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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.

DOCUMENTS
The following documents were 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.]

Aged Care Act 1997—Aged Care (Subsidy, Fees and Payments) Amendment (March 2015 Indexation) Determination 2015 [F2015L00316].
Aged Care (Transitional Provisions) Act 1997—

Australian Bureau of Statistics Act 1975—
Rural Environment and Agricultural Commodities Survey—Proposal No. 4 of 2015.
Vineyards Census—Proposal No. 2 of 2015.


Commissioner of Taxation—Public Rulings—
Class Ruling CR 2015/22.
Taxation Determinations TD 2015/2 and TD 2015/3.

Defence Act 1903—Section 58B—

Fisheries Management Act 1991—
Macquarie Island Toothfish Fishery Management Plan 2006—
Macquarie Island Toothfish Fishery Fishing Year Determination 2015 [F2015L00327].
No. 88—24 March 2015

Macquarie Island Toothfish Fishery Total Allowable Catch Determination 2015 [F2015L00328].

Northern Prawn Fishery (Closures) Direction No. 171 [F2015L00329].

Higher Education Support Act 2003—VET Provider Approval—No. 4 of 2015 [F2015L00323].

Lands Acquisition Act 1989—Statement describing property acquired by agreement for specified purposes.


Private Health Insurance Act 2007—

Private Health Insurance (Benefit Requirements) Amendment Rules 2015 (No. 1) [F2015L00324].

Private Health Insurance (Complying Product) Amendment Rules 2015 (No. 1) [F2015L00325].


Student Assistance Act 1973—Student Assistance (Education Institutions and Courses) Amendment Determination 2015 (No. 1) [F2015L00318].


Telecommunications Act 1997—

Telecommunications Numbering Plan 2015 [F2015L00319].

Telecommunications (Provision of Pre-selection) Determination 2015 [F2015L00326].

Telecommunications (Consumer Protection and Service Standards) Act 1999—


The following documents were tabled by the Clerk 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 2014—Statements of compliance—

Communications portfolio.

Health portfolio.
3 **COMMITTEE—LEAVE TO MEET DURING SITTING**

A committee was authorised to meet during the sitting of the Senate, as follows:

Treaties—Joint Standing Committee—private meeting otherwise than in accordance with standing order 33(1) today, from 1.15 pm.

4 **CONSIDERATION OF LEGISLATION**

The Assistant Minister for Social Services (Senator Fifield), pursuant to notice, moved government business notice of motion no. 1—That the provisions of paragraphs (5) to (8) of standing order 111 not apply to the Telecommunications (Interception and Access) Amendment (Data Retention) Bill 2015, allowing it to be considered during this period of sittings.

Question put and passed.

5 **TELECOMMUNICATIONS (INTERCEPTION AND ACCESS) AMENDMENT (DATA RETENTION) BILL 2015**

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


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.

Explanatory memorandum: Senator Fifield tabled a revised explanatory memorandum relating to the bill.

Debate ensued.

Document: Senator Ludlam, by leave, tabled the following document:

Telecommunications (Interception and Access) Amendment (Data Retention) Bill 2015—Letter from Communications Alliance Ltd to the Attorney-General (Senator Brandis) and the Minister for Communications (Mr Turnbull), dated 16 March 2015.

Senator Ludlam moved the following amendment:

At the end of the motion, add “and, noting concerns about a lack of clarification from the Government about costs associated with this bill, as strongly addressed in a letter to the Government signed by the chief executives of Telstra, Optus, Vodafone, iiNet and a number of other major telecommunications companies, further consideration of the bill be made an order of the day for the day after the Government tables its response to the industry’s concerns on cost”.
Debate ensued.
At 2 pm: Debate was interrupted.

6 QUESTIONS
Questions without notice were answered.

Document: The Minister for Finance (Senator Cormann) tabled the following document:
Industry—New South Wales—Electricity privatisation—List of quotations by former Australian Labor Party politicians.

Further questions without notice were answered.

7 MOTIONS TO TAKE NOTE OF ANSWERS
Senator Singh moved—That the Senate take note of the answers given by the Minister for Finance (Senator Cormann) and the Assistant Minister for Education and Training (Senator Birmingham) to questions without notice asked by Senators Singh and O’Neill today relating to funding for foreign aid and to disability education. Debate ensued. Question put and passed.

Senator Lambie 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 Lambie today relating to a financial transactions tax. Question put and passed.

