No. 29: Tuesday, 26 November 2019

1 Meeting of Senate

2 Documents

3 Committees—Leave to meet during sitting

4 Customs Amendment (Growing Australian Export Opportunities Across the Asia-Pacific) Bill 2019
   Customs Tariff Amendment (Growing Australian Export Opportunities Across the Asia-Pacific) Bill 2019

5 Questions

6 Hours of meeting and routine of business—Variation

7 Fair Work (Registered Organisations) Amendment (Ensuring Integrity) Bill 2019

8 Notices

9 Adjournment

10 Attendance
1 Meeting of Senate
The Senate met at midday. The President (Senator the Honourable Scott Ryan) took the chair, read prayers and made an acknowledgement of country.

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

**Government documents**

3 *Surveillance Devices Act 2004*—Commonwealth Ombudsman’s report to the Minister for Home Affairs on agencies’ compliance for the period 1 January to 30 June 2019.

The Clerk tabled the following documents pursuant to statute:

*Legislative instruments are identified by a Federal Register of Legislation (FRL) number. An explanatory statement is tabled with an instrument unless otherwise indicated by an asterisk.]*

- Commissioner of Taxation—Public Ruling—Class Ruling CR 2019/73.
- *Defence Act 1903*—Woomera Prohibited Area Rule 2014—Determination of Exclusion Periods for Amber Zone 1 and Amber Zone 2 for Financial Year 2019-2020 Amendment No. 1 [F2019L01495].
3 Committees—Leave to meet during sitting

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

- **Corporations and Financial Services—Joint Statutory Committee**—private briefing on Thursday, 28 November 2019, from 9.50 am.
- **Finance and Public Administration Legislation Committee**—public meeting today, from 3.30 pm, for the committee’s consideration of the 2019-20 supplementary Budget estimates.
- **Financial Technology and Regulatory Technology—Select Committee**—private briefing on Wednesday, 27 November 2019, from 11.30 am and from 12.45 pm; and Wednesday, 4 December 2019, from 11.30 am.
- **Foreign Affairs, Defence and Trade References Committee**—public meeting on Monday, 2 December 2019, from 3.30 pm, to take evidence for the committee’s inquiry into Australia’s declarations made under certain international laws.
- **Human Rights—Joint Statutory Committee**—private meeting otherwise than in accordance with standing order 33(1) on Wednesday, 27 November 2019, from 11.30 am.
- **Regulations and Ordinances—Standing Committee**—private briefing on Wednesday, 27 November 2019, from 1 pm.

4 Customs Amendment (Growing Australian Export Opportunities Across the Asia-Pacific) Bill 2019

Customs Tariff Amendment (Growing Australian Export Opportunities Across the Asia-Pacific) Bill 2019

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

In the committee

Bills taken together and as a whole by leave.
Senator Steele-John moved the following amendment:

**Customs Amendment (Growing Australian Export Opportunities Across the Asia-Pacific) Bill 2019**

Clause 2, pages 2 and 3, table items 2 to 4, omit the table items, substitute:

2. **Schedule 1**
   
   If the Peru-Australia Free Trade Agreement, done at Canberra on 12 February 2018, enters into force for Australia—the first day that bilateral side letters exchanged between Australia and each other party to the Agreement agreeing that the part of the agreement which deals with investor-State disputes does not apply in relation to an investment in Australia by an investor of the other party are in force for Australia. However, the provisions do not commence at all unless all of the events mentioned in this item occur.

3. **Schedule 2**
   
   If the Indonesia-Australia Comprehensive Economic Partnership Agreement, done at Jakarta on 4 March 2019, enters into force for Australia—the first day that bilateral side letters exchanged between Australia and each other party to the Agreement agreeing that the part of the agreement which deals with investor-State disputes does not apply in relation to an investment in Australia by an investor of the other party are in force for Australia. However, the provisions do not commence at all unless all of the events mentioned in this item occur.

