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1 **MEETING OF SENATE**

The Senate met at 12.30 pm. The President (Senator the Honourable Stephen Parry) took the chair, read prayers and made an acknowledgement of country.

2 **DOCUMENTS**

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

- Government response to the schedule of government responses outstanding to parliamentary committee reports tabled by the President of the Senate on 24 June 2015, dated 26 November 2015.
- Treaties—
  - **Bilateral**—Agreement between Australia and the Republic of Austria on Social Security (Canberra, 12 August 2015)—Text, together with national interest analysis.
  - **Multilateral**—Agreement on Strengthening Implementation of the Niue Treaty on Cooperation in Fisheries Surveillance and Law Enforcement in the South Pacific Region (Honiara, 2 November 2012)—Text, together with national interest analysis and annexures.

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

[Legislati**ve instruments are identified by a Federal Register of Legislative Instruments (FRLI) number. An explanatory statement is tabled with an instrument unless otherwise indicated by an asterisk.**]

- **Acts Interpretation Act** 1901—
  - Acts Interpretation (Substituted References—Section 19B) Amendment Order 2015 (No. 1)—Select Legislative Instrument 2015 No. 205 [F2015L01890].
  - Acts Interpretation (Substituted References—Section 19BA) Amendment Order 2015 (No. 1)—Select Legislative Instrument 2015 No. 206 [F2015L01891].
Customs Act 1901—

Environment Protection and Biodiversity Conservation Act 1999—Amendment – List of Specimens taken to be Suitable for Live Import (19 November 2015) [F2015L01877].


Medical Research Future Fund Act 2015—Medical Research Future Fund (Crediting of Amounts) Determination 2015 (No. 1) [F2015L01889].


National Health Act 1953—
National Health (Price and Special Patient Contribution) Amendment Determination 2015 (No. 9)—PB 108 of 2015 [F2015L01874].

Nuclear Non-Proliferation (Safeguards) Act 1987—Nuclear Non-Proliferation (Safeguards) Amendment Regulation 2015 (No. 1)—Select Legislative Instrument 2015 No. 208 [F2015L01870].


Register of Foreign Ownership of Agricultural Land Act 2015—Register of Foreign Ownership of Agricultural Land Rule 2015 [F2015L01849].


Torres Strait Fisheries Act 1984—
Torres Strait Fisheries Management Instrument No. 10 [F2015L01852].
Torres Strait Fisheries Management Instrument No. 11 [F2015L01853].
Torres Strait Prawn Fishery Management Plan 2008—Torres Strait Prawn Fishery Fishing Season Determination 2015 [F2015L01861].
3 COMMITTEE—LEAVE TO MEET DURING SITTING
A committee was authorised to meet during the sitting of the Senate, as follows:
Foreign Affairs, Defence and Trade References Committee—public meeting on Thursday, 3 December 2015, from 9.30 am, to take evidence for the committee’s inquiry into contamination of Australian Defence Force facilities and contamination on sites using firefighting foams.

4 HOURS OF MEETING AND ROUTINE OF BUSINESS—VARIATION
The Minister for Communications (Senator Fiffield), by leave, moved—That, on Tuesday, 1 December 2015:
(a) the hours of meeting shall be 12.30 pm to adjournment;
(b) any proposal pursuant to standing order 75 shall not be proceeded with;
(c) the routine of business from not later than 7.20 pm, shall be government business order of the day no. 2 (Australian Citizenship Amendment (Allegiance to Australia) Bill 2015);
(d) government business be called on after consideration of the bill listed in paragraph (c) and considered till not later than 9.30 pm today; and
(e) the question for the adjournment of the Senate shall be proposed at 9.30 pm.
Debate ensued.
Question put and passed.

5 HIGHER EDUCATION SUPPORT AMENDMENT (VET FEE-HELP REFORM) BILL 2015
Order of the day read for the adjourned debate on the motion of the Minister for Defence (Senator Payne)—That this bill be now read a second time.
Debate resumed.
Senator Carr moved the following amendment:
At the end of the motion, add “but the Senate calls on the Government to:
(a) appoint a National Vocational Education and Training Ombudsman who would have the power to investigate consumer complaints and order the refund of course fees where Registered Training Organisations (RTOs) have been found to act unscrupulously, either to the student directly or the Government, whichever is applicable, resulting in the student discharging any related VET FEE-HELP debt;
(b) support the call for the Auditor General to conduct an audit on the use of VET FEE-HELP;
(c) amend the Higher Education Support Act 2003 to impose caps on tuition fee amount similar to the student contribution caps for HECS-HELP;
(d) reduce the lifetime loan limit for VET FEE-HELP to half the current amount;
(e) ban or directly regulate brokers or marketing agents; and
(f) provide the Department and the Minister with the necessary statutory powers to suspend VET FEE-HELP payments to providers which are under investigation”.
Debate ensued.
At 2 pm: Debate was interrupted while Senator O’Neill was speaking.
6 QUESTIONS
A question without notice was answered.

