B) and (13C).</td>
</tr>
<tr>
<td>30 Before paragraph 100(9)(a)</td>
<td>Insert:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(aa) the eligible financial year beginning on 1 July 2014;</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
31 After subsection 100(13)
   Insert:
   Exempt item
   (13A) The regulations may declare that item 8 of the table in subsection (1) is an exempt item for the purposes of this section.
   (13B) The regulations may declare that item 9 of the table in subsection (1) is an exempt item for the purposes of this section.
   (13C) The regulations may declare that item 10 of the table in subsection (1) is an exempt item for the purposes of this section.

32 Subsection 100(14)
   Omit “31 May 2014”, substitute “1 July 2014”.

33 Subsection 100(15)
   Repeal the subsection.

34 Before subsection 101(1A)
   Insert:
   (1AA) Subsection (1) does not apply to carbon units with the vintage year beginning on 1 July 2014 that are issued as a result of auctions that are conducted by the Regulator during the financial year beginning on 1 July 2013.
   (1AB) The Regulator must ensure that not more than 40 million carbon units with the vintage year beginning on 1 July 2014 are issued as a result of auctions that were conducted by the Regulator during the financial year beginning on 1 July 2013 if there are no regulations in effect that declare the carbon pollution cap, and the carbon pollution cap number, for the vintage year.

35 Subsection 121
   Omit “first 5 flexible charge years”, substitute “first 6 flexible charge years”.

36 Subsection 123A(3)
   Omit “1 July 2015”, substitute “1 July 2014”.

37 Subparagraph 123A(6)(a)(i)
   Omit “1 July 2015”, substitute “1 July 2014”.

38 Subparagraphs 123A(6)(b)(i) and (ii)
   Repeal the subparagraphs, substitute:
   (i) if the eligible financial year begins on 1 July 2014—6.25%; or
   (ii) if the eligible financial year begins on 1 July 2015, 1 July 2016, 1 July 2017, 1 July 2018 or 1 July 2019—12.5%; or
   (iii) if the eligible financial year begins on or after 1 July 2020, and the regulations do not specify a percentage for that year—12.5%; or
   (iv) if the eligible financial year begins on or after 1 July 2020, and the regulations specify a percentage for that year—that percentage; and
39 Subsection 123A(7)
Omit “(6)(b)(ii)”, substitute “(6)(b)(iv)”.  

40 Subparagraphs 133(7)(a)(i) and (7A)(a)(i)
Omit “1 July 2015”, substitute “1 July 2014”.

41 Subparagraph 133(7A)(a)(ii)
Omit “4”, substitute “5”.

42 Subparagraph 133(7E)(a)(i)
Omit “1 July 2015”, substitute “1 July 2014”.

43 Subparagraph 133(7E)(a)(ii)
Omit “4”, substitute “5”.

44 Subparagraph 133(7F)(a)(i)
Omit “1 July 2015”, substitute “1 July 2014”.

45 Section 160
Omit “each of the next 3 financial years”, substitute “the financial year beginning on 1 July 2014”.

46 Subsection 161(2)
Omit all the words from and including “On each” to and including “the following formula”; substitute “On 1 September in the eligible financial year beginning on 1 July 2013, the Regulator must issue a number of free carbon units equal to the number worked out using the following formula”.

47 Subsection 161(3) (formula)
Repeal the formula, substitute:

\[
\left[ \frac{\text{Annual assistance factor specified in the certificate}}{\text{Total annual assistance factors for that eligible financial year}} \times 125,115,000 \right] - A - B
\]

48 Subsection 196(1AA) (heading)
Omit “31 May 2015”, substitute “31 May 2014”.

49 Subsection 196(1AA)
Omit “end of 31 May 2015”, substitute “end of 31 May 2014”.

50 Subsection 196(1AA) (definition of number of units issued as the result of auctions)
Omit “May 2015”, substitute “May 2014”.

51 Subsection 196(1AA) (definition of total auction proceeds)
Omit “May 2015”, substitute “May 2014”.

52 Subsection 196(1AB)
Omit “May 2015”, substitute “May 2014”.

53 Paragraph 196(1)(a)
Omit “May 2016”, substitute “May 2015”.

54 Paragraph 196(2)(a)
Omit “November 2015”, substitute “November 2014”.

55 Paragraph 196(3)(a)
Omit “1 July 2015”, substitute “1 July 2014”.

56 Subsection 196A(18) (paragraph (a) of the definition of designated 6-month period)
Omit “May 2015”, substitute “May 2014”.

57 Subsection 196A(18) (paragraph (c) of the definition of designated 6-month period)
Omit “November 2015”, substitute “November 2014”.

