



# Senate Journals

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## 1 Meeting of Senate

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

## 2 Documents

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

### Document presented by the President

- 1 Australian bushfires—Extract from the proceedings of the Rajya Sabha, India, dated 3 February 2020.

### Government documents

- 2 Advance to the Finance Minister—Report on advances provided under the annual Appropriation Acts for 2018-19.
- 3 *Telecommunications Act 1997*—Funding of telecommunications consumer representation grants—Report for 2018-19.

### Response to a Senate resolution

- 4 Rural Hardship Education Fund—Resolution of 17 October 2019—Letter to the President of the Senate from the Minister for Education (Mr Tehan), dated 7 February 2020.

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The Clerk tabled the following documents pursuant to statute:

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

*Archives Act 1983*—Archives (Records of the Parliament) Regulations 2019 [F2019L00282]—Replacement explanatory statement.

*Australian Charities and Not-for-profits Commission (Consequential and Transitional) Act 2012*—Australian Charities and Not-for-profits Commission (Consequential and Transitional) Amendment (Reporting) Regulations 2020 [F2020L00099].

*Biosecurity Act 2015*—Biosecurity (Human Health Response Zone) (Howard Springs Accommodation Village) Determination 2020 [F2020L00107].

*Census and Statistics Act 1905*—Census and Statistics (2021 Census Day) Proclamation 2020 [F2020L00098].

Commissioner of Taxation—Public Ruling—Class Ruling CR 2020/7.

*Financial Framework (Supplementary Powers) Act 1997*—

Financial Framework (Supplementary Powers) Amendment (Agriculture, Water and the Environment Measures No. 1) Regulations 2020 [F2020L00102].

Financial Framework (Supplementary Powers) Amendment (Home Affairs Measures No. 2) Regulations 2020 [F2020L00104].

Financial Framework (Supplementary Powers) Amendment (Infrastructure, Transport, Regional Development and Communications Measures No. 1) Regulations 2020 [F2020L00105].

Financial Framework (Supplementary Powers) Amendment (Treasury Measures No. 1) Regulations 2020 [F2020L00101].

*Income Tax Assessment Act 1997*—Income Tax Assessment Amendment (Exploration for Minerals) Regulations 2020 [F2020L00097].

*Migration Act 1958*—

Statements under section 46A—1 July to 31 December 2019 [1].

Statements under section 195A—1 July to 31 December 2019 [24].

Statements under section 197AB—1 July to 31 December 2019 [46].

Statements under section 198AE—1 July to 31 December 2019 [2].

Statements under section 351—1 July to 31 December 2019 [29].

Statements under section 417—1 July to 31 December 2019 [3].

Statements under sections 46A and 46B—1 July to 31 December 2019 [1].

*Military Rehabilitation and Compensation Act 2004* and *Veterans' Entitlements Act 1986*—Veterans' Affairs Pharmaceutical Benefits Schemes Amendment (Continued Dispensing—Emergency Measures) Determination 2020—Instrument 2020 No. R7/MRCC7 [F2020L00100].

*Resale Royalty Right for Visual Artists Act 2009*—Resale Royalty Right for Visual Artists (Provisions to be Contained in Collecting Society Rules) Determination 2020 [F2020L00108].

*Seafarers Rehabilitation and Compensation Act 1992*—Seafarers Rehabilitation and Compensation (Cost Recovery) Regulations 2020 [F2020L00103].

*Therapeutic Goods Act 1989*—Therapeutic Goods (Medicines and Biologicals—Ingredients and Components Information) Specification 2020 [F2020L00106].

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The Clerk tabled the following documents pursuant to order:

Estimates hearings—Unanswered questions on notice—Budget estimates 2019-20 (Supplementary)—Statement pursuant to the order of the Senate of 25 June 2014—Education, Skills and Employment portfolio.

Indexed lists of departmental and agency files for the period 1 July to 31 December 2019—Statement of compliance pursuant to the order of the Senate of 30 May 1996, as amended—Environment and Energy portfolio.

### 3 Committees—Leave to meet during sittings

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

Community Affairs References Committee—private meeting otherwise than in accordance with standing order 33(1) today, from 12.05 pm, for the committee's inquiry into Centrelink's compliance program.

Human Rights—Joint Statutory Committee—private meeting otherwise than in accordance with standing order 33(1) on Wednesday, 12 February 2020, from 9.30 am.

Legal and Constitutional Affairs Legislation Committee—public meetings from 9.30 am—

Wednesday, 12 February 2020, to take evidence for the committee's inquiry into the Crimes Legislation Amendment (Combatting Corporate Crime) Bill 2019.

Wednesday, 26 February 2020, to take evidence for the committee's inquiry into the provisions of the Transport Security Amendment (Serious Crime) Bill 2019.

Scrutiny of Bills—Standing Committee—private meeting otherwise than in accordance with standing order 33(1) on Wednesday, 12 February 2020, from 10 am.

#### 4 **Australian Research Council Amendment Bill 2019**

Order of the day read for the adjourned debate on the motion of the Minister for Trade, Tourism and Investment (Senator Birmingham)—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.