Distinguished visitors: The President welcomed members of a parliamentary
delegation from Indonesia led by His Excellency Mr Irman Gusman MP, Speaker of
the House of Regional Representatives Council, and, with the concurrence of
honourable senators, invited the Speaker to take a seat on the floor of the chamber.

Further questions without notice were answered.

7 MOTIONS TO TAKE NOTE OF ANSWERS
Senator Polley moved—That the Senate take note of the answers given by the Minister
for Tourism and International Education (Senator Colbeck) and the Minister for Rural
Health (Senator Nash) to questions without notice asked by Senators Urquhart and
Polley today relating to the goods and services tax.
Debate ensued.
Question put and passed.

Senator Rice moved—That the Senate take no
ote of the answer given by the
Attorney-General (Senator Brandis) to a question without notice asked by the Leader
of the Australian Greens (Senator Di Natale) today relating to renewable energy.
Question put and passed.

8 AUSTRALIAN CITIZENSHIP AMENDMENT (ALLEGIANCE TO AUSTRALIA)
BILL 2015—EXPLANATORY MEMORANDUM
The Assistant Cabinet Secretary (Senator Ryan) tabled a revised explanatory
memorandum relating to the Australian Citizenship Amendment (Allegiance to
Australia) Bill 2015.

9 NOTICES
The Minister for Indigenous Affairs (Senator Scullion): To move on the next day of
sitting—That the following bill be introduced: A Bill for an Act to amend the law
relating to social security, and for related purposes. Social Security Legislation
Amendment (Community Development Program) Bill 2015.

Senator Rhiannon: To move on the next day of sitting—That the Senate—
(a) notes that, in Australia:
   (i) Marie Stopes International, a not-for-profit healthcare organisation, is
       improving access to sexual and reproductive health services for women
       in Australia,
   (ii) a new telehealth model provides women in regional and rural areas with
       a new way of accessing these important services, and
   (iii) the organisation has registered a world first early medical termination of
       pregnancy product, giving women the opportunity of choosing a medical
       termination for up to 63 days’ gestation (9 weeks);
(b) further notes that, internationally:
   
   (i) more than 225 million women want effective contraception, but are unable to access it, with over half of this unmet need occurring for women in the Asia Pacific;
   
   (ii) every day 800 women die from pregnancy and childbirth, and that this number would fall by two-thirds if every woman who wanted contraception could access it,
   
   (iii) over 18 million people worldwide were using contraception provided by Marie Stopes International last year – preventing over 5 million unintended pregnancies and nearly 4 million unsafe abortions, and
   
   (iv) Marie Stopes International has pledged to provide services to 12 million new users of contraception as part of the global Family Planning 2020 initiative; and

(c) calls on the Government to meet the commitment made by Australia at the 2012 Family Planning Summit, for an annual contribution of $53 million to family planning by 2016. (general business notice of motion no. 980)

Senators Lines and Peris: To move on the next day of sitting—That the Senate notes

(a) support to ‘Close the Gap’ on health has been a bipartisan commitment;

(b) the World Health Organization has declared incidents of ear disease in communities in Western Australia and the Northern Territory to be a ‘massive health problem’, with the number of Aboriginal and Torres Strait Islander children in remote community suffering with middle ear infections to be as high as 93 per cent;

(c) the relationship between hearing loss and early interaction with the justice system has been recognised by Indigenous health experts;

(d) the Western Australian Minister for Health, Dr Hames, has, during the week beginning 29 November 2015, cancelled the Government funding of the Telethon Speech and Hearing’s Ear Health program, an Aboriginal children’s ear clinic based in Perth, despite its rating of ‘outstanding’ in an independent review; and

(e) to achieve progress toward closing the gap across Australia, governments at all levels must recognise the importance of adequate funding for ear health services for Aboriginal and Torres Strait Islander children. (general business notice of motion no. 981)

Senator McKim: To move on the next day of sitting—That the government business order of the day relating to the consideration of the Tax and Superannuation Laws Amendment (2015 Measures No. 3) Bill 2015 be discharged from the Notice Paper. (general business notice of motion no. 982)