58 Subsection 212(2) (paragraph (c) of the definition of prescribed amount for the financial year in which the compliance deadline occurs)
Repeal the paragraph.

59 Subsection 212(3) (paragraph (c) of the definition of prescribed amount for the financial year in which the compliance deadline occurs)
Repeal the paragraph.

60 Subsection 289(8)
Repeal the subsection, substitute:

Report
(8) The report of the first review must set out recommendations relating to the level of carbon pollution caps for each of the following flexible charge years:
   (a) the eligible financial year beginning on 1 July 2015;
   (b) the eligible financial year beginning on 1 July 2016;
   (c) the eligible financial year beginning on 1 July 2017;
   (d) the eligible financial year beginning on 1 July 2018;
   (e) the eligible financial year beginning on 1 July 2019.

Debate resumed.
Question—That the amendments be agreed to—put and negatived.
Question—That the bill stand as printed—divided, at the request of Senator Collins, in respect of Schedules 2 to 5.
Schedules 2 to 5 agreed to.
Bill agreed to.
The True-up Shortfall Levy (General) (Carbon Tax Repeal) Bill 2013 and the True-up Shortfall Levy (Excise) (Carbon Tax Repeal) Bill 2013 to be reported without requests for amendments and the remaining bills to be reported without amendments.

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

On the motion of the Minister for Finance (Senator Cormann) the report from the committee was adopted.

Senator Cormann moved—That these bills be now read a third time.

Question put.

The Senate divided—

**AYES, 29**

Abetz  
Back  
Bernardi  
Birmingham  
Boswell  
Brandis  
Colbeck  
Cormann  
Edwards  
Eggleston  
Fawcett  
Feerravanti-Wells  
Fifield  
Heffernan  
Kroger (Teller)  
Macdonald  
Mason  
McKenzie  
Nash  
O’Sullivan  
Payne  
Ronaldson  
Ruston  
Ryan  
Seselja  
Sinodinos  
Smith  
Xenophon

**NOES, 33**

Bilyk (Teller)  
Bishop  
Brown  
Cameron  
Carr  
Collins  
Conroy  
Dastyari  
Di Natale  
Farrell  
Faulkner  
Furner  
Gallacher  
Hanson-Young  
Hogg  
Lines  
Ladwig  
Lundy  
Marshall  
McEwen  
Milne  
Moore  
O’Neill  
Peris  
Polley  
Rhiannon  
Siewert  
Sterle  
Tillem  
Urquhart  
Waters  
Whish-Wilson  
Wright

Question negatived.
22  **FARM HOUSEHOLD SUPPORT BILL 2014**

**FARM HOUSEHOLD SUPPORT (CONSEQUENTIAL AND TRANSITIONAL PROVISIONS) BILL 2014**

Order read for the adjourned debate on the motion of the Minister for Indigenous Affairs (Senator Scullion)—That these bills be now read a second time.

Debate resumed.

Senator Siewert moved the following amendment in respect of the Farm Household Support Bill 2014:

> At the end of the motion, add “and, given the scientific evidence of changing precipitation patterns and extreme weather events, like heatwaves and droughts, becoming more intense in Australia because of climate change, the Senate calls on the Government to expand the existing National Disaster Resilience Program to include a provision for drought assistance”.

Debate ensued.

Question—That the amendment be agreed to—put and negatived.

Main question put and passed.

Bills read a second time.

No amendments to the bills were circulated and no senator required that they be considered in committee.

On the motion of the Parliamentary Secretary to the Minister for Education (Senator Ryan) the bills were read a third time.

23  **QUARANTINE CHARGES (COLLECTION) BILL 2014**

**QUARANTINE CHARGES (IMPOSITION—GENERAL) BILL 2014**

**QUARANTINE CHARGES (IMPOSITION—CUSTOMS) BILL 2014**

**QUARANTINE CHARGES (IMPOSITION—EXCISE) BILL 2014**

Order read for the adjourned debate on the motion of the Assistant Minister for Social Services (Senator Fifield)—That these bills be now read a second time.

Debate resumed.

Question put and passed.

Bills read a second time.

No amendments to the bills were circulated and no senator required that they be considered in committee.

On the motion of the Parliamentary Secretary to the Minister for Education (Senator Ryan) the bills were read a third time.

24  **CIVIL AVIATION AMENDMENT (CASA BOARD) BILL 2014**

Order read for the adjourned debate on the motion of the Assistant Minister for Social Services (Senator Fifield)—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 Parliamentary Secretary to the Minister for Education (Senator Ryan) the bill was read a third time.

25 **MINERALS RESOURCE RENT TAX REPEAL AND OTHER MEASURES BILL 2013**

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

Debate resumed.

*At 2 pm:* Debate was interrupted while Senator Macdonald was speaking.

