THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

JOURNALS OF THE SENATE

No. 11

THURSDAY, 13 OCTOBER 2016

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

2 DOCUMENTS
The following documents were tabled by the Clerk 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.


Census and Statistics Act 1905—

Civil Aviation Act 1988—Civil Aviation Regulations 1988 and Civil Aviation Safety Regulations 1998—Civil Aviation Order 48.1 Amendment Instrument 2016 (No. 3) [F2016L01598].

Currency Act 1965—
Currency (Royal Australian Mint) Amendment Determination (No. 1) 2016 [F2016L01606].
Currency (Royal Australian Mint) Determination (No. 4) 2016 [F2016L01605].

Defence Act 1903—Section 58B—Christmas stand-down and post indexes – amendment—Defence Determination 2016/32 [F2016L01604].


National Health Act 1953—National Health Determination under paragraph 98C(1)(b) Amendment 2016 (No. 4)—PB 44 of 2016 [F2016L00855]—Replacement explanatory statement.


The following documents were tabled by the Clerk pursuant to order:
Departmental and agency appointments and vacancies—Budget (Supplementary) estimates 2016-17—Letters of advice pursuant to the order of the Senate of 24 June 2008—Defence portfolio.
Department of Veterans’ Affairs.

Departmental and agency grants—Letters of advice pursuant to the order of the Senate of 24 June 2008—Budget (Supplementary) estimates 2016-17—Defence portfolio.
Department of Health.
Department of Veterans’ Affairs.
Entity contracts for 2015-16—Letter of advice pursuant to the order of the Senate of 20 June 2001, as amended—Health and Aged Care portfolio.
Indexed lists of departmental and agency files for the period 1 January to 30 June 2016—Statements of compliance pursuant to the order of the Senate of 30 May 1996, as amended—

Department of Defence.
Health portfolio.

3 COMMITTEES—LEAVE TO MEET DURING SITTING

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

Community Affairs Legislation Committee—private meeting otherwise than in accordance with standing order 33(1), from 6 pm.
Environment and Communications Legislation Committee—private meeting otherwise than in accordance with standing order 33(1), from 1 pm.
Environment and Communications References Committee—private meeting otherwise than in accordance with standing order 33(1), from 1.10 pm.
Intelligence and Security—Joint Statutory Committee—private briefing, from 9.30 am.
Legal and Constitutional Affairs Legislation Committee—private meeting otherwise than in accordance with standing order 33(1), from 4 pm.
Legal and Constitutional Affairs References Committee—private meeting otherwise than in accordance with standing order 33(1), from 4.10 pm.

4 COMMITTEE MEMBERSHIP

The President reminded the Senate that two nominations had been received, Senators Hinch and Ludlam, for one position on the Standing Committee of Privileges (see entry no. 33, 12 October 2016).

The Senate proceeded to a ballot.
The President reported the result as follows:

Senator Hinch: 29 votes.
Senator Ludlam: 39 votes.

The President declared that Senator Ludlam had been chosen to serve as a member of the committee.

5 PARLIAMENTARY JOINT COMMITTEE ON INTELLIGENCE AND SECURITY AMENDMENT BILL 2015

Order of the day read for the second reading of the bill.
Senator Farrell moved—That this bill be now read a second time.
Debate ensued.

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 Pratt in continuation.
6 Notices

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

(a) notes that the National Congress of Australia’s First Peoples (National Congress) was formed in 2010 by Aboriginal and Torres Strait Islander leaders after the abolition of the Aboriginal and Torres Strait Islander Commission in 2005;

(b) acknowledges that the National Congress has a board of elected Aboriginal and Torres Strait Islander peoples;

(c) recognises that the National Congress is in a dire financial position; and

(d) calls on the Minister for Indigenous Affairs to fund the National Congress for three years at a cost of $15 million, and establish an interest-bearing sinking fund of $100 million to ensure that the National Congress is able to continue its vital work beyond the three year electoral cycle. (general business notice of motion no. 91)

Senator Farrell: To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the Commonwealth Electoral Act 1918 to improve donation transparency and accountability, and for related purposes. Commonwealth Electoral Amendment (Donation Reform and Transparency) Bill 2016. (general business notice of motion no. 92)

Senator Siewert: To move on the next day of sitting—That the Classification Amendment (CHC Domain Scores) Principles 2016, made under the Aged Care Act 1997, be disallowed [F2016L00804].

The Leader of the Australian Greens (Senator Di Natale): To move on the next day of sitting—That there be laid on the table by the Minister representing the Minister for Foreign Affairs, by no later than 1 December 2016, the modelling referred to by New Zealand in the United Nations Framework on the Convention of Climate Change session SB145(2016) that details the Government’s emission and removals projections for 2030. (general business notice of motion no. 93)

Notice of motion withdrawn: Senator Kakoschke-Moore, also on behalf of Senator Xenophon, withdrew notice of motion no. 89 standing in their names for today, relating to the Carly Ryan Foundation and cyber safety.

7 Selection of Bills—Standing Committee—Report No. 7 of 2016

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

SELECTION OF BILLS COMMITTEE
REPORT NO. 7 OF 2016

1. The committee met in private session on Wednesday, 12 October 2016 at 7.34 pm.

2. The committee resolved to recommend—That—

   (a) the provisions of the Australian Crime Commission Amendment (Criminology Research) Bill 2016 be referred immediately to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 9 November 2016;

   (b) the Criminal Code Amendment (Firearms Trafficking) Bill 2016 be referred immediately to the Legal and Constitutional Affairs Legislation Committee but was unable to reach agreement on a reporting date;
(c) the Great Australian Bight Environment Protection Bill 2016 be referred immediately to the Environment and Communications Legislation Committee for inquiry and report by the last sitting day in March 2017;

(d) the provisions of the Income Tax Rates Amendment (Working Holiday Maker Reform) Bill 2016, the Treasury Laws Amendment (Working Holiday Maker Reform) Bill 2016, the Superannuation (Departing Australia Superannuation Payments Tax) Amendment Bill 2016 and the Passenger Movement Charge Amendment Bill 2016 be referred immediately to the Economics Legislation Committee for inquiry and report by 7 November 2016;

(e) the provisions of the Social Services Legislation Amendment (Simplifying Student Payments) Bill 2016 be referred immediately to the Community Affairs Legislation Committee for inquiry and report by 7 November 2016;

(f) contingent upon its introduction in the House of Representatives, the provisions of the Social Services Legislation Amendment (Transition Mobility Allowance to the National Disability Insurance Scheme) Bill 2016 be referred immediately to the Community Affairs Legislation Committee for inquiry and report by 21 November 2016; and

(g) contingent upon its introduction in the House of Representatives, the provisions of the VET Student Loans Bill 2016, the VET Student Loans (Consequential Amendments and Transitional Provisions) Bill 2016 and the VET Student Loans (Charges) Bill 2016 be referred immediately to the Education and Employment Legislation Committee for inquiry and report by 7 November 2016.