Senator Leyonhjelm: To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend certain Acts relating to the territories, and for other purposes. Restoring Territory Rights (Assisted Suicide Legislation) Bill 2015. (general business notice of motion no. 983)

The Attorney-General (Senator Brandis): To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the law relating to the administration of courts, and for other purposes. Courts Administration Legislation Amendment Bill 2015.
Senator Wang: To move on the next day of sitting—That the Senate—

(a) notes that about one in ten teaching graduates failed to meet benchmark literacy and numeracy standards in an exam trialled by the Federal Government to ensure universities are providing teaching graduates of the highest possible standard; and

(b) calls on the Government, through its focus on research and innovation, to:

(i) keep its sights on the quality of our teachers, who are incubating the next generation of Australian researchers and innovators, and

(ii) ensure universities are accountable for all graduates meeting benchmark literacy and numeracy standards. *(general business notice of motion no. 984)*

Senator Conroy: To move on the next day of sitting—That the following matter be referred to the Foreign Affairs, Defence and Trade References Committee for inquiry and report by 30 April 2016:

Operations of Defence Housing Australia, with particular reference to:

(a) senior management arrangements and board composition;

(b) whether the requirements of the *Defence Housing Australia Act 1987* have been met;

(c) how the review announced by the Minister for Finance on 11 May 2015 will affect the accounting, information technology and business reporting systems;

(d) what role land sales will play in future business planning, and what implications there are for current residents if existing housing stock is sold; and

(e) any other related matter.

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

(a) notes:

(i) the report from the Change the Record Coalition, *Blueprint for change: Changing the record on the disproportionate imprisonment rates, and rates of violence experienced by Aboriginal and Torres Strait Islander people*, and

(ii) that the Change the Record Coalition is a significant group of leading Aboriginal and Torres Strait Islander, human rights, legal and community organisations;

(b) acknowledges that:

(i) in the past 10 years we have seen an 88 per cent increase in the number of Aboriginal and Torres Strait Islander people in prison,

(ii) Aboriginal and Torres Strait Islander people are 13 times more likely to be in prison than non-Indigenous Australians, and

(iii) Aboriginal and Torres Strait Islander women are 34 times more likely to be hospitalised as a result of family violence than non-Indigenous women; and

(c) calls for:

(i) Commonwealth, state and territory governments to work together to close the gap in imprisonment rates of Aboriginal and Torres Strait Islander people, and cut disproportionate rates of violence experienced by Aboriginal and Torres Strait Islander people, particularly women and children, and
(ii) urgent and coordinated national action to close the gap in imprisonment rates of Aboriginal and Torres Strait Islander people and cut disproportionate rates of violence experienced by Aboriginal and Torres Strait Islander people, particularly women and children. (*general business notice of motion no. 985*)

Senators Wang and Whish-Wilson: To move on the next day of sitting—That the Senate—

(a) notes that:

(i) in 1979, Australia adopted an anti-whaling policy, permanently ending whaling in Australian waters,

(ii) in 1986, the International Whaling Commission moratorium on commercial whaling came into place,

(iii) in March 2014, Australia won its case against Japan in the International Court of Justice in regards to whaling in Antarctic waters,

(iv) in November 2014, Japan lodged a new whaling plan with the International Whaling Commission to slaughter 3 333 minke whales in Antarctic water,

(v) in April 2015, the Scientific Committee rejected the need for lethal whale sampling in order for Japan to achieve its scientific objectives,

(vi) on 19 November 2015 the Federal Court of Australia fined the Japanese whaling company Kyodo $1 million for hunting whales within an Australian whale sanctuary, and

(vii) in the week beginning 29 November 2015, the Japanese Government gave notice that the whaling fleet will be leaving port to carry out their commercial whaling; and

(b) calls on the Government and the Prime Minister (Mr Turnbull) to:

(i) uphold their election commitment and send a customs patrol vessel to monitor any Japanese whaling activity, and collect evidence for future legal actions,

(ii) raise the issue, and express the disappointment of the Australian people, directly with the Japanese Prime Minister, Shinzō Abe, during discussions on bilateral relations, and

(iii) consider the option put forward by the Second Sydney Panel of Independent Experts to pursue United Nations Convention on the Law of the Sea dispute resolution mechanisms to hold Japan accountable for their continued commercial whaling. (*general business notice of motion no. 986*)

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

(a) recognises the important work of the Australian Federal Police, the Queensland Police Service, Australian Border Force and other government agencies in protecting Australia’s northern coastline, borders and communities;

(b) acknowledges the growing need to increase Australia’s policing capacity in, and monitoring of, our northern waters in view of:

(i) the strategic importance of the region,

(ii) its proximity to the Papua New Guinea coastline,

(iii) the large area to cover and growing number of incidents, for example, authorities monitor an estimated 250 000 boat trips per year and conducted 68 search and rescue operations in 2014, and
(iv) the need for nearby communities to feel safe;
(c) notes the Queensland State Government and the Queensland Police Union’s calls for the Federal Government to help fund the build of a multi-jurisdictional government facility, Australia’s northernmost police station, on Sabai Island, located in the Torres Strait of Queensland, to service the northern region; and
(d) calls on the Federal Government to consider contributing to the funding of the facility, to increase Australia’s police presence and border protection and management activities in the northern region. (general business notice of motion no. 987)

Senators Bullock and Back: To move on the next day of sitting—
(1) That the Senate notes that:
(a) in today’s culture, children’s use of smart phones, tablets and computers has increased markedly;
(b) online pornography is easily accessed, and a growing number of children are viewing it at an early age;
(c) recent studies have shown that exposure to pornography has measurable negative effects on brain development and behavioural outcomes;
(d) online pornography is increasingly violent in its content, particularly against women, and exposure correlates with children’s acceptance of violent attitudes and beliefs;
(e) violence against women is often linked back to early and repeated exposure to pornography;
(f) violence towards, and abuse of, children is often linked to early and repeated exposure to pornography;
(g) children increasingly access the Internet outside their home environment; and
(h) previous inquiries in Australia have not adequately addressed the question of children’s (those under 18 years-of-age) exposure to online pornography and the harm caused because of that access.

(2) That the following matter be referred to the Environment and Communications References Committee for inquiry and report by the first sitting day in December 2016:
Harm being done to Australian children through access to pornography on the Internet, with particular reference to:
(a) trends of online consumption of pornography by children and their impact on the development of healthy and respectful relationships;
(b) current methods taken towards harm minimisation in other jurisdictions, and the effectiveness of those methods;
(c) the identification of any measures with the potential for implementation in Australia; and
(d) any other related matters.
The Chair of the Community Affairs References Committee (Senator Siewert): To move on the next day of sitting—

(1) That the following matter be referred to the Community Affairs References Committee for inquiry and report by 30 July 2016:

The indefinite detention of people with cognitive and psychiatric impairment in Australia, with particular reference to:

(a) the prevalence of imprisonment and indefinite detention of individuals with cognitive and psychiatric impairment within Australia;
(b) the experiences of individuals with cognitive and psychiatric impairment who are imprisoned or detained indefinitely;
(c) the differing needs of individuals with various types of cognitive and psychiatric impairments such as foetal alcohol syndrome, intellectual disability or acquired brain injury and mental health disorders;
(d) the impact of relevant Commonwealth, state and territory legislative and regulatory frameworks, including legislation enabling the detention of individuals who have been declared mentally-impaired or unfit to plead;
(e) compliance with Australia’s human rights obligations;
(f) the capacity of various Commonwealth, state and territory systems, including assessment and early intervention, appropriate accommodation, treatment evaluation, training and personnel and specialist support and programs;
(g) the interface between disability services, support systems, the courts and corrections systems, in relation to the management of cognitive and psychiatric impairment;
(h) access to justice for people with cognitive and psychiatric impairment, including the availability of assistance and advocacy support for defendants;
(i) the role and nature, accessibility and efficacy of programs that divert people with cognitive and psychiatric impairment from the criminal justice system;
(j) the availability of pathways out of the criminal justice system for individuals with cognitive and psychiatric impairment;
(k) accessibility and efficacy of treatment for people who are a risk of harm to others;
(l) the use and regulation of restrictive practices and their impact on individuals with cognitive and psychiatric impairment;
(m) the impact of the introduction and application of the National Disability Insurance Scheme, including the ability of individuals with cognitive and psychiatric impairment to receive support under the National Disability Insurance Scheme while in detention; and
(n) the prevalence and impact of indefinite detention of individuals with cognitive and psychiatric impairment from Aboriginal and Torres Strait Islander and culturally and linguistically diverse backgrounds, including the use of culturally appropriate responses.

(2) That for the purposes of this inquiry:

(a) indefinite detention includes all forms of secure accommodation of a person without a specific date of release; and
(b) this includes, but is not limited to, detention orders by a court, tribunal or under a disability or mental health act and detention orders that may be time limited but capable of extension by a court, tribunal or under a disability or mental health act prior to the end of the order.