4. **Schedule 3**
   
   If the Free Trade Agreement between Australia and Hong Kong, China, done at Sydney on 26 March 2019, enters into force for Australia—the first day that bilateral side letters exchanged between Australia and each other party to the Agreement agreeing that the part of the agreement which deals with investor-State disputes does not apply in relation to an investment in Australia by an investor of the other party are in force for Australia. However, the provisions do not commence at all unless all of the events mentioned in this item occur.

Debate ensued.

Question—That the amendment be agreed to—put.
The committee divided—

**AYES, 13**

Senators—

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**NOES, 36**

Senators—

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* Tellers

Question negatived.

Bills debated.

Senator Steele-John moved the following amendment:

**Customs Amendment (Growing Australian Export Opportunities Across the Asia-Pacific) Bill 2019**

Clause 2, pages 2 and 3, table items 2 to 4, omit the table items, substitute:

2. Schedule 1 If the Peru-Australia Free Trade Agreement, done at Canberra on 12 February 2018, enters into force for Australia—the first day that bilateral side letters exchanged between Australia and each other party to the Agreement agreeing that labour market testing must occur in relation to contractual service suppliers, working holiday visa holders and training visa holders entering, or proposing to enter, Australia from the other Party are in force for Australia. However, the provisions do not commence at all unless all of the events mentioned in this item occur.
3. Schedule 2

If the Indonesia-Australia Comprehensive Economic Partnership Agreement, done at Jakarta on 4 March 2019, enters into force for Australia—the first day that bilateral side letters exchanged between Australia and each other party to the Agreement agreeing that labour market testing must occur in relation to contractual service suppliers, working holiday visa holders and training visa holders entering, or proposing to enter, Australia from the other Party are in force for Australia.

However, the provisions do not commence at all unless all of the events mentioned in this item occur.

4. Schedule 3

If the Free Trade Agreement between Australia and Hong Kong, China, done at Sydney on 26 March 2019, enters into force for Australia—the first day that bilateral side letters exchanged between Australia and each other party to the Agreement agreeing that labour market testing must occur in relation to contractual service suppliers, working holiday visa holders and training visa holders entering, or proposing to enter, Australia from the other Party are in force for Australia.

However, the provisions do not commence at all unless all of the events mentioned in this item occur.

Debate ensued.

Question—That the amendment be agreed to—put.

The committee divided—

AYES, 13

Senators—

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NOES, 37

Senators—

Abetz  Davey  Hume  Rennick
Antic  Duniam  McAllister  Reynolds
Askew  Fawcett  McDonald  Scarr
Bernardi  Fierravanti-Wells  McKenzie  Sheldon
Birmingham  Gallagher  McMahon  Smith, Dean
Bragg  Gallagher  Molan  Smith, Marielle
Brockman  Green  O’Sullivan  Stoker
Chandler  Henderson  Paterson  Van
Ciccone*  Hughes  Pratt  Walsh
Cormann

* Tellers

Question negatived.

Bills further debated.

Senator Steele-John moved the following amendment:

**Customs Amendment (Growing Australian Export Opportunities Across the Asia-Pacific) Bill 2019**

Clause 2, pages 2 and 3, table item 4, omit the table item, substitute:

4. Schedule 3  The latest of the following:

(a) 20 October 2020;

(b) the day this Act receives the Royal Assent;

(c) the day the Free Trade Agreement between Australia and Hong Kong, China, done at Sydney on 26 March 2019, enters into force for Australia.

However, the provisions do not commence at all if the event mentioned in paragraph (c) does not occur.

The Minister must announce, by notifiable instrument, the day the Agreement enters into force for Australia.

Debate ensued.

Question—That the amendment be agreed to—put.

The committee divided—

AYES, 13

Senators—

Di Natale  Lambie  Rice  Steele-John
Faruqi  McKim  Roberts  Waters
Griff  Patrick  Siewert*  Whish-Wilson
Hanson-Young
Question negatived.

Senator Patrick moved the following amendments together by leave:

**Customs Amendment (Growing Australian Export Opportunities Across the Asia-Pacific) Bill 2019**

Clause 2, page 2 (table item 1), omit “Sections 1 to 3”, substitute “Sections 1 to 4”.