3. The committee resolved to recommend—That the following bills not be referred to committees:
   - Broadcasting Legislation Amendment (Television and Radio Licence Fees) Bill 2016
   - Competition and Consumer Amendment (Australian Country of Origin Food Labelling) Bill 2015
   - Counter-Terrorism Legislation Amendment Bill (No. 1) 2016
   - Criminal Code Amendment (Misrepresentation of Age to a Minor) Bill 2016
   - Criminal Code Amendment (War Crimes) Bill 2016
   - Guardian for Unaccompanied Children Bill 2014
   - Independent National Security Legislation Monitor (Improved Oversight and Resourcing) Bill 2014
   - Migration Amendment (Free the Children) Bill 2016
   - Private Health Insurance Amendment (GP Services) Bill 2014
   - Register of Foreign Ownership of Agricultural Land Amendment (Water) Bill 2016
   - Water Legislation Amendment (Sustainable Diversion Limit Adjustment) Bill 2016.

The committee recommends accordingly.

4. The committee deferred consideration of the following bills to its next meeting:
   - Australian Centre for Social Cohesion Bill 2015
Automotive Transformation Scheme Amendment (Securing the Automotive Component Industry) Bill 2015
Charter of Budget Honesty Amendment (Intergenerational Report) Bill 2015
Corporations Amendment (Life Insurance Remuneration Arrangements) Bill 2016
Customs Amendment (2017 Harmonized System Changes) Bill 2016
Customs Tariff Amendment (2017 Harmonized System Changes) Bill 2016
End Cruel Cosmetics Bill 2014
Freedom to Marry Bill 2016
Mining Subsidies Legislation Amendment (Raising Revenue) Bill 2014
Motor Vehicle Standards (Cheaper Transport) Bill 2014
Narcotic Drugs Legislation Amendment Bill 2016
Narcotic Drugs (Licence Charges) Bill 2016
National Integrity Commission Bill 2013
Privacy Amendment (Re-identification Offence) Bill 2016
Racial Discrimination Amendment Bill 2016
Racial Discrimination Law Amendment (Free Speech) Bill 2016
Recognition of Foreign Marriages Bill 2014
Regulatory Powers (Standardisation Reform) Bill 2016
Seafarers and Other Legislation Amendment Bill 2016
Seafarers Safety and Compensation Levies Bill 2016
Seafarers Safety and Compensation Levies Collection Bill 2016
Social Security Legislation Amendment (Youth Jobs Path: Prepare, Trial, Hire) Bill 2016
Tax and Superannuation Laws Amendment (2016 Measures No. 2) Bill 2016
Veterans' Affairs Legislation Amendment (Budget and Other Measures) Bill 2016.

David Bushby
Chair
13 October 2016.

Senator Bushby moved—that the report be adopted.

Senator Gallagher moved the following amendment:

At the end of the motion, add “and, in respect of the provisions of the Criminal Code Amendment (Firearms Trafficking) Bill 2016, the Legal and Constitutional Affairs Legislation Committee report by 7 November 2016”.

Debate ensued.

Question—that the amendment be agreed to—put and passed.

Senator Siewert moved the following amendment:

At the end of the motion, add “and in respect of the Criminal Code Amendment (War Crimes) Bill 2016, the provisions of the bill be referred immediately to the Foreign Affairs, Defence and Trade Legislation Committee for inquiry and report by the first sitting day of 2017”.

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

Main question, as amended, put and passed.
8 ORDER OF BUSINESS—REARRANGEMENT
The Minister for Communications (Senator Fifield) moved—that—
(a) the following government business orders of the day be considered from 12.45 pm today:
   International Tax Agreements Amendment Bill 2016
   Industry Research and Development Amendment (Innovation and Science Australia) Bill 2016
   No. 4 Statute Law Revision (Spring 2016) Bill 2016; 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. 84 standing in the name of Senator Burston relating to firefighting foam contamination; and
(b) orders of the day relating to documents.
Question put and passed.

9 LEAVE OF ABSENCE
Senator Siewert, by leave, moved—that leave of absence be granted to Senator Waters for today, for personal reasons.
Question put and passed.

10 ECONOMICS LEGISLATION COMMITTEE—ECONOMICS REFERENCES COMMITTEE—LEAVE TO MEET DURING SITTING
Senator Bushby, by leave and at the request of the chairs of the respective committees, moved—that the Economics Legislation and References Committees be authorised to hold private meetings otherwise than in accordance with standing order 33(1) during the sitting of the Senate today, from 3.30 pm.
Question put and passed.

11 SENATE CHAMBER—PHOTOGRAPHY—CESSATION OF ORDER
The Leader of Derryn Hinch’s Justice Party (Senator Hinch) amended general business notice of motion no. 34 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—that the order of the Senate of 21 March 2002 restricting photography in the Senate chamber cease to have effect on and from 28 November 2016.
Question put and passed.

Statement by President: The President made a statement relating to the effect of the motion.
12 **ENVIRONMENT AND COMMUNICATIONS REFERENCES COMMITTEE—REFERENCE**

Senator Siewert, at the request of Senators Waters and Dastyari, amended business of the Senate notice of motion no. 1 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 interim report by 28 November 2016 and final report by 1 February 2017:

(a) the experience of closures of electricity generators and other large industrial assets on workers and communities, both in Australia and overseas;

(b) the role that alternative mechanisms can play in alleviating and minimising the economic, social and community costs of large electricity generation and other industrial asset closures, drawing on experiences in Australia and overseas;

(c) policy mechanisms to encourage retirement of coal-fired power stations from the National Electricity Market, having regard to:

(i) the ‘Paris Agreement’ to keep global warming below 2 degrees Celsius, and ideally below 1.5 degrees Celsius,

(ii) the state and expected life span of Australia’s coal-fired power plants,

(iii) the increasing amount of electricity generated by renewable energy, and likely future electricity demand,

(iv) maintenance of electricity supply, affordability and security, and

(v) any other relevant matters;

(d) policy mechanisms to give effect to a just transition for affected workers and communities likely impacted by generator closures, as agreed in the ‘Paris Agreement’, including:

(i) mechanisms to ensure minimal community and individual impact from closures, and

(ii) mechanisms to attract new investment and jobs in affected regions and communities;

(e) the appropriate role for the Federal Government in respect of the above; and

(f) any other relevant matters.