8 DEATH OF MR LEE KUAN YEW, GCMG, CH
The Leader of the Government in the Senate (Senator Abetz), by leave, moved—That the Senate records its deep regret at the death on 23 March 2015 of Lee Kuan Yew, GCMG, CH, former Prime Minister of the Republic of Singapore, places on record its acknowledgement of his role in the development of modern Singapore and tenders its profound sympathy to his family in their bereavement. All senators present stood in silence—Question passed.

9 NOTICES
Senator O’Sullivan: To move on the next day of sitting—That the Senate notes:
(a) the importance of the sugar industry in Australia;
(b) the unique marketing challenges that face this industry; and
(c) the importance of the current marketing arrangements within the industry that have contributed to the stable and equitable status of this industry for over 100 years. (general business notice of motion no. 677)

Senator Canavan: To move on the next day of sitting—That the Senate—
(a) recognises that the uranium mining industry has the potential to generate significant economic growth, jobs and income in regional Queensland; and
(b) notes:

(i) its disagreement with the Queensland Labor Government’s decision to renege on the policy of allowing developers to submit applications for the development of new uranium mining projects in Queensland, and

(ii) that this decision will have significant adverse effects on regional areas due to:

(A) the potential loss of construction and operational jobs, investment and income associated with new projects, and

(B) the potential loss of public income generated through taxes and mining royalties that could be put back into supporting infrastructure, health services and education in the surrounding communities. (general business notice of motion no. 678)

The Leader of the Australian Greens (Senator Milne): To move on the next day of sitting—That the Senate—

(a) notes:

(i) the importance of comprehensive whistle-blower protection legislation at all levels of government and across both the public and private sectors, and

(ii) the recent announcement by the New South Wales Labor Party that it will extend state whistle-blower protection laws to the private sector to encourage disclosure of corporate corruption and illegal activity; and

(b) calls on the Federal Parliament to pledge support, and move to implement, the extension of federal whistle-blower protection legislation to private sector employees. (general business notice of motion no. 679)

Senators Ruston, Xenophon, McKenzie, Whish-Wilson and Madigan: 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 11 November 2015:

(a) the extent and nature of any market failure in the Australian grape and wine industry supply chain;

(b) the extent to which federal and state legislative and regulatory regimes inhibit and support the production, processing, supply chain logistics and marketing of Australian wine;

(c) the profitability of wine grape growers, and the steps industry participants have taken to enhance profitability;

(d) the impact and application of the wine equalisation tax rebate on grape and wine industry supply chains;

(e) the extent to which grape and wine industry representation at regional, state and national level effectively represents growers and winemakers with respect to equity in the collection and distribution of levies;

(f) the work being undertaken by the Australian Grape and Wine Authority pertaining to levy collection information;

(g) the power and influence of retailers of Australian wine in domestic and export markets;

(h) the adequacy and effectiveness of market intelligence and pricing signals in assisting industry and business planning;
(i) the extent to which the Australian grape and wine industry benefits regional communities both directly and indirectly through employment, tourism and other means; and

(j) any related matters.

Senator Seselja, the Minister Assisting the Prime Minister for Women (Senator Cash) and Senator McKenzie: To move on the next day of sitting—That the Senate—

(a) notes recent reports and evidence of aggression and abuse towards women by Construction, Forestry, Mining and Energy Union (CFMEU) officials, including that:

(i) CFMEU organiser, Mr Luke Collier, abused a female Fair Work Building and Construction (FWBC) inspector using expletive and misogynist swear words,

(ii) CFMEU Assistant Secretary, Mr Shaun Reardon, made threatening late-night phone calls to a female staff member of the building industry watchdog,

(iii) a CFMEU official spat at a female FWBC inspector when she was called out to a worksite to inspect a union blockade,

(iv) a CFMEU official made a late-night phone call to a female staff member of the building industry watchdog, threatening her with gang rape, and

(v) on multiple occasions female FWBC officers have had to be moved off inspection duties because of the threats and aggression expressed towards them;

(b) condemns such behaviour directed at female FWBC inspectors;

(c) condemns CFMEU Secretary, Mr Dave Noonan, for attempting to defend Mr Collier’s verbal intimidation of a female FWBC inspector and similar cases of intimidation, by saying that swearing on building sites is nothing new; and

(d) expresses its gratitude to FWBC inspectors, including the 31 female FWBC inspectors, who work to maintain the rule of law on Australia’s building and construction sites. (general business notice of motion no. 680)

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

(a) notes that:

(i) the Minister for the Environment (Mr Hunt) has referred the Shenhua Watermark coal mine planned for the Liverpool Plains to the Independent Expert Scientific Committee on Coal Seam Gas and Large Coal Mining Development (IESC) for assessment under the water trigger provisions of the Environment Protection and Biodiversity Conservation Act 1999 (the EPBC Act),

(ii) the Namoi catchment, that includes the Liverpool Plains, is the largest groundwater system in the Murray Darling catchment and the Shenhua project triggered the requirement to consider water impacts of the mine under the EPBC Act,

(iii) the Federal Government has passed legislation in the House of Representatives, including to hand over application of the water trigger, including approval decisions, under the EPBC Act to state and territory governments and local councils, and
(iv) as well as the proposed Shenhua Watermark project two other major mining projects are proposed for the Liverpool Plains – BHP Billiton is planning a coal mine of 500,000,000 tonnes less than 10 km from the Shenhua site, and Santos has a coal seam gas licence to explore for gas across the whole Liverpool Plains floodplain;

(b) calls on the Minister for the Environment to publicly clarify:
   (i) if he is requiring that the IESC review assess the cumulative impacts of the project in association with other developments, whether past, present or reasonably foreseeable,
   (ii) whether the IESC will carry out the bioregional assessment of the impact of the proposed mine on the Namoi catchment, or whether they will be simply reviewing other work rather than carrying out their own independent work, and
   (iii) if the IESC will be required to engage with the Local Land Services to assess the cumulative impacts, or if a desktop assessment of the hydrogeology and geology is all that is required; and

(c) calls on the Minister for the Environment to retain the water trigger at the federal level and abandon its plans to hand it off to state and territory governments. (general business notice of motion no. 681)

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 19 February 2016:

The mental health of Australian Defence Force (ADF) personnel who have returned from combat, peacekeeping or other deployment, with particular reference to:

(a) the extent and significance of mental ill-health and post-traumatic stress disorder (PTSD) among returned service personnel;
(b) identification and disclosure policies of the ADF in relation to mental ill-health and PTSD;
(c) recordkeeping for mental ill-health and PTSD, including hospitalisations and deaths;
(d) mental health evaluation and counselling services available to returned service personnel;
(e) the adequacy of mental health support services, including housing support services, provided by the Department of Veterans’ Affairs (DVA);
(f) the support available for partners, carers and families of returned service personnel who experience mental ill-health and PTSD;
(g) the growing number of returned service personnel experiencing homelessness due to mental ill-health, PTSD and other issues related to their service;
(h) the effectiveness of the Memorandum of Understanding between the ADF and DVA for the Cooperative Delivery of Care;
(i) the effectiveness of training and education offerings to returned service personnel upon their discharge from the ADF; and
(j) any other related matters.

The Assistant Minister for Social Services (Senator Fifield): To move on the next day of sitting—That—

(1) On Wednesday, 25 March 2015:
   (a) the hours of meeting shall be 9.30 am to 7 pm and 7.30 pm to 11.10 pm;
(b) the routine of business from not later than 7.30 pm shall be government business only; and
(c) the question for the adjournment of the Senate shall be proposed at 10.30 pm.

(2) On Thursday, 26 March 2015:

(a) the hours of meeting shall be from 9.30 am to adjournment;
(b) consideration of bills under the temporary order relating to private senators’ bills shall not be proceeded with, and that government business shall have precedence over all other business for 2 hours and 20 minutes;
(c) from not later than 12.45 pm, the following orders of the day shall be considered:
   (i) Public Governance and Resources Legislation Amendment Bill (No. 1) 2015, and
   (ii) Parliamentary Service Amendment Bill 2014;
(d) government business shall be called on after consideration of the bills listed in paragraph (c) and considered till not later than 2 pm;
(e) consideration of the business before the Senate shall be interrupted at approximately 4 pm, but not so as to interrupt a senator speaking, to enable valedictory statements to be made relating to Senator Mason;
(f) divisions may take place after 4.30 pm;
(g) the routine of business from not later than 8 pm shall be consideration of government business only, and that the following government business orders of the day shall have precedence over all other government business:
   (i) Migration Amendment (Protection and Other Measures) Bill 2014,
   (ii) Telecommunications Legislation Amendment (Deregulation) Bill 2014 and the Telecommunications (Industry Levy) Amendment Bill 2014, and
   (iii) Telecommunications (Interception and Access) Amendment (Data Retention) Bill 2014; and
(h) the Senate shall adjourn without debate on the motion of a minister.

