JOURNALS OF THE SENATE

No. 49

MONDAY, 1 SEPTEMBER 2014

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1 MEETING OF SENATE
The Senate met at 10 am. The President (Senator the Honourable Stephen Parry) took the chair, read prayers and made an acknowledgement of country.

2 DEFENCE—DEPLOYMENT OF AUSTRALIAN TROOPS IN IRAQ—PROPOSED SUSPENSION OF STANDING ORDERS
Leave refused: The Leader of the Australian Greens (Senator Milne) sought leave to move a motion relating to parliamentary approval for the deployment of Australian troops in Iraq.
An objection was raised and leave was not granted.
Senator Milne, pursuant to contingent notice, moved—That so much of the standing orders be suspended as would prevent her moving a motion to provide for the consideration of a matter, namely a motion to give precedence to a motion relating to parliamentary approval for the deployment of Australian troops in Iraq.
Debate ensued.
Question put.
The Senate divided—

AYES, 13

Senators—

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NOES, 44

Senators—

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Question negatived.

3 SOCIAL SERVICES AND OTHER LEGISLATION AMENDMENT (SENIORS HEALTH CARD AND OTHER MEASURES) BILL 2014
Order of the day read for the adjourned debate on the motion of the Assistant Minister for Social Services (Senator Fifield)—That this bill be now read a second time.
Debate resumed.
Question put and passed.
Bill read a second time.
The Senate resolved itself into committee for the consideration of the bill.
Bill taken as a whole by leave.

Question—That the bill stand as printed—divided, at the request of Senator Moore, in respect of Schedule 1.

Schedule 1 debated.

Question—That Schedule 1 stand as printed—put.

The committee divided—

AYES, 36

Senators—

Back Edwards Macdonald Ronaldson
Bernardi Fawcett McGrath Ruston (Teller)
Birmingham Fierravanti-Wells McKenzie Scullion
Brandis Fifield Muir Seselja
Bushby Heffernan Nash Sinodinos
Canavan Johnston O’Sullivan Smith
Cash Lambie Parry Wang
Colbeck Lazarus Payne Williams
Day Leyonhjelm Reynolds Xenophon

NOES, 31

Senators—

Bilyk (Teller) Di Natale Marshall Siewert
Brown Gallacher McEwen Singh
Bullock Hanson-Young McLucas Sterle
Cameron Ketter Milne Urquhart
CarrLines Moore Waters
Collins Ludlam O’Neill Whish-Wilson
Conroy Ludwig Rhiannon Weight
Dastyari Lundy Rice

Schedule agreed to.

Bill agreed to.

Bill to be reported without amendment.

The President resumed the chair and the Chair of Committees (Senator Marshall) reported accordingly.

On the motion of Senator Fifield the report from the committee was adopted.

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

Question put.
The Senate divided—

AYES, 35

Senators—

Back
Bernardi
Birmingham
Brandis
Bushby
Canavan
Cash
Colbeck
Day

Edwards
Fawcett
Fierravanti-Wells
Fifield
Heffernan
Johnston
Lambie
Lazarus

Macdonald
McGrath
McKenzie
Muir
Nash
O’Sullivan
Parry
Payne

Ronaldson
Ruston (Teller)
Scullion
Seselja
Sinodinos
Smith
Wang
Xenophon

NOES, 30

Senators—

Bilyk (Teller)
Brown
Bullock
Cameron
Carr
Collins
Conroy
Dastyari

Di Natale
Gallacher
Hanson-Young
Ketter
Lines
Ludwig
Lundy

Marshall
McEwen
Milne
Moore
O’Neill
Rhiannon
Siewert
Singh
Sterle
Urquhart
Waters
Whish-Wilson
Weight

Question agreed to.
Bill read a third time.

4 Environment Protection and Biodiversity Conservation Amendment (Bilateral Agreement Implementation) Bill 2014

Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary to the Minister for the Environment (Senator Birmingham)—That this bill be now read a second time.