Page 3 (after line 11), after clause 3, add:

4 Impact of bilateral and regional trade agreements on Australia’s trade and economic performance—Productivity Commission inquiry

(1) By the day after this section commences, the Productivity Minister must, under Part 3 of the *Productivity Commission Act 1998*, refer to the Productivity Commission for inquiry the following matters:

(a) the contribution of Australia’s bilateral and regional trade agreements to reducing trade and investment barriers and safeguarding against the introduction of new barriers;

(b) the impact of trade agreements on trade flows, investment returns and productivity growth, employment and labour markets, and the development of manufacturing and value-added export industries;

(c) any related matters.

(2) In referring the matter to the Productivity Commission for inquiry, the Productivity Minister must:

(a) under paragraph 11(1)(a) of the *Productivity Commission Act 1998*, require the Productivity Commission to hold hearings for the purposes of the inquiry; and

(b) under paragraph 11(1)(b) of that Act, specify the period ending 12 months after this section commences as the period within which the Productivity Commission must submit its report on the inquiry; and

(c) under paragraph 11(1)(d) of that Act, require the Productivity Commission to make recommendations in relation to the matters referred to in subsection (1).

Note: Under section 12 of the *Productivity Commission Act 1998*, the Productivity Minister must cause a copy of the Productivity Commission’s report to be tabled in each House of the Parliament.

(3) The Productivity Minister must not withdraw the reference before the Productivity Minister has received the report.

(4) For the purposes of paragraph 6(1)(a) of the *Productivity Commission Act 1998*, the matters mentioned in subsection (1) are taken to be matters relating to industry, industry development and productivity.

(5) In this section, *Productivity Minister* means the Minister administering the *Productivity Commission Act 1998*. 

* Tellers
Debate ensued.

Question—That the amendments be agreed to—put.

The committee divided—

AYES, 13

Senators—

Di Natale  Lambie  Rice  Steele-John
Faruqi  McKim  Roberts  Waters
Griff  Patrick  Siewert*  Whish-Wilson
Hanson-Young

NOES, 47

Senators—

Abetz  Davey  McAllister  Ryan
Antic  Dodson  McDonald  Scarr
Askew  Farrell  McGrath  Seselja
Ayres  Fierravanti-Wells  McKenzie  Sheldon
Birmingham  Gallacher  McMahon  Smith, Dean
Bragg  Gallacher  Molan  Smith, Marielle
Brockman  Green  O’Sullivan  Sterle
Carr  Henderson  Paterson  Stoker
Chandler  Hughes  Payne  Van
Chisholm  Hume  Pratt  Walsh
Ciccone*  Keneally  Rennick  Wong
Cormann  Kitching  Ruston

*Tellers

Question negatived.

Bills agreed to and reported without amendments or requests.

On the motion of the Minister for Trade, Tourism and Investment (Senator Birmingham) the report from the committee was adopted and the bills read a third time.

5 Questions

Questions without notice were answered.

6 Hours of meeting and routine of business—Variation

Leave refused: The Minister for Finance (Senator Cormann) sought leave to move a motion to provide for the consideration of the Fair Work (Registered Organisations) Amendment (Ensuring Integrity) Bill 2019. An objection was raised and leave was not granted.

Suspension of standing orders: Senator Cormann, pursuant to contingent notice, moved—that so much of the standing orders be suspended as would prevent him moving a motion to provide for the consideration of a matter, namely a motion to provide that a motion relating to the consideration of the Fair Work (Registered Organisations) Amendment (Ensuring Integrity) Bill 2019 may be moved immediately and determined without amendment or debate.

Debate ensued.

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

**AYES, 39**

Senators—

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

**NOES, 33**

Senators—

Ayres   Faruqi   McKim  Steele-John
Bilyk   Gallacher  O’Neill  Stele
Brown   Gallacher  Polley  Urquhart*
Carr    Green    Pratt  Walsh
Chisholm Hanson-Young  Rice   Waters
Ciccone  Keneally  Sheldon  Watt
Di Natale Lines    Siewert  Whish-Wilson
Dodson  McCarthy  Smith, Marielle  Wong
Farrell

*Tellers

Question agreed to.