The Minister for Employment (Senator Abetz): To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the Fair Work (Building Industry) Act 2012, and for related purposes. Construction Industry Amendment (Protecting Witnesses) Bill 2015.

The Assistant Minister for Social Services (Senator Fifield): To move on the next day of sitting—That the government business order of the day relating to the Automotive Transformation Scheme Amendment Bill 2014 be discharged from the Notice Paper.

The Assistant Minister for Social Services (Senator Fifield): To move on the next day of sitting—That the hours of meeting for Tuesday, 12 May 2015, be from 12.30 pm to 6.30 pm and 8.30 pm to adjournment, and for Thursday, 14 May 2015 be from 9.30 am to 6 pm and 8 pm to adjournment, and that:

(a) the routine of business from 8.30 pm on Tuesday, 12 May 2015 shall be:
   (i) Budget statement and documents 2015-16, and
   (ii) adjournment; and
the routine of business from 8 pm on Thursday, 14 May 2015 shall be:

(i) Budget statement and documents—party leaders and independent senators to make responses to the statement and documents for not more than 30 minutes each, and

(ii) adjournment.

The Assistant Minister for Social Services (Senator Fifield): To move on the next day of sitting—That the Senate meet on Monday, 11 May 2015, and that:

(a) the hours of meeting shall be 10 am to 6.30 pm and 7.30 pm to adjournment;

(b) the routine of business shall be:

(i) government business,
(ii) at 2 pm, questions, and
(iii) from 3 pm, government business only;

(c) the following government business orders of the day shall have precedence over all other government business:

(i) Construction Industry Amendment (Protecting Witnesses) Bill 2015,
(ii) Limitation of Liability for Maritime Claims Amendment Bill 2015, and
(iii) Tribunals Amalgamation Bill 2014; and

(d) the question for the adjournment of the Senate shall not be proposed until a motion for the adjournment is moved by a minister.

Senator Waters: To move on 26 March 2015—That the Senate—

(a) notes:

(i) the concern expressed by regional communities about the impacts on food security and water resources from coal seam gas, shale gas and tight gas, and

(ii) that the Federal Government has power to regulate the conduct of constitutional corporations, including corporations involved in coal seam gas, shale gas and tight gas mining; and

(b) agrees that:

(i) food security and water resources should be prioritised over coal seam gas, shale gas and tight gas mining, and

(ii) the Federal Government should use its constitutional powers to regulate the conduct of corporations undertaking coal seam gas, shale gas and tight gas mining. (general business notice of motion no. 682)

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

(a) notes:

(i) the recent report of the Australian Coral Reef Society which stated that policies for a safe climate are inconsistent with the opening of new fossil fuel industries like the mega coal mines of the Galilee Basin, and

(ii) the comments of Professor Terry Hughes on ABC Radio that it is an impossible task to open up the mega coal mines of the Galilee Basin while sustaining the Great Barrier Reef for future generations; and

(b) agrees that Galilee Basin coal must stay in the ground in order to protect the Great Barrier Reef. (general business notice of motion no. 683)
The Leader of the Australian Greens (Senator Milne): To move on the next day of sitting—That the Senate—

(a) congratulates the President of the United States of America, Barack Obama, for the Executive Order requiring the reduction of greenhouse gas pollution by 40 per cent below 2008 levels in 2025 from activities directly undertaken by the Federal Government;

(b) notes that measures such as energy productivity retrofits, directly contracting renewable energy projects, lifting vehicle fuel efficiency standards and increasing ethanol use in defence vehicles not only reduces operating costs and saves taxpayers money, but it boosts domestic economic activity while driving down pollution; and

(c) urges the Federal Government to assess the potential impact that it can directly make through its own activities and procurement policies as it searches for policies that will deliver Australia’s post-2020 targets. (general business notice of motion no. 684)

Senator Ludlam: To move on the next day of sitting—That the resolution of appointment of the Select Committee on the National Broadband Network be amended, as follows:

After paragraph (d), insert:

(da) the development of a long-term, multi-partisan vision for the National Broadband Network. (general business notice of motion no. 685)

The President: To move on 26 March 2015—That, in accordance with section 5 of the Parliament Act 1974, the Senate approves the following proposal for work within the Parliamentary Zone which was presented to the Senate on 24 March 2015, namely: Parliament House Security Upgrade Works – Perimeter Security Enhancements. (general business notice of motion no. 686)

The President tabled the following document:


10 LEAVE OF ABSENCE

Senator McEwen, by leave, moved—That leave of absence be granted to Senator Bilyk for 23 March 2015, for personal reasons.