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

Question put and passed.

13 **EDUCATION AND EMPLOYMENT REFERENCES COMMITTEE—REFERENCES**

Senator Urquhart, at the request of Senators Cameron, Rhiannon and Lambie and pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 2—That the following matter be referred to the Education and Employment References Committee for inquiry and report by 30 November 2016:

The impact of the Government’s workplace bargaining policy and approach to Commonwealth public sector bargaining, with particular reference to:

(a) the failure of the Government to conclude workplace bargaining across the Australian Public Service almost three years after the process began—a process that has impacted on more than 150 000 staff nationally and 115 agencies during this time;

(b) the impact of the protracted dispute on service provision, particularly in regional Australia, and for vulnerable and elderly people;
(c) the impact on Australia’s tourism industry and international reputation as a result of ongoing international port and airport strikes;

(d) the impact on agency productivity and staff morale of the delay in resolving enterprise agreements across the Australian Public Service;

(e) the effect of the implementation of the Government’s workplace bargaining policy on workplace relations in the Commonwealth public sector;

(f) the effect of the implementation of the Government’s workplace bargaining policy on the working conditions and industrial rights of Commonwealth public sector employees;

(g) the extent to which the implementation of the workplace bargaining policy impacts on employee access to workplace flexibility, and with particular regard to flexibility for employees with family or caring responsibilities;

(h) whether the workplace bargaining policy and changes or reductions in employees’ working conditions and industrial rights, including access to enforceable domestic and family violence leave, are a factor in the protracted delay in resolving enterprise agreements;

(i) the effect of an expanded role for the responsible Minister in the Government’s workplace bargaining policy; and

(j) any other related matter.

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

Question put and passed.

Senator Marshall, pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 3—That the following matters be referred to the Education and Employment References Committee for inquiry and report by 7 August 2017:

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

(a) the use of labour hire and/or contracting arrangements that affect workers’ pay and conditions;

(b) voting cohorts to approve agreements with a broad scope that affect workers’ pay and conditions;

(c) the use of agreement termination that affect workers’ pay and conditions;

(d) the effectiveness of transfer of business provisions in protecting workers’ pay and conditions;

(e) the avoidance of redundancy entitlements by labour hire companies;

(f) the effectiveness of any protections afforded to labour hire employees from unfair dismissal;

(g) the approval of enterprise agreements by workers not yet residing in Australia that affect workers’ pay and conditions;

(h) the extent to which companies avoid their obligations under the Fair Work Act 2009 by engaging workers on visas;

(i) whether the National Employment Standards and modern awards act as an effective ‘floor’ for wages and conditions and the extent to which companies enter into arrangements that avoid those obligations;

(j) legacy issues relating to WorkChoices and Australian Workplace Agreements;
(k) the economic and fiscal impact of reducing wages and conditions across the economy; and

(l) any other related matters.

Question put and passed.

14 NOTICE OF MOTION WITHDRAWN
Senator Kakoschke-Moore, at the request of Senator Xenophon, withdrew business of the Senate notice of motion no. 4 standing in the name of Senator Xenophon for today, proposing a reference to the Rural and Regional Affairs and Transport References Committee.

15 RURAL AND REGIONAL AFFAIRS AND TRANSPORT REFERENCES COMMITTEE—REFERENCE
Senator Bushby, at the request of Senators O’Sullivan, Xenophon, Back, Fawcett, Rice and Sterle and pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 5—That the following matter be referred to the Rural and Regional Affairs and Transport References Committee for inquiry and report by 27 April 2017:

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

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

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

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

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

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

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

(h) the use of current and emerging RPAS and other aviation technologies to enhance aviation safety; and
(i) any other related matters.

Question put and passed.

16 LAW AND JUSTICE—DETECTION OF PEOPLE WITH COGNITIVE IMPAIRMENT OR INTELLECTUAL DISABILITY—MR MARLON NOBLE

Senator Siewert, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 82—That the Senate—

(a) notes that the United Nations Committee on the Rights of Persons with Disabilities (CRPD) recently called for Geraldton man, Mr Marlon Noble, to have the conditions of his release lifted after serving more than ten years in prison without a conviction;

(b) acknowledges that people with cognitive impairment or intellectual disability are being incarcerated for an indefinite period without conviction; and

(c) calls on the Western Australian Government to commit to implementing the CRPD recommendation to lift the conditions on Mr Marlon Noble’s release.

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

Question put and negatived.

17 DEATH OF MR SHIMON PERES

Senator Bushby, at the request of Senators Smith and Fawcett and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 87—That the Senate—

(a) notes the death, on 28 September 2016, of Mr Shimon Peres, a founding father, staunch defender, former Prime Minister and former President of Israel;

(b) extends its appreciation for Mr Peres’ extraordinary lifetime of service to his own nation, and to advancing the cause of peace in the Middle East, which was internationally recognised through his receipt of the Nobel Peace Prize in 1994; and

(c) expresses its deepest sympathies to the family of Mr Peres and to the people of Israel at the loss of this extraordinary statesman.

Statement by leave: The Leader of the Australian Greens (Senator Di Natale), by leave, made a statement relating to the motion.

Question put and negatived.

18 FAMILY AND COMMUNITY SERVICES—CARERS

Senator Urquhart, at the request of Senator Brown and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 88—That the Senate—

(a) notes that:

(i) National Carers Week 2016 runs from Sunday, 16 October to Saturday, 22 October, and

(ii) during National Carers Week, Australians are encouraged to show their appreciation for unpaid carers and learn about caring in Australia; and
(b) recognises that:
   (i) an estimated 2.8 million Australians provide unpaid care and support for people who have a disability, mental illness, chronic condition, terminal illness or who are aged,
   (ii) these carers make an extraordinary contribution to our communities as well as our national economy,
   (iii) the replacement cost of this informal care is valued at $60.3 billion over the course of a year, and
   (iv) any one at any time can become a carer.

Question put and passed.