Senator Cormann moved—That a motion to provide for the consideration of the Fair Work (Registered Organisations) Amendment (Ensuring Integrity) Bill 2019 may be moved immediately and determined without amendment or debate.

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

Question—That the question be now put—put.

The Senate divided—

**AYES, 39**

Senators—

Abetz   Cormann  Lambie  Reynolds
Antic   Davey   McDonald  Roberts
Askew   Duniam  McGrath  Ruston
Bernardi Fawcett  McKenzie  Ryan
Birmingham Fierravanti-Wells  McMahon  Scarr
Bragg   Griff   Molan    Seselja
Brockman Hanson  O’Sullivan  Smith, Dean*
Cash    Henderson  Patrick  Stoker
Chandler Hughes  Payne   Van
Colbeck  Hume    Rennick
No. 29—26 November 2019

NOES, 33

Senators—

Ayres
Bilyk
Brown
Carr
Chisholm
Ciccone
Di Natale
Dodson
Farrell
Faruqi
Gallacher
Gallagher
Green
Hanson-Young
Keneally
Lines
McCarthy
McKim
O'Neil
Polley
Pratt
Rice
Sheldon
Siewert
Smith, Marielle
Steele-John
Sterle
Urquhart*
Walsh
Waters
Watt
Whish-Wilson

* Tellers

Question agreed to.

Question—That the precedence motion be agreed to—put.

The Senate divided—

AYES, 39

Senators—

Abetz
Antic
Askew
Bernardi
Birmingham
Bragg
Brockman
Cash
Chandler
Colbeck
Cormann
Davey
Duniam
Fawcett
Fierravanti-Wells
Griff
Hanson
Henderson
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McKenzie
McMahon
Molan
O'Sullivan
Patrick
Payne
Rennick
Reynolds
Roberts
Ruston
Ryan
Scarr
Seselja
Smith, Dean*
Stoker
Van

NOES, 33

Senators—

Ayres
Bilyk
Brown
Carr
Chisholm
Ciccone
Di Natale
Dodson
Farrell
Faruqi
Gallacher
Gallagher
Green
Hanson-Young
Keneally
Lines
McCarthy
McKim
O'Neil
Polley
Pratt
Rice
Sheldon
Siewert
Smith, Marielle
Steele-John
Sterle
Urquhart*
Walsh
Waters
Watt
Whish-Wilson

* Tellers

Question agreed to.

Senator Cormann moved—That—

(a) the routine of business for the remainder of today shall be:

(i) consideration of the Fair Work (Registered Organisations) Amendment (Ensuring Integrity) Bill 2019, second reading speeches only,

(ii) if a division is called after 7.20 pm, the division shall be taken on the next day of sitting, and

(iii) the Senate shall adjourn without debate after the conclusion of the second reading debate, or at 9 pm, or after a motion for the adjournment is moved by a minister, whichever is the earlier; and
(b) on Wednesday, 27 November 2019:

(i) the routine of business from 7.20 pm shall be consideration of the Fair Work (Registered Organisations) Amendment (Ensuring Integrity) Bill 2019, second reading speeches only, and

(ii) if a division is called after 7.20 pm, the division shall be taken on the next day of sitting, and

(iii) the Senate shall adjourn without debate after the conclusion of the second reading debate, or at midnight, or after a motion for the adjournment is moved by a minister, whichever is the earlier.

Question put.
The Senate divided—

AYES, 39

Senators—

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

NOES, 33

Senators—

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

* Tellers

Question agreed to.

7 Fair Work (Registered Organisations) Amendment (Ensuring Integrity) Bill 2019

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

Debate resumed.