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#### *In the committee*

Bill, taken as a whole by leave, debated.

Senator Faruqi moved the following amendment:

Schedule 1, page 3 (after line 11), at the end of the Schedule, add:

#### **4 After section 51**

Insert:

#### **51A Announcements about approval of expenditure on research programs**

- (1) The Minister must, within 21 days after making a determination under paragraph 51(2)(b):
  - (a) make a public announcement of the determination; and
  - (b) cause a copy of the announcement to be published on the internet.
- (2) The Minister must not make an announcement under subsection (1) together with any of the following:
  - (a) another member of parliament;
  - (b) a candidate in an election for the Senate or the House of Representatives.
- (3) An announcement made under subsection (1) is not a legislative instrument.
- (4) To avoid doubt, subsection (1) applies in addition to subsection 51(3).
- (5) In this section, *member of parliament* means:
  - (a) a senator; or
  - (b) a member of the House of Representatives; or
  - (c) a Minister of State who is not a senator or member of the House of Representatives; or
  - (d) a person who is taken to be the President of the Senate under the *Parliamentary Presiding Officers Act 1965* and who is not a senator or member of the House of Representatives; or

- (e) a person who is taken to be the Speaker of the House of Representatives under the *Parliamentary Presiding Officers Act 1965* and who is not a senator or member of the House of Representatives.

Debate ensued.

Question—That the amendment be agreed to—put.

The committee divided—

#### AYES, 9

Senators—

Di Natale

Faruqi

Hanson-Young

McKim

Rice

Siewert\*

Steele-John

Waters

Whish-Wilson

#### NOES, 52

Senators—

Abetz

Antic

Askew

Ayres

Bilyk

Birmingham

Bragg

Brockman

Brown

Canavan

Carr

Cash

Chandler

Cicccone\*

Davey

Dodson

Duniam

Fawcett

Gallagher

Green

Griff

Hanson

Henderson

Hughes

Keneally

Lambie

McAllister

McCarthy

McDonald

McGrath

McKenzie

McLachlan

McMahon

Molan

O'Sullivan

Paterson

Patrick

Polley

Pratt

Rennick

Roberts

Ruston

Ryan

Scarr

Sheldon

Smith, Dean

Smith, Marielle

Sterle

Stoker

Van

Walsh

Watt

\* Tellers

Question negatived.

Bill agreed to and reported without amendment.

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On the motion of Senator Birmingham the report from the committee was adopted and the bill read a third time.

## 5 **Matters raised during question time—Statement by President**

The President made a statement concerning matters raised during question time on 10 February 2020 relating to the relevance of ministerial responses to questions and unparliamentary reflections.

*Statement by leave:* The Leader of the Opposition in the Senate (Senator Wong), by leave, made a statement relating to the matter.

## 6 Questions

Questions without notice were answered.

*Distinguished visitors:* The President welcomed members of a parliamentary delegation from Cyprus led by the President of the House of Representatives of Cyprus, Mr Demetris Syllouris, and, with the concurrence of honourable senators, invited President Syllouris to take a seat on the floor of the chamber.

Further questions without notice were answered.

## 7 Motions to take note of answers

Senator Sterle moved—That the Senate take note of the answers given by the Minister for Finance (Senator Cormann) and the Minister for Trade, Tourism and Investment (Senator Birmingham) to questions without notice asked by Senators Marielle Smith and Sheldon today relating to coal-fired power stations.

Debate ensued.

Question put and passed.

Senator Siewert moved—That the Senate take note of the answer given by the Minister for Families and Social Services (Senator Ruston) to a question without notice asked by Senator Siewert today relating to the cashless debit card.

Question put and passed.

## 8 Petition

The following petition, lodged with the Clerk by Senator Bilyk, was received:

From 912 petitioners, requesting that the Senate call on the Tasmanian and Commonwealth governments to ensure that Palliative Care Tasmania receives adequate funding and funding certainty.

## 9 Notices

Senator Roberts: To move on the next day of sitting—

(1) That the Senate notes that:

- (a) on 5 February 2020, the Minister for Defence tabled a response to an order for the production of documents relating to PFAS contamination at RAAF Base Williamtown and RAAF Base Richmond, agreed to on 4 December 2019;
- (b) the response to the order did not include information in relation to RAAF Base Richmond and included incomplete information in relation to RAAF Base Williamtown; and
- (c) despite the response stating that no livestock have been tested, reports have been made that cattle have been tested within the contamination zones of RAAF Base Williamtown and RAAF Base Richmond.