19 ECONOMICS—ECONOMIC POLICY

Senator Whish-Wilson amended general business notice of motion no. 90 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

(a) notes:
   (i) the Organisation for Economic Co-operation and Development (OECD) September 2016 Interim Economic Outlook, which states that all countries have room to restructure their spending and tax policies by increasing infrastructure spending and using fiscal measures to support structural reforms,
   (ii) the International Monetary Fund (IMF) April 2016 World Economic Outlook, which states that infrastructure investment is needed across a range of countries and that countries with fiscal space should not wait to take advantage of low interest rates, and
   (iii) the August 2016 and final speech of the former Reserve Bank Governor, Mr Glenn Stevens, in which he drew a distinction between borrowing to invest in the right investment assets – long-lived assets that yield an economic return – as opposed to borrowing to pay pensions, welfare and routine government expenses; and

(b) calls on the Government to:
   (i) distinguish between ‘good’ debt, used to fund investment in transformative and productivity enhancing infrastructure, and ‘bad’ debt, used to fund recurrent spending, and
   (ii) from the next budget update onwards, distinguish between borrowing for recurrent purposes from borrowing for capital, and increase borrowing to invest in public infrastructure that would help provide a more sustainable economic future and create jobs.

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

Question put.
The Senate divided—

**AYES, 30**

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**NOES, 28**

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* Tellers

Question agreed to.

### 20 Committee Membership

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

The Assistant Minister to the Prime Minister (Senator McGrath), by leave, moved—That senators be discharged from and appointed to the Foreign Affairs, Defence and Trade References Committee as follows:

- Appointed—
  - Substitute member: Senator Hanson-Young to replace Senator Ludlam for the committee’s inquiry into the Trans-Pacific Partnership Agreement
  - Participating member: Senator Ludlam.

Question put and passed.

A message from the House of Representatives was reported informing the Senate of changes in the membership of the Joint Standing Committee on Northern Australia, as follows:

- Message no. 37, dated 13 October 2016—Ms MMH King in place of Dr Freelander.

### 21 Governor-General’s Message—Assent to Law

A message from His Excellency the Governor-General was reported, informing the Senate that he had assented to the following law:

22 NOTICES

The Chair of the Standing Committee on Regulations and Ordinances (Senator Williams), by leave, gave notices of motion as follows: To move 15 sitting days after today—

No. 1—That the Class of Persons Defined as Fast Track Applicants 2016/010, made under paragraph 5(1AA)(b) of the Migration Act 1958, be disallowed [F2016L00377].

No. 2—That the Class of Persons Defined as Fast Track Applicants 2016/007, made under paragraph 5(1AA)(b) of the Migration Act 1958, be disallowed [F2016L00455].

No. 3—That the Class of Persons Defined as Fast Track Applicants 2016/008, made under paragraph 5(1AA)(b) of the Migration Act 1958, be disallowed [F2016L00456].

No. 4—That the Commonwealth Electoral (Logo Requirements) Determination 2016, made under the Commonwealth Electoral Act 1918, be disallowed [F2016L00376].

23 NATIONAL CANCER SCREENING REGISTER BILL 2016

NATIONAL CANCER SCREENING REGISTER (CONSEQUENTIAL AND TRANSITIONAL PROVISIONS) BILL 2016

Order of the day read for the adjourned debate on the motion of the Minister for Employment (Senator Cash)—That these bills be now read a second time—and on the amendment moved by Senator Watt in respect of the National Cancer Screening Register Bill 2016:

At the end of the motion, add “but the Senate condemns the Government for outsourcing Australians’ most sensitive health information to Telstra before the Parliament even saw the necessary legislation”.

Debate resumed.

At 12.45 pm: Debate was interrupted while Senator Griff was speaking.

24 INTERNATIONAL TAX AGREEMENTS AMENDMENT BILL 2016

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

Message no. 36, dated 12 October 2016—A Bill for an Act to amend the law relating to taxation, and for related purposes.

The Special Minister of State (Senator Ryan) moved—That this bill may proceed without formalities and be now read a first time.

Question put and passed.

Bill read a first time.

Consideration of legislation: Senator Ryan, by leave, moved—That the provisions of paragraphs (5) to (8) of standing order 111 not apply to this bill, allowing it to be considered during this period of sittings.

Document: Senator Ryan tabled the following document:

Consideration of legislation—Statement of reasons for introduction and passage of the bill in the 2016 spring sittings.
Question put and passed.
Senator Ryan moved—that this bill be now read a second time.
Debate ensued.
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 Senator Ryan the bill was read a third time.

25 Industry Research and Development Amendment (Innovation and Science Australia) Bill 2016

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


The Special Minister of State (Senator Ryan) 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 Ryan moved—that this bill be now read a second time.
Debate ensued.
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 Senator Ryan the bill was read a third time.

26 Statute Law Revision (Spring 2016) Bill 2016

Order of the day read for the adjourned debate on the motion of the Minister for Communications (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 Special Minister of State (Senator Ryan) the bill was read a third time.

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

Order of the day read for the adjourned debate on the motion of the Minister for Employment (Senator Cash)—That these bills be now read a second time—and on the amendment moved by Senator Watt in respect of the National Cancer Screening Register Bill 2016 (see entry no. 23).
Debate resumed.

Question—That the amendment be agreed to—put.

The Senate divided—

AYES, 34

Senators—

Bilyk  Gallacher  Ludlam  Rhiannon
Cameron Gallacher  Marshall  Rice
Carr  Griff  McAllister*  Stiewert
Chisholm Hanson-Young  McKim  Sterle
Collins  Hinch  Moore  Urquhart
Dastyari  Kakoschke-Moore  O’Neill  Watt
Di Natale  Ketter  Polley  Whish-Wilson
Dodson  Lambie  Pratt  Xenophon
Farrell  Lines

NOES, 27

Senators—

Abetz  Culleton  McGrath  Reynolds
Back  Duniam  McKenzie  Ruston
Birmingham  Fawcett  Nash  Ryan
Burston  Fieravanti-Wells  O’Sullivan  Scullion
Bushby  Fifield  Parry  Siminos
Canavan  Hume  Paterson  Williams*
Cash  Macdonald  Payne

*Tellers

Question agreed to.

Senator Griff moved the following amendment in respect of the National Cancer Screening Register Bill 2016:

At the end of the motion, add “but, to enable individuals whose personal information has been compromised in a data breach to take remedial steps to avoid potential adverse consequences, the Senate calls on the Government to introduce, by the end of the 2016 sittings, a bill consistent with the exposure draft of the Privacy Amendment (Notification of Serious Data Breaches) Bill 2015”.