10 POSTPONEMENTS

Business was postponed as follows:

General business notice of motion no. 929 standing in the name of Senator Siewert for today, relating to the New South Wales Custody Notification Service, postponed till 2 December 2015.

General business notice of motion no. 969 standing in the name of Senator Xenophon for today, proposing an order for the production of documents by the Minister for Education and Training, postponed till 2 December 2015.

General business notice of motion no. 979 standing in the name of Senator Madigan for today, proposing a variation to the resolution of appointment of the Joint Standing Committee on Electoral Matters, postponed till 2 December 2015.

11 COMMUNITY AFFAIRS REFERENCES COMMITTEE—REFERENCE

The Chair of the Community Affairs References Committee (Senator Siewert), also on behalf of Senator Polley, pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 1—That the following matter be referred to the Community Affairs References Committee for inquiry and report by 30 June 2016:

The future of Australia’s aged care sector workforce, with particular reference to:

(a) the current composition of the aged care workforce;

(b) future aged care workforce requirements, including the impacts of sector growth, changes in how care is delivered, and increasing competition for workers;

(c) the interaction of aged care workforce needs with employment by the broader community services sector, including workforce needs in disability, health and other areas, and increased employment as the National Disability Insurance Scheme rolls out;

(d) challenges in attracting and retaining aged care workers;

(e) factors impacting aged care workers, including remuneration, working environment, staffing ratios, education and training, skills development and career paths;

(f) the role and regulation of registered training organisations, including work placements, and the quality and consistency of qualifications awarded;

(g) government policies at the state, territory and Commonwealth level which have a significant impact on the aged care workforce;

(h) relevant parallels or strategies in an international context;

(i) the role of government in providing a coordinated strategic approach for the sector;

(j) challenges of creating a culturally competent and inclusive aged care workforce to cater for the different care needs of Aboriginal and Torres Strait Islander peoples, culturally and linguistically diverse groups, and lesbian, gay, bisexual, transgender and intersex people;
(k) the particular aged care workforce challenges in regional towns and remote communities;
(l) impact of the Government’s cuts to the Aged Care Workforce Fund; and
(m) any other related matters.

Question put and passed.

12 FAMILY AND COMMUNITY SERVICES—PREGNANCY AND INFANT LOSS REMEMBRANCE DAY

Senator Polley, also on behalf of Senator Bilyk, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 974—That the Senate—

(a) recognises:
   (i) the successful campaigning of Maria Bond from Bears Of Hope, whose efforts have prompted the Tasmanian Government move to provide official recognition for babies lost during early pregnancy, and
   (ii) the importance of this initiative, which allows Tasmanian parents who lose a baby before 20 weeks gestation, or a baby that weighs less than 400 grams, to apply for a commemorative certificate;

(b) notes that:
   (i) 15 October is recognised as Pregnancy and Infant Loss Remembrance Day in the United States of America, Canada, the United Kingdom, New South Wales and Western Australia, and
   (ii) the campaign for Pregnancy and Infant Loss Remembrance Day in Australia began in 2008; and

(c) calls for 15 October to be recognised in Australia as Pregnancy and Infant Loss Remembrance Day—a day for parents and families who experience the loss of their baby.

Question put and passed.

13 HEALTH—WORLD AIDS DAY

Senator Smith, also on behalf of Senators McAllister, Singh and Simms, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 975—That the Senate—

(a) notes that:
   (i) 1 December marks World AIDS Day, which is held every year to raise awareness about the issues surrounding HIV and AIDS, and is a day for people to show their support for people living with HIV, and to remember those who have died,
   (ii) the aim of World AIDS Day is to encourage all Australians to be aware of HIV, to take action to reduce the transmission of HIV by promoting safe sexual practices, and to ensure that people living with HIV can participate fully in the life of the community, free from stigma and discrimination, and
   (iii) while significant advancements in treatment and diagnosis have been made, 30 years after the discovery of the HIV virus the HIV epidemic remains one of the greatest public health challenges facing Australia, its region and the world;
(b) reaffirms the commitment made by all Australian Health Ministers in 2014 in signing the AIDS 2014 Legacy Statement, which commits to:

(i) a rejuvenated response to HIV and ensuring that the HIV responses of all jurisdictions reflect new scientific advances and the vision of ending HIV and AIDS,

(ii) continue measures to ensure Aboriginal and Torres Strait Islander people remain a high priority area for Australia’s HIV response and to achieving HIV prevention and treatment targets, with a particular focus on research and health literacy,

(iii) taking necessary actions, in partnership with key affected communities and sector partners, to remove barriers to accessing HIV testing, treatment, prevention, care and support across legal, regulatory, policy, social, political and economic domains,

(iv) continuing to support high quality, multi-disciplinary, collaborative research that incorporates basic science, clinical research, social and behavioural science and operational research to inform local and international action to eliminate HIV,

(v) advancing actions to ensure an appropriately trained and supported HIV workforce, including in clinical, community, research and policy and program areas, and

(vi) continuing to demonstrate global leadership in the response to HIV; and

(c) acknowledges the role played by people living with HIV, their friends, family and supporters, AIDS activists and researchers, past and present, in making HIV a disease people can live with.