26 **QUESTIONS**

Questions without notice were answered.

27 **MOTIONS TO TAKE NOTE OF ANSWERS**

The Leader of the Opposition in the Senate (Senator Wong) moved—That the Senate take note of the answer given by the Minister for Employment (Senator Abetz) to a question without notice asked by Senator Wong today relating to Senator Sinodinos.

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 Whish-Wilson today relating to the regulation of financial services.

Question put and passed.

28 **RURAL AND REGIONAL AFFAIRS AND TRANSPORT REFERENCES COMMITTEE—GOVERNMENT RESPONSE—AVIATION ACCIDENT INVESTIGATIONS**

The Minister for Finance (Senator Cormann) tabled the following document:


Senator Xenophon, by leave, moved—That the Senate take note of the document.

Debate ensued.

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

29 **LAW ENFORCEMENT—JOINT STATUTORY COMMITTEE—GOVERNMENT RESPONSE—EXAMINATION OF THE AUSTRALIAN CRIME COMMISSION ANNUAL REPORT 2011-12**

The Minister for Finance (Senator Cormann) tabled the following document:

30 FOREIGN AFFAIRS—EGYPT—MR PETER GRESTE—DOCUMENT
The Acting Deputy President (Senator Marshall) tabled the following document:

Foreign affairs—Egypt—Mr Peter Greste—Letter to the President of the Senate from the Minister for Foreign Affairs (Ms Bishop), dated 18 March 2014, responding to the resolution of the Senate of 13 February 2014.

The Leader of the Australian Greens (Senator Milne), by leave, moved—That the Senate take note of the document.
Debate ensued.
Question put and passed.

31 ENVIRONMENT—MAULES CREEK COAL PROJECT—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENT
The Minister for Finance (Senator Cormann) tabled the following document:

Environment—Maules Creek coal project—Letter to the President of the Senate from the Minister for Finance (Senator Cormann), dated 20 March 2014, responding to the order of the Senate of 18 March 2014.

Senator Waters, by leave, moved—That the Senate take note of the document.
Question put and passed.

32 DOCUMENTS
The following documents were tabled by the Clerk:

[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.]

Aged Care Act 1997—
Aged Care (Residential Care Subsidy — Amount of Accommodation Supplement) Determination 2014 (No. 1) [F2014L00293].
Aged Care (Residential Care Subsidy — Amount of Concessional Resident Supplement) Determination 2014 (No. 1) [F2014L00292].
Aged Care (Residential Care Subsidy — Amount of Pensioner Supplement) Determination 2014 (No. 1) [F2014L00291].
Aged Care (Residential Care Subsidy — Amount of Respite Supplement) Determination 2014 (No. 1) [F2014L00288].
Aged Care (Residential Care Subsidy — Amount of Transitional Accommodation Supplement) Determination 2014 (No. 1) [F2014L00290].
Aged Care (Residential Care Subsidy — Amount of Transitional Supplement) Determination 2014 (No. 1) [F2014L00289].

Commissioner of Taxation—Public Rulings—
Luxury Car Tax Determination LCTD 2014/1.
Taxation Ruling TR 2014/1.

Indexed lists of departmental and agency files—order for production of documents—documents

The following documents were tabled pursuant to the order of the Senate of 30 May 1996, as amended:

Indexed lists of departmental and agency files for the period 1 July to 31 December 2013—Statements of compliance—
- Department of Education.
- Department of the Prime Minister and Cabinet.
- Employment portfolio.
- Foreign Affairs and Trade portfolio.
- Industry portfolio.

National apology for forced adoptions—first anniversary—statements

Pursuant to order (see entry no. 6), senators made statements relating to the first anniversary of the National Apology for Forced Adoptions.

General business was called on.
35 Senate—Western Australia—Election
The Leader of the Australian Greens (Senator Milne), at the request of Senator Siewert and pursuant to notice, moved general business notice of motion no. 188—That the Senate notes the upcoming Western Australian by-election will have significant implications for the people and the environment of Australia in the face of the Abbott Government.

Debate ensued.

At 6 pm: Debate was interrupted while Senator Back was speaking.

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


Productivity Commission—Report No. 64—Safeguards inquiry into the import of processed fruit products. Motion of Senator McKenzie to take note of document called on. On the motion of Senator Urquhart debate was adjourned till Thursday at general business.

Tertiary Education Quality and Standards Agency (TEQSA)—Report for 2012-13. Motion of Senator McKenzie to take note of document called on. On the motion of Senator Urquhart debate was adjourned till Thursday at general business.

Health Workforce Australia—Report for 2012-13. Motion of Senator Boyce to take note of document called on. On the motion of Senator Urquhart debate was adjourned till Thursday at general business.