- (2) That there be laid on the table by the Minister for Defence, by 10 am on 26 February 2020, the following documents:
- (a) details of all blood testing on defence personnel and livestock which were taken from within the contamination zone of RAAF Base Richmond (including private land) within the last 24 months, including:
    - (i) the level of per- and poly-fluoroalkyl substances (PFAS), and
    - (ii) a copy of the test result for each test taken with all personal information redacted; and
  - (b) details of all blood testing on livestock which were taken from within the contamination zone of RAAF Base Williamtown and Williamtown Airport (including private land) within the last 24 months, including:
    - (i) the level of per- and poly-fluoroalkyl substances (PFAS), and
    - (ii) a copy of the test result for each test taken. (*general business notice of motion no. 433*)

Senator Roberts: To move on the next day of sitting—

- (1) That the Senate notes that the Royal Commission into Financial Services made recommendations regarding voluntary codes of practice, including:
- (a) recommendation 1.15 – that the Australian Securities and Investments Commission’s (ASIC) power to approve codes of conduct extends to codes relating to all Australian Prudential Regulation Authority (APRA) regulated institutions and Australian credit licence holders; that industry codes of conduct approved by ASIC may include ‘enforceable code provisions’, which are provisions in respect of which a contravention will constitute a breach of the law;
  - (b) recommendation 1.16 – 2019 Banking Code, the Australian Banking Association and ASIC should take all necessary steps to have the provisions that govern the terms of the contract made or to be made between the bank and the customer or guarantor designated as ‘enforceable code provisions’; and
  - (c) recommendation 4.9 – as referred to in recommendation 1.15, the law should be amended to provide for enforceable provisions of industry codes and for the establishment and imposition of mandatory industry codes.
- (2) The Senate further notes that ASIC stated in its publication ‘ASIC update on implementation of Royal Commission recommendations’ as follows:
- (a) ASIC will commence work immediately with the banking industry on appropriate amendments to the Banking Code in relation to each of these recommendations; and
  - (b) ASIC will work with industry in anticipation of the Parliament legislating reforms in relation to codes and ASIC’s powers to provide for ‘enforceable code provisions’.
- (3) The response by the Minister for Finance (Senator Cormann) to a previous order for the production of documents (no. 332), agreed to by the Senate on 4 December 2019, included no suitable documents.



- (4) That there be laid on the table by the Minister representing the Treasurer, by 5 pm on 24 February 2020, the following documents that relate to enforceable provisions of the Banking Code of Practice:
- (a) all emails between the Treasury and any other party; and
  - (b) all draft or final documents, including but not limited to, internal memos, briefing documents, drafting guidelines and correspondence. (*general business notice of motion no. 434*)

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

- (a) notes that:
  - (i) the Aged Care Assessment Teams (ACAT) are teams of professionals that are based in hospitals across the country and are responsible for assessing which older Australians should receive government-funded care,
  - (ii) the Morrison Government has announced that it wants to privatise the ACAT workforce from April 2021, when a tender will be put out for organisations to deliver this vital assessment,
  - (iii) the New South Wales (NSW) Liberal Minister for Health and Medical Research, Mr Brad Hazzard, has said that the Morrison Government's decision to privatise these services lacks 'logic' and that 'NSW has major concerns',
  - (iv) no consultation was undertaken by the Morrison Government to inform its NSW Liberal colleagues of the decision to privatise aged care assessment services, and
  - (v) there has also been criticism about the Morrison Government wanting to privatise assessment services by highly regarded experts across the aged care sector;
- (b) supports the retention of ACATs as a publicly, independently provided service;
- (c) opposes the privatisation of the ACAT workforce; and
- (d) condemns the Morrison Government for its continued piecemeal approach to aged care policy. (*general business notice of motion no. 435*)

The Minister for Families and Social Services (Senator Ruston): To move on the next day of sitting—That—

- (a) if the notice of motion proposing the disallowance of the Helicopter Aerial Application Endorsements Exemption 2019 standing in the name of the Chair of the Standing Committee on the Scrutiny of Delegated Legislation (Senator Fierravanti-Wells) for two sitting days after today (13 February 2020) has not been resolved by 12.45 pm on 13 February 2020, the notice of motion shall be called on and considered at 3.30 pm that day; and
- (b) if consideration of the motion is not concluded by 4 pm, the question on the unresolved motion shall then be put.

Senators Sheldon and Walsh: To move on the next day of sitting—That the Senate—

- (a) notes that:
  - (i) Dinner by Heston, the high-end restaurant fronted by Mr Heston Blumenthal, has been caught stealing up to \$4.5 million from its own employees,

- (ii) these employees worked up to 25 unpaid hours each week, leaving many underpaid to the sum of \$35,000 a year,
- (iii) Dinner by Heston's landlord, Crown Casino, aided in this endeavour by entering into byzantine corporate arrangements including interest-free loans, millions paid to the restaurant's owners in licensing fees, and an annual rent for the restaurant of only \$1,
- (iv) this \$4.5 million underpayment scandal joins Mr George Calombaris' \$7.8 million dollar underpayment scandal and Mr Neil Perry's \$10 million dollar underpayment scandal as yet another example of an alarming business model amongst elements of corporate Australia, and
- (v) there is a wage theft crisis in Australia that must be addressed;
- (b) supports real action on the underlying causes of these issues through the Economics References Committee inquiry into the unlawful underpayment of employees' remuneration, agreed to on 13 November 2019; and
- (c) commends the United Workers Union for their advocacy and hard work on behalf of these affected restaurant workers. (*general business notice of motion no. 436*)