Debate resumed.
At 2 pm: Debate was interrupted.

5 Questions

Questions without notice were answered.

6 Motion to Take Note of Answers

Senator Carr moved—That the Senate take note of the answers given by ministers to questions without notice asked by Opposition senators today.

Debate ensued.

Question put and passed.

7 Defence—Islamic State of Iraq and Syria—Personal Explanation

Senator Whish-Wilson, by leave, made a personal explanation relating to remarks incorrectly attributed to him on the Seven News of 28 August 2014 relating to the Islamic State of Iraq and Syria.
8 NOTICES

The Chair of the Select Committee on Health (Senator O’Neill): To move on the next day of sitting—That the Select Committee on Health be authorised to hold a public meeting during the sitting of the Senate on Thursday, 4 September 2014, from 3.15 pm to 4 pm. (general business notice of motion no. 401)

The Chair of the Economics References Committee (Senator Dastyari): To move on the next day of sitting—That the time for the presentation of the report of the Economics References Committee on its inquiry into forestry managed investment schemes be extended to 31 March 2015. (general business notice of motion no. 402)

Senator Smith: To move on the next day of sitting—That the Joint Committee of Public Accounts and Audit be authorised to hold private meetings otherwise than in accordance with standing order 33(1), during the sittings of the Senate, from 10.30 am, as follows:

(a) Thursday, 25 September 2014;
(b) Thursday, 2 October 2014;
(c) Thursday, 30 October 2014, followed by a public meeting;
(d) Thursday, 27 November 2014, followed by a public meeting; and
(e) Thursday, 4 December 2014, followed by a public meeting. (general business notice of motion no. 403)

The Chair of the Legal and Constitutional Affairs References Committee (Senator Wright): To move on the next day of sitting—That the time for the presentation of reports of the Legal and Constitutional Affairs References Committee be extended, as follows:

(a) Manus Island Detention Centre—to 27 October 2014;
(b) Australian Federal Police – Oil for Food Taskforce—to 26 November 2014; and
(c) illicit firearms—to 2 December 2014. (general business notice of motion no. 404)

Senator Whish-Wilson: To move on the next day of sitting—That the Senate—

(a) notes that:

(i) Captain Paul Watson is one of the founders of the Sea Shepherd Conservation Society,
(ii) in September 2012, at the request of Japan, INTERPOL published a Red Notice for Captain Watson,
(iii) the Sea Shepherd Conservation Society, including Captain Watson, may be invited to give evidence to the Foreign Affairs, Defence and Trade References Committee inquiry regarding the Southern Ocean, and
(iv) in recent weeks Captain Watson has visited France without any consequences arising from the Red Notice; and

(b) calls on the Government to allow Captain Watson to visit Australia without interference, arrest, detention or extradition in relation to the INTERPOL Red Notice. (general business notice of motion no. 405)

Senator Whish-Wilson: To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the Corporations Act 2001, and for related purposes, Corporations Amendment (Financial Advice) Bill 2014. (general business notice of motion no. 406)
Senator Hanson-Young: To move on the next day of sitting—That the Senate—
(a) acknowledges the positive role that South Australian wind, solar and other clean renewable energy projects have had in creating jobs, supporting local economies and ensuring a sustainable energy future for the nation;
(b) recognises that:
   (i) the move towards renewable energy in South Australia has created thousands of jobs and pushed down wholesale power prices, without creating supply problems, and
   (ii) the following projects, which have all been put at risk by the release of the Government’s Warburton Review, would see billions of dollars invested in the South Australian economy and create more than a thousand jobs:
      (A) Senvion Australia’s Ceres wind farm on South Australia’s Yorke Peninsula, which would invest $1.5 billion into the economy and create more than 500 jobs,
      (B) Infogen Energy’s Woakwine wind farm in South Australia’s south-east, which would see more than 150 jobs created, and
      (C) Pacific Hydro’s Kyneton wind farm in the South Australian riverland, which would see more than 500 jobs created; and
(c) calls on the Government to give the South Australian renewable energy industry the confidence and certainty that it needs by recommitting to the full Renewable Energy Target. (general business notice of motion no. 407)