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

Senator Xenophon moved the following amendment in respect of the National Cancer Screening Register Bill 2016:

At the end of the motion, add “and the Senate requests the Auditor-General to conduct, within the next 12 months, a performance audit under the Auditor-General Act 1997 to assess:

(a) whether the Department of Health appropriately managed the procurement of services relating to the Register; and

(b) whether the processes adopted for the procurement of services met the requirements of the Commonwealth Procurement Rules including consideration and achievement of value for money”.

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

Main question, as amended, put and passed.

Bills read a second time.

The Senate resolved itself into committee for the consideration of the bills.
In the committee

Bills taken together and as a whole by leave.

Senator Polley moved the following amendments in respect of the National Cancer Screening Register Bill 2016 together by leave:

Clause 26, page 26 (line 16), omit “The Minister”, substitute “(1) The Minister”.

Clause 26, page 26 (lines 16 and 17), omit “a person”, substitute “a permitted entity”.

Clause 26, page 26 (after line 20), at the end of the clause, add:

(3) In this section:

permitted entity means:

(a) a Department of the Commonwealth, a State or a Territory; or
(b) a body (whether incorporated or unincorporated) established for a public purpose by a law of the Commonwealth, a State or a Territory; or
(c) a person in the service or employment of a Department mentioned in paragraph (a) or a body mentioned in paragraph (b); or
(d) a person who holds or performs the duties of an office or position established by or under a law of the Commonwealth, a State or a Territory; or
(e) an entity (whether incorporated or unincorporated) established for a charitable purpose.

(4) This section has no effect to the extent (if any) to which its operation would result in the acquisition of property (within the meaning of paragraph 51(xxxi) of the Constitution) otherwise than on just terms (within the meaning of that paragraph).

Debate ensued.

Question—That the amendments be agreed to—put.

The committee divided—

AYES, 29

Senators—

NOES, 33

Senator Polley moved the following amendments in respect of the National Cancer Screening Register Bill 2016 together by leave:

Clause 4, page 3 (lines 21 and 22), omit the definition of contracted service provider.

Clause 4, page 6 (line 10), definition of protected information, after “personal information”, insert “, key information”.

Clause 18, page 19 (line 13), omit “120 penalty units”, substitute “600 penalty units”.

Clause 22A, page 20 (line 24) to page 23 (line 31), omit the clause, substitute:

22A Data breaches

(1) This section applies to an entity if:

(a) the entity is:

(i) the Commonwealth, the Minister or the Commonwealth Chief Medical Officer, performing functions under this Act; or

(ii) engaged by the Minister, on behalf of the Commonwealth, to perform services for or on behalf of the Commonwealth in connection with functions of the Commonwealth, the Minister or the Commonwealth Chief Medical Officer under this Act; or

(iii) any other person performing work relating to the purposes of the register; and

(b) the entity becomes aware that:

(i) a person has, or may have, contravened this Act in a manner involving an unauthorised collection, recording, disclosure or other use of information about an individual; or

(ii) an event has, or may have, occurred (whether or not involving a contravention of this Act) that compromises, may compromise, has compromised or may have compromised, the security or integrity of the register; or

(iii) circumstances have, or may have, arisen (whether or not involving a contravention of this Act) that compromise, may compromise, have compromised or may have compromised, the security or integrity of the register; and
(c) the contravention, event or circumstances directly involved, may have involved or may involve the entity.

Note: This section applies to an entity when the entity becomes aware of a matter referred to in paragraph (b) regardless of when that matter arose or occurred or if the matter is ongoing at the time the entity became aware of the matter.

Notifying the Information Commissioner

(2) The entity must, as soon as practicable after becoming aware of the contravention, event or circumstances, notify the Information Commissioner of the contravention, event or circumstances.

Civil penalty: 600 penalty units.

(3) If an entity has given notice under subsection (2) on becoming aware that a contravention, event or circumstances may have occurred or arisen then, despite subsection (2), the entity need not give notice again on becoming aware that the contravention, event or circumstances has occurred or arisen.

Steps to be taken if contravention, event or circumstances may have occurred or arisen

(4) The entity must, as soon as practicable after becoming aware that the contravention, event or circumstances may have occurred or arisen, do the following things:

(a) so far as is reasonably practicable contain the potential contravention, event or circumstances;

(b) evaluate any risks that, if the contravention, event or circumstances has occurred or arisen, may be related to or arise out of the contravention, event or circumstances;

(c) if there is a reasonable likelihood that the contravention, event or circumstance has occurred or arisen and the effects of the contravention, event or circumstances might be serious for at least one individual—notify all individuals who would be affected.

Civil penalty: 600 penalty units.

Steps to be taken if contravention or event has occurred or the circumstances have arisen

(5) The entity must, as soon as practicable after becoming aware that the contravention or event has occurred or the circumstances have arisen, do the following things:

(a) so far as is reasonably practicable contain the contravention, event or circumstances and undertake a preliminary assessment of the causes;

(b) evaluate any risks that may be related to or arise out of the contravention, event or circumstances;

(c) notify all affected individuals;

(d) if a significant number of individuals are affected—notify the general public;
(e) take steps to prevent or mitigate the effects of further contraventions, events or circumstances described in paragraphs (1)(b).

Civil penalty: 600 penalty units.

(6) If an entity has given notice under paragraph (4)(c), then despite paragraph (5)(c), the entity need not give notice under paragraph (5)(c).

Clause 22B, page 24 (lines 2 and 3), omit “section 18 or subsection 22A(1), (2), (4), (5) or (6)”, substitute “this Act in connection with personal information or key information about an individual included on the register”.

Clause 26, page 26 (line 16), omit “The Minister”, substitute “(1) The Minister”.

Clause 26, page 26, after subclause (1), insert:

(2) Ownership of information included in the register or otherwise obtained under, or in accordance with, this Act is retained by the Commonwealth despite any agreement under subsection (1).

Clause 27, page 27 (lines 1 to 6), omit subclause (2), substitute:

(2) The Secretary may, in writing, delegate his or her functions or powers under paragraph 17(3)(g) (about disclosing information) to an SES employee, or an acting SES employee, in the Department.

Debate ensued.

Question—That the amendments be agreed to—put.

The committee divided—

AYES, 29

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NOES, 35

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* Tellers

Question negatived.

Bills agreed to.

Bills to be reported without amendments.
The President resumed the chair and the Temporary Chair of Committees (Senator Ketter) reported accordingly.