Question put and passed.

14 AUSTRALIAN BROADCASTING CORPORATION AMENDMENT (RURAL AND REGIONAL ADVOCACY) BILL 2015

Senator McKenzie, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 977—That the following bill be introduced:

A Bill for an Act to amend the Charter and board composition in the Australian Broadcasting Corporation Act 1983, and for related purposes.

Question put and passed.

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

Question put and passed.

Bill read a first time.

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


Debate adjourned till the next day of sitting, Senator McKenzie in continuation.
15 LAW ENFORCEMENT—JOINT STATUTORY COMMITTEE—LEAVE TO MEET DURING Sittings
Senator McEwen, at the request of the Deputy Chair of the Parliamentary Joint Committee on Law Enforcement (Senator Singh) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 978—That the Parliamentary Joint Committee on Law Enforcement be authorised to hold private meetings otherwise than in accordance with standing order 33(1) during the sittings of the Senate, from 5 pm, as follows:
(a) Wednesday, 3 February 2016, followed by a public meeting;
(b) Wednesday, 24 February 2016, followed by a public meeting; and
(c) Wednesday, 16 March 2016.
Question put and passed.

16 FOREIGN AFFAIRS—WEST PAPUA
Motion determined as not formal: The Leader of the Australian Greens (Senator Di Natale) requested that general business notice of motion no. 960 standing in his name for today, relating to West Papua, be taken as formal.
An objection was raised and the motion was not proceeded with as a formal motion.
Statements by leave: Senator Di Natale and the Assistant Cabinet Secretary (Senator Ryan), by leave, made statements relating to the motion.

17 ADMINISTRATION—GOVERNMENT BUILDINGS—GOSFORD WATERFRONT
Senator O’Neill, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 927—That the Senate—
(a) notes:
(i) the importance of jobs on the Central Coast, and the vital role that governments can play in delivering those opportunities, stimulating the local economy, and stimulating quality infrastructure that benefits business, workers, and the broader community,
(ii) the broad community opposition to the Federal Government’s announced intention to build a Commonwealth government building on prime waterfront land already earmarked for other projects, including a Regional Performing Arts Centre,
(iii) the Federal Government’s decision to do a deal with the New South Wales Government wherein the New South Wales Department of Education will sell-off at least one-third of the site of the now demolished Gosford Public School, thus breaking with community expectations,
(iv) the lack of clarity around the cost of the land, and how developers and/or the owners of the site will recoup lost income from only constructing a four-storey building on a site zoned for up to 16 storeys,
(v) the serious concerns around the tender process wherein some applicants appeared to be given additional information about the proposal, creating unfair advantages, and
(vi) the lack of transparency with which this site was chosen, with no community consultation, local tenderers overlooked, and other potential sites ignored; and
(b) calls on the Federal Government to:

(i) abandon its decision to locate its new building on the Gosford Waterfront, and for a new location to be determined,

(ii) immediately halt all proceedings in regard to the proposed Gosford Australian Taxation Office development on the Old Gosford Public School site,

(iii) broadly consult with the community in their planning for any infrastructure investment on the Central Coast,

(iv) apply procurement principles that advantage local developers and builders for the project to ensure better local job opportunities, and

(v) honour its commitment to provide $10 million to match equal funds from the local council and the New South Wales State Government to advance a centre for performing arts on the Gosford Waterfront as an integrated iconic element of the revitalisation of the Old Gosford Public School site.

Statements by leave: The Assistant Cabinet Secretary (Senator Ryan) and Senator O’Neill, by leave, made statements relating to the motion.

Question put.