Senator Ludlam: To move on the next day of sitting—That the Senate—
(a) notes:
   (i) increasing tensions and armed aggression by the Government of Russia in eastern Ukraine,
   (ii) comments by Russian President, Mr Vladimir Putin, that ‘I want to remind you that Russia is one of the leading nuclear powers’, and
   (iii) that Australia has already applied sanctions to the Russian Government in response to their actions in Ukraine; and
(b) calls on the Government to immediately cease uranium exports to Russia. (general business notice of motion no. 408)

9 NORTHERN AUSTRALIA—JOINT SELECT COMMITTEE—LEAVE TO MEET DURING SITTING
Senator Bushby, by leave and on behalf of the Joint Select Committee on Northern Australia, moved—That the Joint Select Committee on Northern Australia be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate today, from 3.30 pm to 5.30 pm.
Question put and passed.

10 COMMUNITY AFFAIRS REFERENCES COMMITTEE—EXTENSION OF TIME TO REPORT
The Chair of the Community Affairs References Committee (Senator Siewert), by leave, moved—That the time for the presentation of the report of the Community Affairs References Committee on speech pathology services be extended to 2 September 2014.
Question put and passed.
11 POSTPONEMENTS

The following items of business were postponed:

Business of the Senate notice of motion no. 1 standing in the name of Senator Rice for today, proposing the disallowance of the Fair Work Amendment (Protected Industrial Action) Regulation 2014, postponed till 3 September 2014.

Business of the Senate notice of motion no. 2 standing in the name of Senator Dastyari for today, proposing the disallowance of items 1 to 27 inclusive and item 30 of the Corporations Amendment (Streamlining Future of Financial Advice) Regulation 2014, postponed till 2 September 2014.

Business of the Senate notice of motion no. 3 standing in the name of Senator Heffernan for today, proposing a reference to the Rural and Regional Affairs and Transport References Committee, postponed till 2 September 2014.

Business of the Senate notice of motion no. 1 standing in the name of Senator Hanson-Young for 2 September 2014, proposing the disallowance of the Migration Amendment (Repeal of Certain Visa Classes) Regulation 2014, postponed till 24 September 2014.

12 FAMILY AND COMMUNITY SERVICES—FAMILY AND EARLY LEARNING CENTRES

Senator Siewert, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 385—That the Senate—

(a) acknowledges:
   (i) the support Family and Early Learning Centres provide to children and families around Australia, and
   (ii) the contribution of these centres to closing the gap on early childhood learning outcomes;

(b) notes:
   (i) the funding for these centres ceased with the expiry of the Council of Australian Governments’ National Partnership Agreement on Indigenous Early Childhood Development on 30 June 2014, and
   (ii) that centres are having to suspend services and not renew contracts with staff as a result of funding uncertainty; and

(c) calls on the Federal Government to guarantee funding for these important centres now and into the future.

Question put and passed.

13 SCIENCE AND TECHNOLOGY—COMMONWEALTH SCIENTIFIC AND INDUSTRIAL RESEARCH ORGANISATION

Senator Di Natale, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 399—That the Senate—

(a) notes recent cuts to jobs at the Australian Animal Health Laboratory of the Commonwealth Scientific and Industrial Research Organisation (CSIRO), which conducts research into infectious diseases such as Avian Influenza, SARS, the Hendra virus and most recently Ebola; and

(b) calls on the Government to reverse the $111 million cuts to the CSIRO contained in the Budget.