On the motion of the Minister for Regional Development (Senator Nash) the report from the committee was adopted and the bills read a third time.

After 2 pm—

28 QUESTIONS

Questions without notice were answered.

29 MOTIONS TO TAKE NOTE OF ANSWERS

Senator Moore moved—That the Senate take note of the answers given by the Attorney-General (Senator Brandis) to questions without notice asked by Opposition senators today relating to the Solicitor-General.

Debate ensued.

Question put and passed.

Senator Whish-Wilson moved—That the Senate take note of the answer given by the Minister for Education and Training (Senator Birmingham) to a question without notice asked by Senator Whish-Wilson today relating to policies to mitigate the risk of shark attacks.

Question put and passed.

30 COMMITTEE REPORTS AND GOVERNMENT RESPONSES—TABLEING AND CONSIDERATION

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

Additional estimates 2015-16—

Finance and Public Administration Legislation Committee—Additional information received between 3 May and 11 October 2016—Prime Minister and Cabinet portfolio.

Foreign Affairs, Defence and Trade Legislation Committee—Additional information received between 15 September and 12 October 2016—Defence portfolio.

Legal and Constitutional Affairs Legislation Committee—Additional information received between 5 May and 13 October 2016—Attorney-General’s portfolio.

Budget estimates 2016-17—

Finance and Public Administration Legislation Committee—Additional information received between 14 September and 11 October 2016—Finance portfolio.

Prime Minister and Cabinet portfolio.

Foreign Affairs, Defence and Trade Legislation Committee—Additional information received between 15 September and 12 October 2016—Defence portfolio.

Foreign Affairs and Trade portfolio.
Legal and Constitutional Affairs Legislation Committee—Additional information received between 5 May and 13 October 2016—
Attorney-General’s portfolio.
Immigration and Border Protection portfolio.

Senator Fawcett, at the request of the Chair of the Standing Committee on Publications (Senator Reynolds), tabled the following report:

PUBLICATIONS COMMITTEE
1ST REPORT

The Publications Committee, having considered documents presented to the Parliament since 4 May 2016, recommends that the following be printed:

Administrative Appeals Tribunal—Report for 2015-16, including report of the Immigration Assessment Authority.
Aged Care Complaints Commissioner—Report for the period 1 January to 30 June 2016, including final report of the Aged Care Commissioner for the period 1 July to 31 December 2015.
Attorney-General’s Department—Report for 2015-16.
Australian Institute of Health and Welfare—Australia’s health 2016—Fifteenth biennial report.
Australian National University—Report for 2015.
Australian Organ and Tissue Donation and Transplantation Authority—Report for 2015-16.
Australian Safeguards and Non-Proliferation Office—Report for 2015-16.
Crimes Act 1914—Report for 2014-15 on the Ombudsman’s activities in monitoring controlled operations conducted by the Australian Commission for Law Enforcement Integrity, the Australian Crime Commission and the Australian Federal Police.
Department of Foreign Affairs and Trade—Report for 2015-16.
Department of Immigration and Border Protection—Report for 2015-16.
Department of the Prime Minister and Cabinet—Report for 2015-16, including reports of the Aboriginals Benefit Account, Aboriginal and Torres Strait Islander Land Account and the Office of the Registrar of Indigenous Corporations.
Department of the Senate—Report for 2015-16.
Family Court of Australia—Report for 2015-16, including financial statements for the Federal Circuit Court of Australia.
Inspector-General of Intelligence and Security (IGIS)—Report for 2015-16.
Institutional Responses to Child Sexual Abuse—Royal Commission—Reports of case studies—
No. 21—The response of the Satyananda Yoga Ashram at Mangrove Mountain to allegations of child sexual abuse by the ashram’s former spiritual leader in the 1970s and 1980s, dated April 2016.
No. 23—The response of Knox Grammar School and the Uniting Church in Australia to child sexual abuse at Knox Grammar School in Wahroonga, New South Wales, dated June 2016.
No. 33—The response of The Salvation Army (Southern Territory) to allegations of child sexual abuse at children’s homes that it operated, dated July 2016.

International Air Services Commission—Report for 2015-16.
Ministerial statement—Investing in regional growth 2016-17—Statement by the Minister for Regional Communications (Senator Nash), dated 3 May 2016.
NBN Group—Report for 2015-16.

Senator Reynolds
Chair
13 October 2016.

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

Pursuant to order, Senator Urquhart, at the request of the Chair of the Finance and Public Administration References Committee (Senator McAllister), tabled the following report and documents:

Finance and Public Administration References Committee—Aboriginal and Torres Strait Islander experience of law enforcement and justice services—Report, dated October 2016, Hansard record of proceedings, documents presented to the committee, additional information and submissions.

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

Senator Urquhart moved—that the Senate take note of the report.

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

The Minister for Communications (Senator Fifield) tabled the following document:

Pursuant to order, the Chair of the Foreign Affairs, Defence and Trade References Committee (Senator Gallacher) tabled the following report and documents:

Foreign Affairs, Defence and Trade References Committee—Planned acquisition of the F-35 Lightning II (Joint Strike Fighter)—Report, dated October 2016, Hansard record of proceedings, documents presented to the committee, additional information and submissions.

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

Senator Gallacher moved—that the Senate take note of the report.

Debate ensued.

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

At 4 pm—

31 FIRST SPEECH

Pursuant to order (see entry no. 14, 12 October 2016), Senator Griff made his first speech.

32 NATIONAL CANCER SCREENING REGISTER BILL 2016 AND RELATED BILL—
DOCUMENTS

The Minister for Regional Development (Senator Nash) tabled the following documents:

National Cancer Screening Register Bill 2016 and related bill—Letters from—
Minister for Health and Aged Care (Ms Ley) to Senator Xenophon, dated 13 October 2016, responding to questions asked during debate.
Minister for Regional Development (Senator Nash) to the Clerk of the Senate (Dr Laing).
Senator Xenophon to the Minister for Health and Aged Care (Ms Ley), dated 13 October 2016 requesting answers to questions asked during debate.

General business was called on.