Question put and passed.

11 POSTPONEMENT

Business was postponed as follows:

Business of the Senate notice of motion no. 1 standing in the name of Senator Xenophon for today, proposing a reference to the Rural and Regional Affairs and Transport References Committee, postponed till 14 May 2015.
12 **COMMITTEE—EXTENSIONS OF TIME TO REPORT**

The following committee was granted extensions of time to report:

- Economics References Committee—
  Australia’s innovation system, extended to 10 August 2015.
  Cooperative, mutual and member-owned firms, extended to 30 November 2015.

13 **ENVIRONMENT AND COMMUNICATIONS REFERENCES COMMITTEE—REFERENCE**

Senator Whish-Wilson amended business of the Senate notice of motion no. 2 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the following matter be referred to the Environment and Communications References Committee for inquiry and report by 10 August 2015:

The regulation of the fin-fish aquaculture industry in Tasmania, with particular regard to:

- the adequacy and availability of data on waterway health;
- the impact on waterway health, including to threatened and endangered species;
- the adequacy of current environmental planning and regulatory mechanisms;
- the interaction of state and federal laws and regulation;
- the economic impacts and employment profile of the industry; and
- any other relevant matters.

Question put and passed.

14 **FOREIGN AFFAIRS, DEFENCE AND TRADE REFERENCES COMMITTEE—REFERENCE**

Senator McEwen, at the request of the Leader of the Opposition in the Senate (Senator Wong) and pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 4—

(1) That the following matter be referred to the Foreign Affairs, Defence and Trade References Committee for inquiry and report:

The proposed China-Australia Free Trade Agreement, with particular reference to the impact of the agreement on Australia’s:

- economy and trade;
- domestic labour market testing obligations and laws regarding wages, conditions and entitlements of Australian workers and temporary work visa holders;
- investment; and
- social, cultural and environmental policies.

(2) That, in conducting the inquiry, the committee shall review the agreement to ensure it is in Australia’s national interest, and have regard to the report of the Joint Standing Committee on Treaties on the proposed agreement.

(3) That the committee report within one month of the tabling of the report of the Joint Standing Committee on Treaties on the proposed agreement.

Question put and passed.
15 **REGIONAL AUSTRALIA—FAMILY-OWNED PRODUCTION ENTERPRISES**

Senator Bushby, at the request of Senators O’Sullivan and Day and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 669—That the Senate notes:

(a) the important economic and social contributions to Australia’s regional and rural communities made by small and medium family-owned primary production enterprises; and

(b) the contribution this cohort of the sector makes to providing employment opportunities within rural and regional Australia.

Question put and passed.

16 **PUBLIC ACCOUNTS AND AUDIT—JOINT STATUTORY COMMITTEE—LEAVE TO MEET DURING SITTINGS**

Senator Bushby, at the request of Senator Smith and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 670—That the Joint Committee of Public Accounts and Audit be authorised to hold private meetings otherwise than in accordance with standing order 33(1) during the sittings of the Senate, as follows:

(a) Thursday, 14 May 2015, from 10.30 am;

(b) Thursday, 18 June 2015, from 10.30 am, followed by a public meeting; and

(c) Thursday, 25 June 2015, from 10.30 am, followed by a public meeting.

Question put and passed.

17 **TREATIES—JOINT STANDING COMMITTEE—LEAVE TO MEET DURING SITTINGS**

Senator Bushby, at the request of Senator Fawcett and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 671—That the Joint Standing Committee on Treaties be authorised to hold private meetings otherwise than in accordance with standing order 33(1), followed by public meetings, during the sittings of the Senate, as follows:

(a) Monday, 15 June 2015; and

(b) Monday, 22 June 2015.

Question put and passed.