Question put.
No. 49—1 September 2014 1365

The Senate divided—

AYES, 33

Senators—

Brown Ketter Milne Sterle
Bullock Lambie Moore Wang
Cameron Lazarus Muir Waters
Conroy Lines O’Neill Whish-Wilson
Dastyari Ladlam Peris Wright
Di Natale Ludwig Rhiannon Xenophon
Faulkner Lundy Rice
Gallacher McEwen (Teller) Siewart
Hanson-Young McLucus Singh

NOES, 28

Senators—

Abetz Day Leyonhjelm Ronaldson
Back Edwards Macdonald Ruston
Bernardi Fawcett McGrath Scullion
Birmingham Fierravanti-Wells Nash Seselja
Bushby (Teller) Fifield O’Sullivan Sinodinos
Canavan Heffernan Payne Smith
Colbeck Johnston Reynolds Williams

Question agreed to.

14 HEALTH—GLOBAL FUND TO FIGHT AIDS, TUBERCULOSIS AND MALARIA

The Leader of the Australian Greens (Senator Milne), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 398—
That the Senate—
(a) notes:

(i) that the Global Fund to Fight AIDS, Tuberculosis and Malaria (the Global Fund) has made significant gains in slowing the spread of these diseases,
(ii) a total of $12.2 billion has been raised thus far by nations and private donors around the world, short of the target of $15 billion for the 2014-2016 funding period,
(iii) the United States Government has pledged to donate an additional $1 for every $2 other donors pledge by 30 September 2014,
(iv) the Government of the United Kingdom has pledged to donate a further $300 million if the $15 billion target is reached, and
(v) Australia has pledged $200 million to the Global Fund for the period 2014-2016; and

(b) calls on the Australian Government to utilise the generous incentives being offered by the governments of the United States and United Kingdom by making an urgent pledge of an additional $125 million to the Global Fund.

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

Question put and passed.
15 ROUTINE OF BUSINESS—VARIATION
The Assistant Minister for Social Services (Senator Fifield), by leave, moved—that—
(a) any proposal pursuant to standing order 75 shall not be proceeded with today; and
(b) a ministerial statement relating to Iraq be called on immediately and considered
for not more than 2 hours.
Question put and passed.

16 DEFENCE—IRAQ—MINISTERIAL STATEMENT—DOCUMENT
The Minister for Defence (Senator Johnston) tabled the following document:
Defence—Statement to Parliament on Iraq—Ministerial statement by the Prime
Minister (Mr Abbott), dated 1 September 2014.
Senator Johnston moved—that the Senate take note of the document.
Debate ensued.
Question put and passed.

17 HOME INSULATION PROGRAM—ROYAL COMMISSION—REPORT—DOCUMENT
The Minister for Veterans’ Affairs (Senator Ronaldson) tabled the following
document:
Home Insulation Program—Royal Commission—Report by the Royal
Commissioner Mr RI Hanger, AM, QC, dated 29 August 2014.

18 COMMUNICATIONS—AUSTRALIAN BROADCASTING CORPORATION AND SPECIAL
BROADCASTING SERVICE EFFICIENCY STUDY—ORDER FOR PRODUCTION OF
DOCUMENT—DOCUMENT
The Minister for Veterans’ Affairs (Senator Ronaldson) tabled the following
document:
Communications—Australian Broadcasting Corporation and Special Broadcasting
Service Efficiency Study—Letter to the President of the Senate from the Assistant
Minister for Social Services (Senator Fifield), dated 1 September 2014, responding
to the order of the Senate of 28 August 2014 and raising a public interest immunity
claim.