Senator Hanson-Young: To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the *Environment Protection and Biodiversity Conservation Act 1999*, and for related purposes. ***Environment Protection and Biodiversity Conservation Amendment (Climate Trigger) Bill 2020***. (*general business notice of motion no. 437*)

Senators McCarthy and Dodson: To move on Thursday, 13 February 2020—That the Senate—

- (a) notes that:
  - (i) 12 years ago, on 13 February 2008, former Prime Minister Kevin Rudd delivered the National Apology to the Stolen Generations in the Australian Parliament,
  - (ii) the National Apology to the Stolen Generations came about as a recommendation from the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families, entitled *Bringing Them Home*, tabled on 26 May 1997,
  - (iii) the inquiry highlighted the suffering of Indigenous families under the Commonwealth, State and Territory Aboriginal protection and welfare laws and policies, and
  - (iv) there is still significant work that needs to be done to address the impacts of dispossession, discrimination and trauma;
- (b) acknowledges that an important step in healing our nation is the acknowledgement of truth; and
- (c) as part of this healing calls on the Federal Government to commit to a process of truth-telling about Australia's history. (*general business notice of motion no. 438*)

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

- (a) notes that the report from the National Children's Commissioner, *Children's Rights Report 2019*, highlighted some critical issues in the protection of children's rights, including that:
  - (i) First Nations children experience significant inequalities in health, education, justice and child protection outcomes,
  - (ii) there has been an increase in child deaths by suicide and hospitalisations for intentional self-harm,
  - (iii) approximately 17% of children under the age of 15 live in poverty,
  - (iv) there has been a 27% increase in reported substantiations of child abuse and neglect, and
  - (v) the age of criminal responsibility is ten, which is low compared to other countries; and
- (b) calls on the Commonwealth, state and territory governments to implement the important recommendations made in the report, including that:
  - (i) Australian governments should urgently prioritise prevention and early intervention programs to reduce the number of children entering child protection systems and removing barriers to sustained reunification of children with their families by strengthening services and supports leading up to and post-reunification,
  - (ii) the Australian Government should make the Transition to Independent Living Allowance for children available for all care leavers leaving home up to the age of 25,
  - (iii) the Australian Government should develop a national poverty reduction plan that explicitly focuses on children, and
  - (iv) Australian governments should raise the minimum age of criminal responsibility to at least 14 years and abolish mandatory minimum sentencing laws that apply to children. (*general business notice of motion no. 439*)

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

- (a) notes that yesterday, 11 February 2020, was Safer Internet Day (SID), an annual, worldwide event to promote a safer and better internet, where everyone is empowered to use technology responsibly, respectfully, critically and creatively;
- (b) recognises that, while there are enormous benefits to the internet, going online also comes with risks including (but not limited to) cyberbullying, cyberstalking, trolling, malware, scams, and the theft of financial and personal information;
- (c) expresses its support for the SID campaign's aim to reach out to children and young people, parents and carers, teachers, educators and social workers, industry, decision makers and politicians to encourage everyone to play their part in creating a safer and better internet; and
- (d) encourages:
  - (i) all members and senators in the Australian Parliament to promote the messages of SID to their constituents along with helpful advice about how to protect themselves and those in their care from harm online; and

- (ii) the Australian Government, through its agencies – in particular the Office of the eSafety Commissioner – to provide the resources, educational materials and regulatory environment that helps all Australians to have safe, positive online experiences. (*general business notice of motion no. 440*)

Senator Roberts: To move on the next day of sitting—

- (1) That the Senate notes that, on 10 February 2020, Senator Cormann stated that climate change is human induced.
- (2) That there be laid on the table by the Leader of the Government in the Senate, by 10 am on 24 February 2020:
  - (a) a list of titles of reports and publications which the Government relies upon for this belief; and
  - (b) for each publication specify the page numbers on which are presented the evidence that carbon dioxide from human activity affects climate and needs to be cut. (*general business notice of motion no. 441*)

The Leader of Pauline Hanson's One Nation (Senator Hanson): To move on the next day of sitting—That the Senate—

- (a) notes that the current hourly rate of full-time pay for an adult aged care worker ranges from \$20.73 (level 1) to \$25.18 (level 7), which does little to recognise the dedication, compassion and caring they provide to our older, often vulnerable, Australians;
- (b) acknowledges that this low rate of remuneration in an industry which demands a high level of care as well as health management skills leads to the high turnover of staffing in aged care facilities; and
- (c) calls on the Federal Government to immediately act to increase pay rates in the aged care sector to better reflect the important work undertaken. (*general business notice of motion no. 442*)

Senator O'Neill: To move on the next day of sitting—That the time for the presentation of the report of the Parliamentary Joint Committee on Corporations and Financial Services on the regulation of auditing in Australia be extended to 1 September 2020. (*general business notice of motion no. 443*)

The Leader of the Australian Greens in the Senate (Senator Waters): To move on the next day of sitting—That there be laid on the table by the Minister representing the Minister for Energy and Emissions Reduction (Senator Birmingham) by 3.30 pm on 24 February 2020, all departmental advice relating to establishing a coal-fired generation plant in Collinsville, Queensland, including but not limited to:

- (a) the suitability or otherwise of a new coal-fired power station in Queensland;
- (b) current congestion issues in this part of the grid network; and
- (c) any economic, greenhouse or environmental impacts of establishing the coal-fired power station. (*general business notice of motion no. 444*)

Senators Wong, Waters, Lambie, Patrick and Hanson: To move on the next day of sitting—That—

- (1) The Senate notes that:
  - (a) on 5 February 2020, the Senate ordered the Minister representing the Prime Minister, Senator Cormann, to table the final report provided by the Secretary of the Department of the Prime Minister and Cabinet, Mr Phillip Gaetjens, to the Prime Minister in relation to the application of the Statement of Ministerial Standards to the former Minister for Sport, the Honourable Senator McKenzie's, award of the funding under the Community Sport Infrastructure Program,
  - (b) on 6 February 2020, the Minister representing the Prime Minister tabled a letter making a public interest immunity claim grounded in the preservation of the confidentiality of Cabinet deliberations,
  - (c) the document is a final report prepared outside of the Cabinet Room and has no capacity to reveal deliberations inside the Cabinet Room; and
  - (d) the Senate does not accept the public interest immunity claim made by the Minister representing the Prime Minister.
- (2) Until the final report provided by the Secretary of the Department of the Prime Minister and Cabinet, Mr Phillip Gaetjens, to the Prime Minister in relation to the application of the Statement of Ministerial Standards to the former Minister for Sport, the Honourable Senator McKenzie's, award of funding under the Community Sport Infrastructure Program, is tabled, or 6 March 2020, whichever is the earlier, Senator Cormann be prevented from:
  - (a) being asked or answering questions which may be put to ministers under standing order 72(1) where such questions are directed to the Minister representing the Prime Minister;
  - (b) representing the Prime Minister before a legislative and general purpose standing committee, including during consideration of estimates; and
  - (c) sitting at the seat at the table in the Senate chamber that is ordinarily reserved for the Leader of the Government in Senate. (*general business notice of motion no. 445*)

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

- (a) acknowledges:
  - (i) the devastating effect of drought on water supplies in Australian local communities, and
  - (ii) that the recent bushfire crisis has compounded water insecurity in affected areas;
- (b) notes that:
  - (i) the Eurobodalla Shire Council's 2016 proposal for a second water storage facility in the southern part of the shire would add 3,000 mega litres of water storage to the region,
  - (ii) the project has support from local and state governments, with the New South Wales (NSW) State Government committing \$26.3 million in October 2019,

- (iii) the Eurobodalla Shire Council has called for a \$51 million commitment from the Government to build the dam, noting they will fund the rest of the \$105 million project, and
- (iv) all supporting parties should ensure the project is environmentally sound;
- (c) recognises that:
  - (i) Australians and regional communities are rightly sceptical about the Government's track record on water infrastructure and drought policy,
  - (ii) in 2013, former Prime Minister Abbott said he would build 100 dams across Australia – three terms later and in its seventh year of power, the Government has failed to fulfil its promise,
  - (iii) Prime Minister Morrison was caught out for being loose with the truth in October 2019 when he claimed his government was contributing more investment in NSW dam infrastructure than they actually were,
  - (iv) more than two years after the announcement of the \$2 billion National Water Infrastructure Facility, not a single dollar had been spent, and
  - (v) that the Eurobodalla community has been waiting for a response from the Government since October 2019 in relation to their water storage proposal; and
- (d) calls on the Federal Government to urgently respond to the Eurobodalla Shire Council's request for funds for the Southern Water Supply Storage project.  
(*general business notice of motion no. 446*)

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

- (a) notes that:
  - (i) urgent action is required to mitigate climate change,
  - (ii) the Intergovernmental Panel on Climate Change special report on Climate Change and Land, stated that, in the short term, leaving existing forests standing is the most effective way to manage forests to mitigate climate change, and
  - (iii) the plans by the Tasmanian Government to allow logging in the Tarkine in north-west Tasmania will result in an increase in carbon emissions; and
- (b) calls on the Tasmanian Government to abandon its plans to allow logging in the Tarkine. (*general business notice of motion no. 447*)

## 10 **Special purpose flights—Order for production of documents**

The Leader of the Opposition in the Senate (Senator Wong), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 432—

- (1) That the Senate notes that:
  - (a) under the guidelines for the use of special purpose aircraft, the Minister for Defence is responsible for tabling the schedule of special purpose flights 'in June (for the six months ending the previous 31 December) and December (for the six months ending the previous 30 June)';
  - (b) regrettably, under the Abbott-Turnbull-Morrison Government, the schedule has routinely been tabled late, in one case over eight months late;

- (c) the most recent schedule published on the Department of Defence website (<https://www.defence.gov.au/Publications/Parliament/>) is for the six months ending 30 June 2017;
  - (d) consistent with the guidelines, previous governments tabled schedules on the last sitting day of June and December each year; and
  - (e) the most recently tabled schedule for the six months ending 31 December 2018 was not tabled until 28 August 2019.
- (2) That there be laid on the table by the Minister for Defence, by no later than 9.30 am on 13 February 2020, the schedule of special purpose flights for the period 1 January to 30 June 2019.