18 **HEALTH—WORLD TUBERCULOSIS DAY**

Senator Bushby, at the request of Senators Smith, Singh and Di Natale and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 672—That the Senate—

(a) notes that:

(i) 24 March 2015 is World Tuberculosis Day,

(ii) World Tuberculosis Day is an annual event that marks the anniversary of German Nobel Laureate Dr Robert Koch’s 1882 discovery of the bacterium that causes tuberculosis (TB),

(iii) TB is contagious and airborne,

(iv) TB ranks as the world’s second leading cause of death from a single infectious agent – people ill with TB disease can infect up to 10 to 15 people every year,
(v) the theme for World Tuberculosis Day in 2015 is ‘Reach, Treat, Cure Everyone’,

(vi) in 2013, 1.5 million people died from TB worldwide with 40 per cent of deaths occurring in countries in the Indo-Pacific region,

(vii) TB is a disease linked to poverty and failing health systems, and an important health security threat in our region,

(viii) Papua New Guinea (PNG) has the highest rate of TB infection in the Pacific, with an estimated 39 000 total cases and 25 000 infections each year,

(ix) cases of multi-drug resistant TB continue to increase worldwide, rising from 450 000 cases in 2012 to 480 000 cases in 2013, and in Port Moresby, the capital of PNG, almost 5 per cent of new TB diagnoses and 25 per cent of relapse cases are multi-drug resistant,

(x) TB is the leading cause of death among HIV positive people, given that HIV weakens the immune system and in combination with TB is lethal, each contributing to the other’s progress, and

(xi) TB is considered to be a preventable and treatable disease, however current treatment tools, drugs, diagnostics and vaccines are outdated and ineffective; and

(b) recognises:

(i) Australia’s resolve to continue to work towards combatting the challenge of TB in the region by working with partner countries to build strong and sustainable health systems, and by supporting the discovery, development and rapid uptake of new tools, interventions and strategies as recognised in the World Health Organization (WHO) End TB Strategy,

(ii) that the WHO End TB Strategy was endorsed by all member states at the 2014 World Health Assembly and aims to end the TB epidemic by 2035,

(iii) that the Australian Government funding of health and medical research is helping to bring new medicines, diagnostic tests and vaccines to market for TB and other neglected diseases,

(iv) that the development of new, simple and affordable treatment tools for TB and multi-drug resistant TB is essential if the End TB Strategy goal to diagnose and treat all multi-drug resistant TB patients is to be met, and

(v) the importance of building robust and sustainable health systems which ensure that new treatments and medical technologies reach patients, particularly those in greatest need.

Question put and passed.

19 FOREIGN AFFAIRS—ISRAEL

Motion determined as not formal: Senator Day, also on behalf of Senator Leyonhjelm, requested that general business notice of motion no. 668 standing in their names for today, relating to Israel, be taken as formal.

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

Statement by leave: Senator Day, by leave, made a statement relating to the motion.
20 **EDUCATION AND EMPLOYMENT REFERENCES COMMITTEE—REFERENCE**

Senator Rice, also on behalf of Senator Cameron, pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 3—

(1) That the following matters be referred to the Education and Employment References Committee for inquiry and report by 22 June 2015:

The impact of Australia’s temporary work visa programs on the Australian labour market and on the temporary work visa holders, with particular reference to:

(a) the wages, conditions, safety and entitlements of Australian workers and temporary work visa holders, including:
   (i) whether the programs ‘carve out’ groups of employees from Australian labour and safety laws and, if so, to what extent this threatens the integrity of such laws,
   (ii) the employment opportunities for Australians, including:
       (A) the effectiveness of the labour market testing provisions (the provisions) of the *Migration Act 1958* in protecting employment opportunities for Australian citizens and permanent residents, and
       (B) whether the provisions need to be strengthened to improve the protection of employment opportunities for Australian citizens and permanent residents and, if so, how this could be achieved,
   (iii) the adequacy of publicly available information about the operation of the provisions, and
   (iv) the nature of current exemptions from the provisions and what effect these exemptions have on the reach and coverage of labour market testing obligations and laws regarding wages, conditions and entitlements of Australian workers and temporary work visa holders;

(b) the impact of Australia’s temporary work visa programs on training and skills development in Australia, including:
   (i) the adequacy of current obligations on 457 visa sponsoring employers to provide training opportunities for Australian citizens and permanent residents,
   (ii) how these obligations could be strengthened and improved, and
   (iii) the effect on the skills base of the permanent Australian workforce;

(c) whether temporary work visa holders receive the same wages, conditions, safety and other entitlements as their Australian counterparts or in accordance with the law, including:
   (i) the extent of any exploitation and mistreatment of temporary work visa holders, such as sham contracting or debt bondage with exorbitant interest rate payments,
   (ii) the role of recruitment agents, and
   (iii) the adequacy of information provided to temporary work visa holders on their rights and obligations in their workplace and community, and how it can be improved;
(d) whether temporary work visa holders have access to the same benefits and entitlements available to Australian citizens and permanent residents, and whether any differences are justified and consistent with international conventions relating to migrant workers;

(e) the adequacy of the monitoring and enforcement of the temporary work visa programs and their integrity, including:
   (i) the wages, conditions and entitlements of temporary work visa holders, and
   (ii) cases of 457 visa fraud, such as workers performing duties outside or below the job classification of the visa;

(f) the role and effect of English language requirements in limited and temporary work visa programs;

(g) whether the provisions and concessions made for designated area migration agreements, enterprise migration agreements, and labour agreements affect the integrity of the 457 visa program, or affect any other matter covered in these terms of reference;

(h) the relationship between the temporary 457 visa and other temporary visa types with work rights attached to them; and

(i) any related matter.