19 COMMUNITY AFFAIRS LEGISLATION COMMITTEE—ADDITIONAL INFORMATION—
NATIONAL HEALTH AMENDMENT (PHARMACEUTICAL BENEFITS) BILL 2014
Senator Fawcett, at the request of the Chair of the Community Affairs Legislation
Committee (Senator Seselja), tabled the following document:
Community Affairs Legislation Committee—Report—National Health
Amendment (Pharmaceutical Benefits) Bill 2014 [Provisions]—Additional
information.
Leave refused: Senator Di Natale sought leave to make a statement relating to the
matter.
An objection was raised and leave was not granted.
20 **COMMUNITY AFFAIRS REFERENCES COMMITTEE—DOCUMENT—AUSTRALIA’S HEALTHCARE SYSTEM**

The Chair of the Community Affairs References Committee (Senator Siewert) tabled the following document:

Community Affairs References Committee—Report—Out-of-pocket costs in Australian healthcare—Further corrigendum.

Document ordered to be printed on the motion of Senator Siewert.

21 **DOCUMENTS**

The following documents were tabled by the Clerk:

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


*Veterans’ Entitlements Act 1986—*
- Amendment Statements of Principles concerning diabetes mellitus—No. 88 of 2014 [F2014L01150].
- Amendment Statements of Principles concerning malignant neoplasm of unknown primary site—No. 81 of 2014 [F2014L01143].
- Statements of Principles concerning chronic lymphocytic leukaemia/small lymphocytic lymphoma—No. 84 of 2014 [F2014L01146].

22 **DEPARTMENTAL AND AGENCY CONTRACTS—ORDER FOR PRODUCTION OF DOCUMENTS—DOCUMENTS**

The following documents were tabled pursuant to the order of the Senate of 20 June 2001, as amended:

- Departmental and agency contracts for 2013-14—Letters of advice—Agriculture portfolio.
- Department of Human Services.
- Health portfolio.
- Infrastructure and Regional Development portfolio.
- Prime Minister and Cabinet portfolio.
- Treasury portfolio.
23 **LAND TRANSPORT INFRASTRUCTURE AMENDMENT BILL 2014**

A message from the House of Representatives was reported agreeing to the amendment made by the Senate to the following bill:


24 **COMPETITION AND CONSUMER AMENDMENT (INDUSTRY CODE PENALTIES) BILL 2014**

**CORPORATIONS AMENDMENT (STREAMLINING OF FUTURE OF FINANCIAL ADVICE) BILL 2014**

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

- Message no. 211, dated 28 August 2014—A Bill for an Act to amend the law in relation to financial products and financial advice, and for related purposes.

The Minister for Veterans’ Affairs (Senator Ronaldson) moved—that these bills may proceed without formalities, may be taken together and be now read a first time.

Question put and passed.

Bills read a first time.

Senator Ronaldson moved—that these bills be now read a second time.

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*Explanatory memorandum:* Senator Ronaldson tabled a revised explanatory memorandum relating to the Corporations Amendment (Streamlining of Future of Financial Advice) Bill 2014.

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

*Consideration of legislation:* Senator Ronaldson moved—that the bills be listed on the *Notice Paper* as separate orders of the day.

Question put and passed.

25 **MINERALS RESOURCE RENT TAX REPEAL AND OTHER MEASURES BILL 2014**

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

Message no. 214, dated 1 September 2014—A Bill for an Act to amend the law relating to taxation, superannuation, social security and family assistance, and for other purposes.

The Minister for Veterans’ Affairs (Senator Ronaldson) 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 Ronaldson 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.

26 Environment Protection and Biodiversity Conservation Amendment (Bilateral Agreement Implementation) Bill 2014

Order of the day read for the adjourned debate on the motion of the Parliamentary Secretary to the Minister for the Environment (Senator Birmingham)—That this bill be now read a second time.

Debate resumed.

At 9.50 pm: Debate was interrupted while Senator McKenzie was speaking.

27 Adjournment

The Acting Deputy President (Senator Dastyari) proposed the question—That the Senate do now adjourn.

Debate ensued.

The Senate adjourned at 10.28 pm till Tuesday, 2 September 2014 at 12.30 pm.

28 Attendance

Present, all senators except Senators Mason* and Ryan* (*on leave).

Rosemary Laing
Clerk of the Senate

Printed by authority of the Senate