The Senate divided—

AYES, 37

Senators—

Bilyk
Brown
Bullock
Carr
Collins
Conroy
Dastyari
Day
Di Natale
Gallacher

Gallagher
Hanson-Young
Ketter
Lazarus
Leyonhjelm
Ludlam
Ludwig
Madigan
Marshall

McAllister
McEwen (Teller)
McKim
McLucas
Moore
Muir
O’Neill
Peris
Polley
Rhiannon

Rice
Siewert
Simms
Singh
Urquhart
Wang
Whish-Wilson
Xenophon

McEwen (Teller)
Bilyk
Gallagher
McAllister
Rhiannon

McEwen (Teller)
Gallagher
McAllister
Rhiannon

NOES, 28

Senators—

Abetz
Back
Bernardi
Birmingham
Bushby (Teller)
Canavan
Cash

Colbeck
Edwards
Fawcett
Fierravanti-Wells
Fifield
Heffernan
Johnston

Lindgren
Macdonald
McKenzie
Nash
Parry
Reynolds
Ronaldson

Ruston
Ryan
Scullion
Seselja
Sinodinos
Smith
Williams

Question agreed to.

18 FOREIGN AFFAIRS—TIMOR-LESTE—ALLEGATIONS OF SPYING

Motion determined as not formal: Senator Ludlam, also on behalf of Senator Xenophon, requested that general business notice of motion no. 976 standing in their names for today, relating to a Permanent Court of Arbitration case between Timor-Leste and Australia, be taken as formal.

An objection was raised and the motion was not proceeded with as a formal motion.
Proposed suspension of standing orders: Senator Ludlam, at the request of the Leader of the Australian Greens (Senator Di Natale) and pursuant to contingent notice, moved—that so much of the standing orders be suspended as would prevent Senator Di Natale moving a motion relating to the conduct of the business of the Senate, namely a motion to give precedence to general business notice of motion no. 976.

Debate ensued.

Question put.

The Senate divided—

AYES, 12

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<td>McKim</td>
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NOES, 36

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<td>Day</td>
<td>Lindgren</td>
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<td>Williams</td>
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Question negatived.

19 DOCUMENTS—CONSIDERATION

The documents tabled earlier today (see entry no. 2) were called on but no motion was moved.

20 HEALTH—MEDICINAL CANNABIS—DOCUMENTS

The Leader of the Australian Greens (Senator Di Natale), by leave, tabled the following documents:


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

Pursuant to order, Senator Carr, at the request of the Chair of the Economics References Committee (Senator Ketter), tabled the following report and documents:

Economics References Committee—Future of Australia’s automotive industry: Driving jobs and investment—Report, dated December 2015, Hansard record of proceedings, additional information and submissions.

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

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

Debate ensued.

Debate adjourned till the next day of sitting, Senator Simms in continuation.
The Chair of the Parliamentary Standing Committee on Public Works (Senator Smith) tabled the following report:


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

Question put and passed.

Senator Smith, on behalf of the Joint Standing Committee on Foreign Affairs, Defence and Trade, tabled the following reports:

Foreign Affairs, Defence and Trade—Joint Standing Committee—Reports, dated November 2015—

Principles and practice – Australian defence industry and exports.

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

Question put and passed.

Senator Dastyari, at the request of the Chair of the Economics References Committee (Senator Ketter), tabled the following report and documents:

Economics References Committee—Third party certification of food—Report, dated December 2015, Hansard record of proceedings, documents presented to the committee, additional information and submissions.

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

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

Debate ensued.

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

22 **HISTORICAL EVENTS—ANZAC CENTENARY—CENTENARY OF ANZAC NATIONAL PROGRAM—MINISTERIAL STATEMENT—DOCUMENT**

The Minister for Indigenous Affairs (Senator Scullion) tabled the following document:

Historical events—Anzac Centenary—Centenary of Anzac national program—Ministerial statement by the Minister for Veterans’ Affairs (Mr Robert), dated 30 November 2015.

Senator Conroy moved—That the Senate take note of the document.

Question put and passed.

23 **INDUSTRY—INFRASTRUCTURE—MINISTERIAL STATEMENT—DOCUMENT**

The Minister for Indigenous Affairs (Senator Scullion) tabled the following document:

Industry—Infrastructure—Annual ministerial infrastructure statement—Ministerial statement by the Acting Prime Minister (Mr Truss).
Senator Rice moved—That the Senate take note of the document. Debate ensued. Question put and passed.

24 COMMITTEE MEMBERSHIP

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

The Minister for Indigenous Affairs (Senator Scullion), by leave, moved—That senators be discharged from and appointed to committees as follows:

**Economics References Committee**—
- Appointed—
  - Substitute member: Senator Cameron to replace Senator McAllister for the committee’s inquiry into insolvency in the Australian construction industry
  - Participating member: Senator McAllister

**Foreign Affairs, Defence and Trade References Committee**—
- Appointed—
  - Substitute member: Senator Rhiannon to replace Senator Ludlam for the committee’s inquiries into contamination caused by firefighting foams at RAAF Base Williamtown and Australian Defence Force facilities, and at other government sites
  - Participating member: Senator Ludlam.