(2) That in conducting the inquiry, the committee shall review the findings and recommendations of previous inquiries into such matters, including the Legal and Constitutional Affairs References Committee’s report, Framework and operation of subclass 457 visas, Enterprise Migration Agreements and Regional Migration Agreements.

Statement by leave: The Assistant Minister for Immigration and Border Protection (Senator Cash), by leave, made a statement relating to the motion.

Question put.

The Senate divided—

AYES, 37

Senators—

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21 EDUCATION—HIGHER EDUCATION REFORMS—ADVERTISEMENTS

Senator Rhiannon, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 673—That the Senate—

(a) notes that the Abbott Government has allocated $14.6 million in public funding to advertise its failed higher education changes; and

(b) calls on the Abbott Government to:

(i) direct the Federal Liberal Party to return the $14.6 million of public money allocated to its higher education advertising campaign, and

(ii) shut down its publicly-funded highered.gov.au site, which was designed to advertise the failed changes.

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

Question put and passed.

22 EDUCATION—RESOURCING FOR DISABILITY EDUCATION

Senator Wright, also on behalf of Senator O’Neill, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 676—That the Senate—

(a) notes the commitment made by the current Minister for Education and Training (Mr Pyne) in the 2013 federal election to introduce a needs-based disability loading under the Gonski school funding reforms by 2015;

(b) recognises that more than 100 000 students with a disability do not receive any funded support at school; and

(c) calls on the Government to keep its election promise to properly resource disability education, and include necessary funding for a needs-based disability loading in the upcoming federal budget.

Question put and passed.

23 HOURLS OF MEETING AND ROUTINE OF BUSINESS—VARIATION

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. 2—That, on Tuesday, 24 March 2015:

(a) the hours of meeting shall be 12.30 pm to 6.30 pm, and 7 pm to 10.40 pm;

(b) any proposal pursuant to standing order 75 shall not be proceeded with;

(c) consideration of the business before the Senate shall be interrupted at 5 pm, but not so as to interrupt a senator speaking, to enable valedictory statements to be made relating to Senator Lundy;
(d) the routine of business from not later than 7 pm shall be:

(i) the government business order of the day relating to the Telecommunications (Interception and Access) Amendment (Data Retention) Bill 2014, and

(ii) other government business orders of the day; and

(e) the question for the adjournment of the Senate shall be proposed at 10 pm.

Question put and passed.

24 FAMILY AND COMMUNITY SERVICES—HEALTHY WELFARE CARD

Senator Siewert, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 675—That the Senate—

(a) notes that the Healthy Welfare Card is a paternalistic approach to social security, and that income management has not resulted in any significant improvements for the communities that it has been trialled in;

(b) condemns the Government for spending money on another unproven program, while cutting millions of dollars from much needed social services; and

(c) calls on the Government to abandon the healthy welfare card proposal, and instead to work directly with affected communities to develop cooperative programs that address local need.

Question put and negatived.

25 DOCUMENTS—CONSIDERATION

The documents tabled earlier today (see entry no. 2) and general business orders of the day nos 1 and 2 relating to documents were called on but no motion was moved.

26 COMMITTEE REPORTS AND GOVERNMENT RESPONSES—TABLING AND CONSIDERATION PURSUANT TO STANDING ORDER 62(4)

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

Procedure—Standing Committee—First report of 2015—Appropriations and Staffing Committee; Cross-bench committee membership, chairing and order of speakers; Powers of Chair in relation to disorder; Language of matters raised under standing order 75; Changes to standing and other orders relating to estimates hearings, dated March 2015.

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

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

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

Senator Marshall, by leave, moved—That consideration of the report be made a business of the Senate order of the day for the next day of sitting.

Question put and passed.
Pursuant to order, Senator Wright, at the request of the Chair of the Legal and Constitutional Affairs References Committee for the purposes of this inquiry (Senator Ludlam), tabled the following report and documents:


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

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

Debate ensued.