Insolvency and Trustee Service Australia (Australian Financial Security Authority)—Report for 2012-13, including reports on the operation of the Bankruptcy Act 1966 and Personal Property Securities Act 2009. Motion of Senator Macdonald to take note of document agreed to.


Australian Customs and Border Protection Service—Report for 2012-13. Motion of Senator Macdonald to take note of document called on. On the motion of Senator Ruston debate was adjourned till Thursday at general business.

Australian Reinsurance Pool Corporation (ARPC)—Report for 2012-13. Motion of Senator Macdonald to take note of document called on. On the motion of Senator Ruston debate was adjourned till Thursday at general business.
Director of National Parks—Report for 2012-13. Motion of Senator Edwards to take note of document called on. On the motion of Senator Ruston debate was adjourned till Thursday at general business.


Wet Tropics Management Authority—Report for 2012-13, including State of the Wet Tropics report. Motion of Senator Macdonald to take note of document called on. On the motion of Senator Ruston debate was adjourned till Thursday at general business.

Torres Strait Regional Authority (TSRA)—Report for 2012-13. Motion of Senator Macdonald to take note of document called on. On the motion of Senator Ruston debate was adjourned till Thursday at general business.

Outback Stores Pty Ltd—Report for 2012-13. Motion of Senator Moore to take note of document called on. On the motion of Senator McEwen debate was adjourned till Thursday at general business.


Australian Public Service Commission—State of the service—Report for 2012-13. Motion of Senator Moore to take note of document called on. On the motion of Senator McEwen debate was adjourned till Thursday at general business.


Rural Industries Research and Development Corporation (RIRDC)—Report for 2012-13. Motion of Senator Kroger to take note of document agreed to.


National Health and Medical Research Council—Changes to national statement on ethical conduct in human research, 2007, updated December 2013. Motion of Senator Brown to take note of document agreed to.

Aboriginal and Torres Strait Islander Social Justice Commissioner—Social justice and native title—Report for 2012-13. Motion of Senator Brown to take note of document called on. On the motion of Senator McEwen debate was adjourned till Thursday at general business.
Department of Defence—Special purpose flights—Schedule for the period 1 January to 30 June 2013. Motion of Senator Bushby to take note of document agreed to.


Productivity Commission—Report No. 67—Safeguards inquiry into the import of processed fruit products. Motion of Senator Bushby to take note of document called on. On the motion of Senator McEwen debate was adjourned till Thursday at general business.

Productivity Commission—Report No. 68—Safeguards inquiry into the import of processed tomato products. Motion of Senator Bushby to take note of document called on. On the motion of Senator McEwen debate was adjourned till Thursday at general business.

Mid-year economic and fiscal outlook—2013-14—Statement by the Treasurer (Mr Hockey) and the Minister for Finance (Senator Cormann). Motion of Senator Ludwig to take note of document called on. On the motion of Senator McEwen debate was adjourned till Thursday at general business.


Productivity Commission—Report No. 65—Mineral and energy resource exploration. Motion of Senator Gallacher to take note of document called on. On the motion of Senator McEwen debate was adjourned till Thursday at general business.

Defence Abuse Response Taskforce—Fifth interim report to the Attorney-General and Minister for Defence. Motion of Senator Brown to take note of document called on. On the motion of Senator McEwen debate was adjourned till Thursday at general business.

General business concluded.

37 SELECTION OF BILLS—STANDING COMMITTEE—REPORT NO. 3 OF 2014—VARIATION

Senator Kroger, by leave, moved—That the order of the Senate agreed to earlier today (see entry no. 4) adopting report no. 3 of 2014 of the Selection of Bills Committee be varied to provide that the provisions of the Corporations Amendment (Streamlining of Future of Financial Advice) Bill 2014 be referred to the Economics Legislation Committee, instead of the Finance and Public Administration Legislation Committee, for inquiry and report by 16 June 2014.

Question put and passed.

38 COMMITTEE REPORTS AND GOVERNMENT RESPONSES—ORDERS OF THE DAY—CONSIDERATION

The following order of the day relating to committee reports and government responses was considered:

Legal and Constitutional Affairs References Committee—Report—A claim of public interest immunity raised over documents. Motion of the chair of the committee (Senator Wright) to take note of report agreed to.
39 Auditor-General’s Reports—Orders of the Day—Consideration
The following order of the day relating to reports of the Auditor-General was considered:
Order of the day no. 2 relating to reports of the Auditor-General was called on but no motion was moved.

40 Adjournment
The Acting Deputy President (Senator Fawcett) proposed the question—That the Senate do now adjourn.
Debate ensued.
The Senate adjourned at 6.44 pm till Monday, 24 March 2014 at 10 am.

41 Attendance

Rosemary Laing
Clerk of the Senate