At 9 pm: Debate was interrupted while Senator McAllister was speaking.
8 Notices
Senator Waters: To move on the next day of sitting—That the Senate—
(a) notes:
   (i) that 2019 marks the 50 year anniversary of the equal pay decision that gave women the right to be paid the same as their male counterparts,
   (ii) the Workplace Gender Equality Agency (WGEA) Equality Scorecard, released on 13 November 2019, which found that:
      (A) the base salary gap between men and women across all industries and occupations is 15.5% or $15,176 per annum,
      (B) when accounting for total remuneration, including overtime and bonuses, the real gap is wider, with men earning $25,679, or 20.8%, more than women each year on average,
      (C) the number of female CEOs has remained static at 17.1%, and women make up only 26.8% of board positions,
      (D) gender pay gaps favour men across all industries and all levels of the workforce, with financial services, real estate and construction recording the highest gaps,
      (E) fewer than 50% of employers offer paid parental leave for employees, and
      (F) while 73% of workplaces have a formal policy and strategy in place to support flexible working arrangements for employees, only 2.3% have set targets for men’s engagement in flexible work, and
   (iii) that the Federal Government’s Retirement Income Review Consultation paper acknowledges that the wages gap between men and women affects women’s ability to save for retirement, leading to women retiring with lower average superannuation balances than men; and
(b) calls on the Federal Government to:
   (i) increase the resourcing for WGEA and expand its coverage to include the public sector,
   (ii) require all large employers to publicly report their gender pay gap, and strengthen WGEA’s powers to take action against employers who fail to report,
   (iii) prohibit the use of pay gag clauses in employment contracts, which disguise the gender pay gap in the private sector,
   (iv) require superannuation contributions to be made for employees taking paid parental leave,
   (v) set gender pay equality as an objective of awards and the Fair Work Act, and
   (vi) take action to close the gender retirement income gap. (general business notice of motion no. 287)
Senator Whish-Wilson: To move on 2 December 2019—That the following matter be referred to the Economics References Committee for inquiry and report by 7 September 2020:

The review of foreign investment proposals against the national interest test, with particular reference to:

(a) the protection of Australia’s market-based system from manipulation that would benefit proposed foreign investment;
(b) the assessment of the impact of proposed foreign investment on market concentration and competition;
(c) the imposition of conditions on foreign investors, and any limitation that trade agreements have on the imposition of such conditions;
(d) the enforceability of market access provisions in trade agreements, and the impact of this enforcement on the integrity of Australia’s market-based system;
(e) the role of the Foreign Investment Review Board; and
(f) any other related matters.

Senators Hughes, Griff and Lambie: To move on the next day of sitting—

(1) That a select committee, to be known as the Select Committee on Autism, be established to inquire into and report on the services, support and life outcomes for autistic people in Australia and the associated need for a National Autism Strategy, with particular reference to:

(a) current approaches and barriers to consistent, timely and best practice autism diagnosis;
(b) the prevalence of autism in Australia;
(c) misdiagnosis and underrepresentation of females in autism data, and gender bias in autism assessment and support services;
(d) international best practice with regards to diagnosis, support services and education;
(e) the demand for and adequacy of Commonwealth, state and local government services to meet the needs of autistic people at all life stages;
(f) the interaction between services provided by the Commonwealth, state and local governments, including:
   (i) health and mental health,
   (ii) education,
   (iii) employment,
   (iv) justice, and
   (v) housing;

(g) the social and economic cost of failing to provide adequate services, including to support key life stage transitions of autistic people;
(h) the adequacy and efficacy of the National Disability Insurance Scheme (NDIS) for autistic people, including:
   (i) autism understanding within the NDIS,
   (ii) the utility of the Early Childhood Early Intervention Pathway for autistic children,
(iii) the ability of the NDIS to support autistic people with complex needs, including those transitioning from prison settings, and
(iv) the adequacy and appropriateness of supports to empower autistic people to participate in the NDIS planning process, and exercise self-determination through choice and control over their support services;

(i) the development of a National Autism Strategy and its interaction with the next phase of the National Disability Strategy;
(j) the adequacy of funding for research into autism;
(k) the social inclusion and participation of autistic people within the economy and community;
(l) the capacity and sustainability of advocacy for autistic people;
(m) any bill that relates to matters within the scope of this inquiry that is referred to this committee; and
(n) any other related matters.