*Statements by leave:* Senator Wong and the Assistant Minister for Forestry and Fisheries (Senator Duniam), by leave, made statements relating to the motion.

Question put and passed.

## 11 **Climate change**

Senator McCarthy, at the request of Senator McAllister and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 422—That the Senate endorses Senator Cormann’s statement to the Senate on 10 February 2020, that climate change is human induced, and welcomes his confirmation that the Morrison Government accepts this fact.

Question put and passed.

## 12 **Murray-Darling Basin—Environmental flows**

Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 403—That the Senate—

- (a) notes that:
  - (i) environmental flows are critical to the health of the Murray-Darling Basin, which is home to more than 2 million people and more than 40 Aboriginal nations, and supports over 120 waterbird species and 46 native fish species,
  - (ii) the continued attack on environmental flows to the Murray-Darling Basin will threaten the overall sustainability of the river, which is needed to support people, plants and animals,
  - (iii) the river is a national asset, it does not belong to any one single State, and
  - (iv) the threats by some Basin states to pull out of the Murray-Darling Basin Plan is putting the future of the entire river system in jeopardy; and
- (b) calls on the Federal Government to confirm its commitment to protect environmental flows as required under the Murray-Darling Basin Plan.

*Statement by leave:* The Leader of the Nationals in the Senate (Senator McKenzie), by leave, made a statement relating to the motion.

Question put and passed.

### 13 **International Holocaust Remembrance Day**

Senator Dean Smith, also on behalf of Senators Griff, Ciccone, Chandler, Hughes, Kitching, O'Neill and Wong, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 413—That the Senate—

- (a) notes that 27 January 2020 marked International Holocaust Remembrance Day, a day where we remember the atrocities committed by the Nazi regime and its collaborators, and reaffirm our promise to 'never forget' the 6 million Jews and 11 million others who were exterminated during the Holocaust;
- (b) acknowledges the importance of International Holocaust Remembrance Day in honouring the memory of all Holocaust victims, and the ongoing efforts of the International Holocaust Remembrance Alliance to advance and promote Holocaust education to ensure the history and stories of its victims are passed on to successive generations;
- (c) notes that Australia officially became the 33rd member of the International Holocaust Remembrance Alliance at the Mondorf-les-Bains Plenary meeting on 4 June 2019;
- (d) notes this year's annual observance also marked the 75th anniversary of the liberation of Auschwitz, the largest and most notorious concentration camp operated by the Nazi regime, located approximately 60 kilometres west of Krakow, Poland;
- (e) further acknowledges that more than 1.1 million people were killed at the Auschwitz complex alone, including nearly 1 million Jews, and that on the day of liberation only 7,000 people were saved; and
- (f) further notes that during the 1940s, tens of thousands of European Jews emigrated to Australia, and that Australia has the largest per-capita Holocaust survivor population outside Israel.

Question put and passed.

### 14 **Palliative Care Tasmania**

Senator Bilyk, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 416—That the Senate—

- (a) notes that:
  - (i) Palliative Care Tasmania's (PCT) three-year \$1.5 million funding agreement expires on 30 June 2020, and
  - (ii) most state and territory palliative care peak bodies receive recurrent government funding;
- (b) recognises that:
  - (i) PCT provides valuable services to the palliative care sector and the broader community, including advocacy, policy advice, and community education and professional development delivered to over 4,000 Tasmanians a year,
  - (ii) these services:
    - (A) help educate Tasmanians on the importance of advance care planning, writing advance care directives and discussing future care wishes with family and close friends,



- (B) lead to millions of dollars of savings in residential aged care and acute health care – conservatively, cost savings of \$30 million a year are made through their work in residential aged care and cost savings of \$25 million a year are made based on 10% of participants in their education programs understanding advance care planning and completing an advance care directive, and
- (C) provide Tasmanians with life-limiting illness greater choice, control, comfort and dignity in their care, and help to ensure that thousands of Tasmanians can have a good death; and
- (iii) should PCT not receive further funding, their services would either have to be provided directly by the Tasmanian Government at much greater cost or would be lost to the palliative care sector; and
- (c) calls on the Tasmanian and Commonwealth governments to work together to come up with a plan to fund PCT which provides PCT with adequate funding and certainty to continue its core activities beyond 30 June 2020.

*Statement by leave:* The Assistant Minister for Forestry and Fisheries (Senator Duniam), by leave, made a statement relating to the motion.

Question put and passed.

## 15 **Climate change and energy policy**

Senator McCarthy, at the request of Senator McAllister and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 417—That the Senate—

- (a) notes the address of New South Wales Minister for Energy and Environment, and Liberal, Mr Matt Kean MP on 10 December 2019 to the National Smart Energy Summit;
- (b) endorses Minister Kean's:
  - (i) acknowledgement that this summer's 'bushfires have been caused by extreme weather events, high temperatures, the worst drought in living memory – the exact type of events scientists have been warning us about for decades that would be caused by climate change',
  - (ii) observation that 'We cannot allow ideology and politics to get in the way of our clear path to secure our economic prosperity, let alone the health of our planet for generations of Australians', and
  - (iii) statement that 'taking action to reduce our emissions today is not about a cost that we are morally obliged to pay, it's about taking an economic opportunity that we would be negligent to miss';
- (c) concurs with Minister Kean that 'renewables today are the cheapest form of new generation'; and
- (d) calls on the Prime Minister (Mr Morrison) to listen to Minister Kean and experts across all fields and take strong action to address climate change.