33 DEFENCE—RAAF BASE WILLIAMTOWN AND ARMY AVIATION CENTRE OAKEY—
FIREFIGHTING FOAM CONTAMINATION

Senator Burston, pursuant to notice, moved general business notice of motion no. 84—
That the Senate—

(a) supports the efforts of the Department of Defence and other Commonwealth and state government agencies responding to environmental and health issues arising out of firefighting foam contamination at RAAF Base Williamtown in New South Wales and Army Aviation Centre Oakey in Queensland, including engaging the University of Newcastle Family Action Centre (UNFAC) to develop and deliver mental health awareness and stress management activities in the Williamtown area;

(b) notes that:

(i) some landholders in the immediate vicinity of Williamtown Air Base and Oakey Army Aviation Centre are reporting difficulties accessing equity, property value impacts and difficulty selling their land,
(ii) the Department of Defence has met with a number of lending institutions and the Australian Property Institute to discuss property lending policies and practices and how valuations are conducted in the Williamtown area, and

(iii) the Department of Defence has committed to review the issue of property acquisition once detailed environmental investigations at RAAF Base Williamtown and Army Aviation Centre Oakey have been concluded; and

(c) calls on the Government to expedite environmental investigations of the impact of firefighting foam contamination at Williamtown and Oakey to enable landholders to address the dilemma of land remediation or relocation, and move on with their lives and deal with issues of mental health and stress management.

Debate ensued.

Question put and passed.

34 Senate Chamber—Photography—Cessation of Order—Proposed Variation

Leave refused: The Leader of Derryn Hinch’s Justice Party (Senator Hinch) sought leave to move a motion to vary the order of the Senate agreed to earlier today relating to photography in the Senate chamber (see entry no. 11).

An objection was raised an leave was not granted.

Statements by leave: The Leader of the Opposition in the Senate (Senator Wong) and Senators Hinch and Siewert, by leave, made statements relating to the matter.

35 Defence—RAAF Base Williamtown and Army Aviation Centre Oakey—Firefighting Foam Contamination—Statement by Leave

Senator Xenophon, by leave, made a statement relating to general business notice of motion no. 84 (see entry no. 33).

36 Health—Breast Feeding—Document

Senator Bilyk, by leave, tabled the following document:

Health—Breast feeding—Petitioning document calling on the Senate to implement Medicare rebates for services provided by an International Board Lactation Consultant.

37 Notice

The Leader of Derryn Hinch’s Justice Party (Senator Hinch), by leave, gave a notice of motion as follows: To move on the next day of sitting—that the order of the Senate agreed to on 13 October 2016, relating to photography in the chamber, be amended by omitting “28 November 2016”, and substituting “8 November 2016”. (general business notice of motion no. 94)
38 DOCUMENTS—ORDERS OF THE DAY—CONSIDERATION

The following orders of the day relating to documents were considered:

Estimates hearings—Unanswered questions on notice—Additional estimates 2015-16—Statements pursuant to the order of the Senate of 25 June 2014—Foreign Affairs and Trade portfolio; Health portfolio; Tourism Australia. Motion of Senator Urquhart to take note of document called on. Debate adjourned till Thursday at general business, Senator Bilyk in continuation.

Regional Forest Agreement between the Commonwealth and Tasmania—Joint Australian and Tasmanian government response to the Review of the implementation of the Tasmanian Regional Forest Agreement for the period 2007 to 2012. Motion of Senator McKim to take note of document agreed to.

Institutional Responses to Child Sexual Abuse—Royal Commission—Report of case study no. 33—The response of The Salvation Army (Southern Territory) to allegations of child sexual abuse at children’s homes that it operated. Motion of Senator Urquhart to take note of document called on. On the motion of Senator Bilyk the debate was adjourned till Thursday at general business.


Australian Institute of Health and Welfare—Australia’s health 2016—Fifteenth biennial report. Motion of Senator Bilyk to take note of document agreed to.

International Air Services Commission—Report for 2015-16. Motion of Senator Macdonald to take note of document agreed to.


Institutional Responses to Child Sexual Abuse—Royal Commission—Report of case study no. 21—The response of the Satyananda Yoga Ashram at Mangrove Mountain to allegations of child sexual abuse by the ashram’s former spiritual leader in the 1970s and 1980s. Motion of Senator Urquhart to take note of document called on. On the motion of Senator Bilyk the debate was adjourned till Thursday at general business.

Institutional Responses to Child Sexual Abuse—Royal Commission—Report of case study no. 30—The response of Turana, Winlaton and Baltara, and the Victoria Police and the Department of Health and Human Services Victoria (and its relevant predecessors). Motion of Senator Urquhart to take note of document called on. On the motion of Senator Bilyk the debate was adjourned till Thursday at general business.

Australian Radiation Protection and Nuclear Safety Agency—Quarterly report for the period 1 January to 31 March 2016. Motion of Senator Bilyk to take note of document agreed to.


Aged Care Complaints Commissioner—Report for the period 1 January to 30 June 2016, including final report of the Aged Care Commissioner for the period 1 July to 31 December 2015. Motion of Senator Bilyk to take note of document called on. Debate adjourned till Thursday at general business, Senator Polley in continuation.

Australian Organ and Tissue Donation and Transplantation Authority—Report for 2015-16. Motion of Senator Urquhart to take note of document called on. On the motion of Senator Bilyk the debate was adjourned till Thursday at general business.

Attorney-General’s Department—Report for 2015-16. Motion of Senator McKim to take note of document called on. On the motion of Senator Bilyk the debate was adjourned till Thursday at general business.

Industry—Northern Australia annual statement—Ministerial statement by the Minister for Resources and Northern Australia (Senator Canavan). Motion of Senator Macdonald to take note of document agreed to.

Stronger Futures in the Northern Territory Act 2012—Independent review under section 117 of the Act—Report by KPMG. Motion of Senator Siewert to take note of document agreed to.

Administrative Appeals Tribunal—Report for 2015-16, including report of the Immigration Assessment Authority. Motion of Senator Macdonald to take note of document agreed to.

Department of the Prime Minister and Cabinet—Report for 2015-16, including reports of the Aboriginals Benefit Account, Aboriginal and Torres Strait Islander Land Account and the Office of the Registrar of Indigenous Corporations. Motion of Senator Macdonald to take note of document agreed to.

Australian Bureau of Statistics—Report for 2015-16. Motion of Senator Urquhart to take note of document called on. On the motion of Senator Bilyk the debate was adjourned till Thursday at general business.

Order of the day no. 13 relating to documents was called on but no motion was moved.

General business concluded

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

The following orders of the day relating to committee reports and government responses were considered:

Economics References Committee—Personal choice and community impacts—Interim report. Motion to take note of report moved by Senator Leyonhjelm. Debate adjourned till the next day of sitting, Senator Leyonhjelm in continuation.