(2) That the committee present its final report on or before the first sitting day in October 2021.

(3) That the committee consist of six senators, two nominated by the Leader of the Government in the Senate, two nominated by the Leader of the Opposition in the Senate, Senator Lambie and Senator Griff.

(4) That:
(a) participating members may be appointed to the committee on the nomination of the Leader of the Government in the Senate, the Leader of the Opposition in the Senate or any minority party or independent senator;
(b) participating members may participate in hearings of evidence and deliberations of the committee, and have all the rights of members of the committee, but may not vote on any questions before the committee; and
(c) a participating member shall be taken to be a member of the committee for the purpose of forming a quorum of the committee if a majority of members of the committee is not present.

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

(6) That the committee elect as chair one of the members nominated by the Leader of the Government in the Senate, and Senator Griff as deputy chair.

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

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

(9) That, in the event of an equally divided vote, the chair, or the deputy chair when acting as chair, have a casting vote.
(10) That the committee have power to appoint subcommittees consisting of three or more of its members, and to refer to any such subcommittee any of the matters which the committee is empowered to examine.

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

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

(13) That the committee be empowered to print from day to day such documents and evidence as may be ordered by it, and a daily Hansard be published of such proceedings as take place in public. (general business notice of motion no. 288)

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

(a) notes that:

(i) all forms of asbestos are carcinogenic to humans,

(ii) according to the World Health Organisation, an estimated 125 million people around the world continue to be exposed to asbestos at work, including in Australia’s neighbours in the Asia-Pacific, and the most efficient way to eliminate asbestos-related diseases is to stop the use of all types of asbestos,

(iii) Australia is a founding member of the Asian Development Bank,

(iv) the Asian Development Bank’s Safeguard Policy prohibits investments that include the ‘production of trade in or use of unbonded asbestos fibres’, however, this does not apply to the purchase and use of bonded asbestos cement sheeting where the asbestos content is less than 20% – this in effect is an exemption for almost all bonded asbestos-containing materials used in the construction sector, and

(v) Union Aid Abroad—Australian People for Health, Education and Development Abroad (APHEDA) and their partners in Vietnam, Laos, Cambodia and Indonesia have been at the forefront of work to ban asbestos through the ‘Asbestos. Not here. Not anywhere’ campaign;

(b) congratulates Union Aid Abroad-APHEDA and their local partners for their work in campaigning to ban asbestos in Vietnam, Laos, Cambodia and Indonesia; and

(c) calls on the Federal Government to lobby for a change in policy to end the use of asbestos in Asian Development Bank financed projects. (general business notice of motion no. 289)

Senators O’Neill, McCarthy and Urquhart: To move on the next day of sitting—

(1) That the Senate notes that legal professional privilege is not a recognised ground for refusing to provide information to the Senate.
That there be laid on the table by the Minister representing the Minister for Government Services, by 5.30 pm on 28 November 2019, all legal advice that has been received by the Government, the Department of Human Services, or Services Australia, relating to the 2015-16 Budget Measure ‘Better Management of the Social Welfare System’, the Online Compliance Intervention (OCI), the Employment Income Confirmation (EIC), and the Check and Update Past Information (CUPI), known as the ‘Online Compliance Programme’. (general business notice of motion no. 290)

Senators Wong, Farrell, Gallacher and Marielle Smith: To move on the next day of sitting—That the Senate—

(a) notes that:

(i) the Department of Home Affairs employs over 160 dedicated and hardworking South Australians to process visa applications,

(ii) this is crucial work that ensures the integrity of our visa processing system and is the cornerstone of our sovereignty as a nation,

(iii) the Federal Government’s plan to privatise Australia’s visa system threatens the livelihoods of over 160 South Australians and their families; and

(iv) privatising Australia’s visa system will lead to increased costs of visas, greater risks of worker exploitation, data security breaches and will make protecting national security more difficult;