*Statements by leave:* The Assistant Minister for Forestry and Fisheries (Senator Duniam) and Senator Roberts, by leave, made statements relating to the motion.

Question put and passed.

## 16 Emissions reduction technologies

The Leader of the Australian Greens in the Senate (Senator Waters), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 418—That the Senate—

- (a) notes that:
  - (i) the Morrison Government told the United Nations in Madrid that technology improvements are central to their plan to reduce Australia's emissions, and praised the work of the Australian Renewable Energy Agency (ARENA),
  - (ii) ARENA has driven the acceleration and uptake of home-grown emissions reductions technologies with \$1.4 billion funding 478 projects, leveraging \$2.83 of private investment for each dollar committed to generate a total \$5.5 billion in projects, and
  - (iii) the evidence provided by ARENA during Senate estimates hearings indicates that it expects to run out of money by the middle of this year; ARENA has 60 expressions of interest and 94 full applications still before it; and
- (b) calls on the Minister for Energy and Emissions Reduction, Mr Taylor, who has issued 32 media releases promoting the work of ARENA, to ensure that the Agency will receive more legislated funding in the 2020-21 budget and continue its important work in the fields of hydrogen, bioenergy and clean technologies that are central to our future prosperity and driving new employment in Australia's regions.

*Statement by leave:* The Assistant Minister for Forestry and Fisheries (Senator Duniam), by leave, made a statement relating to the motion.

Question put and passed.

## 17 National Aerial Firefighting Centre—Business case

Senator McCarthy, at the request of Senators Watt and Griff and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 426—That the Senate—

- (a) notes:
  - (i) reports that, in December 2017, the National Aerial Firefighting Centre (NAFC) submitted a business case to the Government requesting a permanent increase in funding of \$11 million to its annual budget,
  - (ii) evidence from the Department of Home Affairs that, as at 6 December 2019, the Government was still considering the business case, and
  - (iii) that, when asked about the business case on 4 January 2020, the Commissioner of the New South Wales Rural Fire Service, Mr Shane Fitzsimmons, said that 'We haven't seen a positive response to that business case'; and
- (b) recognises that, given the Government's failure to respond to the NAFC business case for at least 2 years, more could have been done to ensure adequate aerial firefighting capability during the 2019 bushfire season.

*Statement by leave:* The Assistant Minister for Forestry and Fisheries (Senator Duniam), by leave, made a statement relating to the motion.

Question put and passed.

## 18 **Unsafe button battery products**

Senator Marielle Smith, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 427—That the Senate—

- (a) notes that:
  - (i) global estimates indicate that more than 600 children have died from ingesting button batteries,
  - (ii) up to 20 children each week present to emergency departments after swallowing button batteries, and
  - (iii) two and a half years after the introduction of a voluntary industry code in Australia, a high level of unsafe button battery products remain available in the Australian market, and a meaningful decrease in the rate of button battery exposures or injuries is not yet apparent; and
- (b) calls on the Federal Government to implement a mandatory code to protect children from being exposed to button batteries in Australia and to prevent the sale of dangerous products.

*Statement by leave:* The Assistant Minister for Forestry and Fisheries (Senator Duniam), by leave, made a statement relating to the motion.

Question put and passed.

## 19 **Online safety**

Senator Griff, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 428—That the Senate—

- (a) notes that 11 February 2019 is Safer Internet Day, a worldwide event that raises awareness about online safety and encourages everyone to help create a better internet;
- (b) expresses concern that online dating sites provide a ‘fertile landscape’ for predators including cases where:
  - (i) paedophiles are using dating sites to find single women with children,
  - (ii) adolescent girls and boys are using dating sites and being targeted by paedophiles, and
  - (iii) women are being sexually assaulted by known sex offenders;
- (c) acknowledges that sexual assault victims and their advocates are calling for better coordination between law enforcement and tech companies to stop sexual predators repeatedly using dating sites to lure victims;
- (d) further notes that, in the United States, a congressional investigation is underway by the subcommittee on Economic and Consumer Policy of the Committee on Oversight and Reform into how the major dating site companies have allegedly allowed sex offenders to use their services; and

- (e) calls on the Federal Government to engage with online dating sites, as a matter of urgency, to develop memorandums of understanding to facilitate easier access and information sharing between law enforcement agencies and dating sites.

*Statement by leave:* The Assistant Minister for Forestry and Fisheries (Senator Duniam), by leave, made a statement relating to the motion.

Question put and passed.