Question put and passed.

25 AUSTRALIAN INSTITUTE OF ABORIGINAL AND TORRES STRAIT ISLANDER STUDIES AMENDMENT BILL 2015

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

Message no. 508, dated 30 November 2015—A Bill for an Act to amend the Australian Institute of Aboriginal and Torres Strait Islander Studies Act 1989, and for related purposes.

The Minister for Indigenous Affairs (Senator Scullion) moved—That this bill may proceed without formalities and be now read a first time.

Question put and passed.

Senators read a first time.

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

**Consideration of legislation:** Pursuant to order, the debate was adjourned and the resumption of the debate made an order of the day for the first day in the next period of sittings, 2 February 2016.

26 EXPORT CONTROL AMENDMENT (QUOTAS) BILL 2015

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

Message no. 507, dated 30 November 2015—A Bill for an Act to amend the law relating to export quotas, and for other purposes.
The Minister for Indigenous Affairs (Senator Scullion) 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 Scullion, 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 Scullion tabled the following document:

Consideration of legislation—Statement of reasons for introduction and passage of the bill in the 2015 spring sittings.

Question put and passed.

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

On the motion of Senator Scullion the debate was adjourned till the next day of sitting.

27 **HIGHER EDUCATION SUPPORT AMENDMENT (VET FEE-HELP REFORM) BILL 2015**

Order of the day read for the adjourned debate on the motion of the Minister for Defence (Senator Payne)—That this bill be now read a second time—and on the amendment moved by Senator Carr (see entry no. 5).

Debate resumed.

On the motion of the Minister for Education and Training (Senator Birmingham) the debate was adjourned and the resumption of the debate made an order of the day for a later hour.

28 **AUSTRALIAN CITIZENSHIP AMENDMENT (ALLEGIANCE TO AUSTRALIA) BILL 2015**

Order of the day read for the adjourned debate on the motion of the Minister for Tourism and International Education (Senator Colbeck)—That this bill be now read a second time.

Debate resumed.

Senator Xenophon moved the following amendment:

At the end of the motion, add “but the Senate calls on the Government to investigate the option of having dual nationals arrested and incarcerated in Australia, before the revocation or renunciation of their Australian citizenship, and consider the risk those persons might pose to Australians and other innocent people outside of Australia”.

Debate ensued.

Senator Xenophon, by leave, withdrew the amendment.

Debate continued.

Question put.
The Senate divided—

**AYES, 33**

Senators—

Abetz
Back
Bilyk
Brandis
Bullock
Bushby
Cameron
Canavan
Carr

Colbeck
Conroy
Day
Edwards
Fawcett (Teller)
Gallacher
Lazarus
Lindgren

Lines
Macdonald
McAllister
McEwen
McKenzie
McLucas
Moore
Polley

Reynolds
Ronaldson
Singh
Smith
Urquhart
Wang
Williams
Wong

**NOES, 13**

Senators—

Di Natale
Hanson-Young
Lambie
Leyonhjelm

Ludlam
McKim
Muir

Rhiannon
Rice
Siewert (Teller)

Simms
Whish-Wilson
Xenophon

Question agreed to.

Bill read a second time.

The Senate resolved itself into committee for the consideration of the bill.

—in the committee

Bill, taken as a whole by leave, debated.

—

At 9.30 pm: The Acting Deputy President (Senator Whish-Wilson) resumed the chair and the Temporary Chair of Committees reported progress.

29 ADJOURNMENT

The Acting Deputy President (Senator Whish-Wilson) proposed the question—that the Senate do now adjourn.

Debate ensued.

—

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

Indigenous Australians—Change the Record Coalition—Blueprint for change: Changing the record on the disproportionate imprisonment rates, and rates of violence experienced by Aboriginal and Torres Strait Islander people—Report, dated November 2015.

—

Debate continued.

Leave refused: Senator McKim sought leave to table a document.

An objection was raised and leave was not granted.
Debate continued.

Document: Senator Ludlam, by leave, tabled the following document:
Indigenous Australians—Beeliar Wetlands—Letter from Mrs Corina Abraham to the Prime Minister (Mr Turnbull), dated 30 November 2015.

Debate continued.
The Senate adjourned at 11.52 pm till Wednesday, 2 December 2015 at 9.30 am.

30 Attendance
Present, all senators except Senators McGrath*, O’Sullivan*, Sterle* and Waters* (*on leave).

Rosemary Laing
Clerk of the Senate