(b) condemns the Federal Government for auctioning Australian jobs off to the highest bidder, and for undermining the integrity of our visa processing system and our nation’s sovereignty; and

(c) calls on the Federal Government to guarantee the protection of these 163 jobs in South Australia, and the 2000 jobs across Australia, which will be lost under the Morrison Government if it persists with its efforts to privatise Australia’s visa system. (general business notice of motion no. 291)

The Assistant Minister for Finance, Charities and Electoral Matters (Senator Seselja): To move on the next day of sitting—That, in accordance with the provisions of the Public Works Committee Act 1969, the following proposed works be referred to the Parliamentary Standing Committee on Public Works for consideration and report, as expeditiously as possible:

No. 1—Fit-Out of Leased Premises for the Australian Taxation Office at 152 Wharf Street, Brisbane.

No. 2—Australian Securities and Investments Commission - Proposed Fit-Out of Leased Premises, 100 Market Street Sydney.

No. 3—Armoured Fighting Vehicles Facilities Program Stage 1.

No. 4—LAND 121 Stage 5B Facilities Project.

No. 5—Reserve Bank of Australia - Head Office Workplace Project.
Senators Siewert and Di Natale: To move on the next day of sitting—That the Senate—
(a) acknowledges that:
   (i) a class action against companies owned by Johnson & Johnson, on behalf of 1350 Australian women who had transvaginal mesh and tape products implanted was won last week,
   (ii) thousands of women have been left in severe, debilitating and chronic pain, as well as suffering a significant psychological toll as a result of transvaginal mesh devices,
   (iii) transvaginal mesh devices were not properly tested for safety before being allowed onto the Australian market, though Johnson & Johnson, and the associated companies, were aware of the potential for serious complications and they aggressively promoted and marketed them as a cheap and a relatively risk-free way to boost profits,
   (iv) women were frequently not believed when they told doctors of pain and symptoms, and
   (v) women are still not getting the care and support that they need;
(b) notes that not all the recommendations contained in the 2018 report of the Community Affairs References Committee, *Number of women in Australia who have had transvaginal mesh implants and related matters*, have been implemented; and
(c) calls on the Australian Government to implement recommendation no. 13, to ensure the women affected by mesh have access to the full suite of services and supports they need. (*general business notice of motion no. 292*)

Senator Watt: To move on the next day of sitting—That the Senate—
(a) notes that:
   (i) there are 120,000 older Australians waiting for their approved home care package, with many waiting more than two years for the care they have been approved for,
   (ii) there are more than 16,000 older Australians who died waiting for the approved home care package which they were assessed for in 2017-18, and sadly, that was approximately 300 older Australians who died each week in that year waiting for care, and
   (iii) there are around 14,000 older Australians who entered residential aged care prematurely because they could not get the care they were assessed for and approved for in 2017-18, and sadly, that was approximately 200 older Australians each week having no other choice but to enter residential aged care;
(b) further notes that, since 2017, the number of older Australians waiting for home care grew from 88,000 to 120,000; and
(c) condemns the Morrison Government for its inadequate response to the Royal Commission’s interim report, and not providing the home care older Australians need. *(general business notice of motion no. 293)*

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

(a) notes that:

(i) the Paradise Dam, located in the drought-declared Wide Bay-Burnett region, opened in 2006 at a cost of $200 million to Queensland taxpayers,

(ii) 105,000 megalitres of water has been released from the dam, and

(iii) it is one of the largest infrastructure failures in the history of Australia; and

(b) calls on the Queensland Government to:

(i) publish the safety and engineering reports that led to the decision to release water from the dam, and

(ii) establish a public parliamentary inquiry into the design and construction of the dam. *(general business notice of motion no. 294)*

9 **Adjournment**

Pursuant to order *(see entry no. 6)* the Senate adjourned at 9 pm till Wednesday, 27 November 2019 at 9.30 am.

10 **Attendance**

Present, all senators.

**Richard Pye**

Clerk of the Senate