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

Pursuant to order, the Chair of the Legal and Constitutional Affairs References Committee (Senator Wright) tabled the following report and documents:

Legal and Constitutional Affairs References Committee—Work undertaken by the Australian Federal Police’s Oil for Food Taskforce—Report, dated March 2015, Hansard record of proceedings, document presented to the committee, additional information and submissions.

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

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

Debate ensued.

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

The Parliamentary Secretary to the Minister for Education and Training (Senator Ryan) tabled the following document:


Order of the day no. 1 relating to committee reports and government responses was called on but no motion was moved.

27 COMMITTEE MEMBERSHIP

The Acting Deputy President (Senator Sterle) informed the Senate that the President had received a letter requesting changes in the membership of a committee.

The Parliamentary Secretary to the Minister for Education and Training (Senator Ryan), by leave, moved—That Senator Cameron replace Senator Carr on the Economics References Committee for the committee’s inquiry into insolvency in the construction industry, and Senator Carr be appointed as a participating member.

Question put and passed.
28 **GOVERNOR-GENERAL’S MESSAGES—ASSENT TO LAWS**

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

19 March 2015—Messages Nos—

5—

  * Aboriginal and Torres Strait Islander Peoples Recognition (Sunset Extension) Act 2015 (Act No. 14, 2015)*
  * Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Amendment (Designated Coastal Waters) Act 2015 (Act No. 16, 2015).*

6—

  * Excess Exploration Credit Tax Act 2015 (Act No. 17, 2015)*
  * Export Finance and Insurance Corporation Amendment (Direct Lending and Other Measures) Act 2015 (Act No. 18, 2015)*
  * Corporations Legislation Amendment (Deregulatory and Other Measures) Act 2015 (Act No. 19, 2015).*

7—

  * Tax and Superannuation Laws Amendment (2014 Measures No. 5) Act 2015 (Act No. 20, 2015)*
  * Tax and Superannuation Laws Amendment (2014 Measures No. 7) Act 2015 (Act No. 21, 2015)*
  * Broadcasting and Other Legislation Amendment (Deregulation) Act 2015 (Act No. 22, 2015).*


29 **FINANCE AND PUBLIC ADMINISTRATION LEGISLATION COMMITTEE—REPORT—PUBLIC GOVERNANCE AND RESOURCES LEGISLATION AMENDMENT BILL (NO. 1) 2015**

Pursuant to order, Senator Ruston, at the request of the Chair of the Finance and Public Administration Legislation Committee (Senator Bernardi), tabled the following report and documents:


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

30 **EDUCATION AND EMPLOYMENT LEGISLATION COMMITTEE—REPORT—SEAFARERS REHABILITATION AND COMPENSATION AND OTHER LEGISLATION AMENDMENT BILL 2015**

Pursuant to order, Senator Ruston, at the request of the Chair of the Education and Employment Legislation Committee (Senator McKenzie), tabled the following report and documents:


Report ordered to be printed on the motion of Senator Ruston.
31 **TELECOMMUNICATIONS (INTERCEPTION AND ACCESS) AMENDMENT (DATA RETENTION) BILL 2015**

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—and on the amendment moved by Senator Ludlam (see entry no. 5).

Debate resumed.

At 5 pm: Debate was interrupted.

32 **VALEDICTORY STATEMENTS**

Pursuant to order, senators made statements relating to the retirement of Senator Lundy.

33 **TELECOMMUNICATIONS (INTERCEPTION AND ACCESS) AMENDMENT (DATA RETENTION) BILL 2015**

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—and on the amendment moved by Senator Ludlam (see entry no. 5).

Debate resumed.

Question—That the amendment be agreed to—put.

The Senate divided—

**AYES, 15**

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Question negatived.

Main question put.

The Senate divided—

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Senators—

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Hanson-Young  Ludlam  Rice  Wright
Lambie  Milne  Siewert (Teller)  Xenophon
Lazarus  Muir  Waters

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

In the committee

Bill, taken as a whole by leave, debated.

At 10 pm: The President resumed the chair and the Chair of Committees (Senator Marshall) reported progress.

34 ADJOURNMENT
The President proposed the question—That the Senate do now adjourn.
Debate ensued.
The Senate adjourned at 10.34 pm till Wednesday, 25 March 2015 at 9.30 am.

35 ATTENDANCE
Present, all senators.

ROSEMARY LAING
Clerk of the Senate

Printed by authority of the Senate