Economics References Committee—Personal choice and community impacts—Bicycle helmet laws (term of reference d)—Interim report. Motion to take note of report moved by Senator Leyonhjelm. Debate adjourned till the next day of sitting, Senator Leyonhjelm in continuation.

Economics References Committee—Personal choice and community impacts—Sale and use of marijuana and associated products (term of reference c)—Interim report. Motion to take note of report moved by Senator Leyonhjelm. Debate adjourned till the next day of sitting, Senator Leyonhjelm in continuation.

Economics References Committee—Personal choice and community impacts—Western Sydney Wanderers supporters (term of reference f)—Interim report. Motion to take note of report moved by Senator Leyonhjelm. Debate adjourned till the next day of sitting, Senator Leyonhjelm in continuation.

Environment and Communications Legislation Committee—Australian Broadcasting Corporation Amendment (Rural and Regional Advocacy) Bill 2015—Interim report. Motion of Senator McKenzie to take note of report agreed to.


Health—Select Committee—Hospital funding cuts: the perfect storm – The demolition of Federal-State health relations 2014-2016—Final report. Motion of Senator Polley to take note of report debated. Debate adjourned till the next day of sitting, Senator O’Neill in continuation.

Legal and Constitutional Affairs References Committee—Conditions and treatment of asylum seekers and refugees at the regional processing centres in the Republic of Nauru and Papua New Guinea—Interim report. Motion of Senator Urquhart to take note of report agreed to.

Legal and Constitutional Affairs References Committee—Establishment of a national registration system for Australian paramedics to improve and ensure patient and community safety—Report. Motion of Senator Urquhart to take note of report called on. On the motion of Senator Bilyk the debate was adjourned till the next day of sitting.
Legal and Constitutional Affairs References Committee—Need for a nationally-consistent approach to alcohol-fuelled violence—Interim report. Motion of Senator Urquhart to take note of report called on. On the motion of Senator Bilyk the debate was adjourned till the next day of sitting.

Economics References Committee—Personal choice and community impacts—The classification of publications, films and computer games (term of reference e)—Interim report. Motion of Senator Leyonhjelm to take note of report called on. Debate adjourned till the next day of sitting, Senator Leyonhjelm in continuation.

Economics References Committee—Personal choice and community impacts—The sale and use of tobacco, tobacco products, nicotine products and e-cigarettes (term of reference a)—Interim report. Motion of Senator Leyonhjelm to take note of report called on. Debate adjourned till the next day of sitting, Senator Leyonhjelm in continuation.

Economics References Committee—Personal choice and community impacts—Sale and service of alcohol (term of reference b)—Interim report. Motion of Senator Leyonhjelm to take note of report debated. Debate adjourned till the next day of sitting, Senator Leyonhjelm in continuation.

Rural and Regional Affairs and Transport References Committee—Report—Industry structures and systems governing the imposition and disbursement of marketing and research and development (R&D) levies in the agriculture sector—Government response. Motion of Senator McKenzie to take note of report agreed to.

Community Affairs References Committee—Report—Palliative care in Australia—Government response. Motion of Senator Polley to take note of report called on. On the motion of Senator Urquhart the debate was adjourned till the next day of sitting.

Economics References Committee—Report—Interest rates and informed choice in the Australian credit card market—Government response. Motion of Senator Urquhart to take note of report called on. Debate adjourned till the next day of sitting, Senator Urquhart in continuation.

Australian Commission for Law Enforcement Integrity—Joint Statutory Committee—Jurisdiction of the Australian Commission for Law Enforcement Integrity—Report. Motion of Senator Smith to take note of report agreed to.

Foreign Affairs, Defence and Trade—Joint Standing Committee—A world without the death penalty: Australia’s advocacy for the abolition of the death penalty—Report. Motion of Senator Smith to take note of report agreed to.

Migration—Joint Standing Committee—Seasonal change: Inquiry into the Seasonal Worker Programme—Report. Motion of Senator Smith to take note of report agreed to.

National Disability Insurance Scheme—Joint Standing Committee—Accommodation for people with disabilities and the NDIS—Report. Motion of Senator Urquhart to take note of report called on. Debate adjourned till the next day of sitting, Senator Urquhart in continuation.

Order of the day no. 1 relating to committee reports and government responses was called on but no motion was moved.
40 **AUDITOR-GENERAL’S REPORTS—CONSIDERATION**

The following orders of the day relating to reports of the Auditor-General were considered:

Auditor-General—Audit report no. 10 of 2016-7—Performance audit—Award of funding under the Mobile Black Spot Programme: Department of Communications and the Arts. Motion of Senator Bilyk to take note of document agreed to.

Auditor-General—Audit report no. 16 of 2016-17—Performance audit—Offshore Processing Centres in Nauru and Papua New Guinea: Procurement of garrison support and welfare services: Department of Immigration and Border Protection. Motion of Senator Gallacher to take note of document agreed to.

Senator Gallacher, by leave, moved—That the Senate take note of the following document tabled on 30 August 2016 (see entry no. 7, 30 August 2016):

Auditor General—Audit report no. 33 of 2015-16—Performance audit—Defence’s management of credit and other transaction cards: Department of Defence.

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

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

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

Environmental and Communications References Committee—Australia’s video game development industry—Government response—Letter from the Minister for Communications (Senator Fifield) to the Clerk of the Senate (Dr Laing), dated 13 October 2016, responding to the order of the Senate of 12 October 2016.

42 **COMMITTEE MEMBERSHIP**

The President informed the Senate that he had received letters requesting changes in the membership of committees.

The Assistant Minister to the Prime Minister (Senator McGrath), by leave, moved—That senators be discharged from and appointed to committees as follows:

**Finance and Public Administration References Committee**—

Appointed—

Substitute member: Senator Siewert to replace Senator Rhiannon for the committee’s inquiry into the Commonwealth funding of Indigenous Tasmanians

Participating member: Senator Rhiannon

**Resilience of Electricity Infrastructure in a Warming World—Select Committee**—

Appointed—

Senators Hanson-Young and Roberts

Participating members: Senators Di Natale, Ludlam, McKim, Rhiannon, Rice, Siewert, Waters and Whish-Wilson

Question put and passed.
43 **ADJOURNMENT**

The President proposed the question—That the Senate do now adjourn.

Debate ensued.

The Senate adjourned at 7.13 pm till Monday, 7 November 2016 at 10 am.

44 **ATTENDANCE**

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

ROSEMARY LAING
Clerk of the Senate