## 20 **Aged care funding**

Senator Griff, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 429—That the Senate—

- (a) notes that:
  - (i) Australia's aged care system receives over \$21 billion of taxpayer money each year,
  - (ii) despite receiving large government subsidies, there is a significant lack of transparency in aged care, and
  - (iii) aged care providers are not required to publish details on how government subsidies are spent including on food, medical products, accommodation, staffing and staff training;
- (b) recognises that the aged care sector requires robust financial transparency in order to make clear how much facilities actually spend on delivering care;
- (c) acknowledges that families relying on the aged care sector to care for loved ones deserve access to information to assist them in making informed decisions about aged care for family members; and
- (d) calls on the Federal Government to legislate for financial transparency in aged care, as a matter of urgency.

*Statement by leave:* The Assistant Minister for Forestry and Fisheries (Senator Duniam), by leave, made a statement relating to the motion.

Question put and passed.

## 21 **Female Facilities and Water Safety program—Order for production of documents—Minister for Youth and Sport**

The Leader of the Australian Greens in the Senate (Senator Waters), also on behalf of Senators Rice and Farrell, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 430—That—

- (1) There be laid on the table by the Minister for Youth and Sport by no later than 9.30 am on 13 February 2020:
  - (a) all communications between the Department of Health (the Department) and the Minister for Youth and Sport (the Minister) or the Minister's office in relation to the Community Sport Infrastructure – Female Facilities and Water Safety program (FFWSP);
  - (b) all communications between the Minister or the Minister's office and the Prime Minister or the office of the Prime Minister in relation to the FFWSP;

- (c) all communications between the Minister and the Minister for Infrastructure, Transport and Regional Development in relation to the FFWSP;
  - (d) any incoming ministerial brief prepared for the Minister in relation to the FFWSP;
  - (e) any guidelines or program arrangements applying to the FFWSP;
  - (f) any advice on the content of guidelines or program arrangements, or drafts of same, prepared by the Department for the Minister in relation to the FFWSP;
  - (g) any advice prepared by or for the Department for the Minister regarding the need for guidelines for the FFWSP;
  - (h) any advice prepared for the Minister regarding eligibility for the FFWSP or the process for determining the list of organisations invited to apply for funding;
  - (i) a list of all projects invited to seek funding under the FFWSP, and any documents pertaining to the basis on which they were selected; and
  - (j) a list of all projects funded under the FFWSP.
- (2) In the event that the Minister fails to table the documents requested in paragraph (1), the Senate requires the Minister to attend the Senate on 13 February 2020, prior to government business being called on, to provide an explanation, of no more than 10 minutes, of the Government's failure to table the documents requested in paragraph (1).
- (3) Any senator may move to take note of the explanation required by paragraph (2).
- (4) Any motion under paragraph (3) may be debated for no longer than 30 minutes, shall have precedence over all business until determined, and senators may speak to the motion for not more than 10 minutes each.

Question put and passed.

## **22 Female Facilities and Water Safety program—Order for production of documents—Minister for Infrastructure, Transport and Regional Development**

The Leader of the Australian Greens in the Senate (Senator Waters), also on behalf of Senators Rice and Farrell, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 431—That—

- (1) There be laid on the table by the Minister representing the Minister for Infrastructure, Transport and Regional Development by no later than 9.30 am on 13 February 2020:
  - (a) all communications between the Department of Infrastructure, Transport and Regional Development (the Department) and the Minister for Infrastructure, Transport and Regional Development (the Minister) or the Minister's office in relation to the Community Sport Infrastructure – Female Facilities and Water Safety program (FFWSP);

- (b) all communications between the Minister or Minister's office and the Prime Minister or the office of the Prime Minister in relation to the FFWSP;
  - (c) all communications between the Minister and the incoming Minister for Youth and Sports in relation to the FFWSP following the federal election;
  - (d) any advice prepared for the Department, the Minister or the Prime Minister regarding the need for guidelines for the FFWSP;
  - (e) any advice on the content of guidelines or program arrangements, or drafts of same, prepared by the Department for the Minister or Prime Minister in relation to the FFWSP;
  - (f) any advice prepared by or for the Department for the Minister or Prime Minister regarding eligibility for the FFWSP or the process for determining the list of organisations invited to apply for funding;
  - (g) a list of all projects invited to seek funding under the FFWSP, and documents pertaining to the basis on which they were selected; and
  - (h) a list of all projects funded under the FFWS Program.
- (2) In the event that the Minister fails to table the documents requested in paragraph (1), the Senate requires the Minister representing the Minister for Infrastructure, Transport and Regional Development in the Senate to attend the Senate at no later than 10.15 am on 13 February 2020 to provide an explanation, of no more than 10 minutes, of the Government's failure to table the documents requested in paragraph (1).
- (3) Any senator may move to take note of the explanation required by paragraph (2).
- (4) Any motion under paragraph (3) may be debated for no longer than 30 minutes shall have precedence over all business until determined, and senators may speak to the motion for not more than 10 minutes each.

Question put and passed.

## 23 Aged Care Assessment Teams

Senator Sheldon, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 414—That the Senate—

- (a) notes that:
  - (i) Aged Care Assessment Teams (ACATs) are teams of medical professionals which run clinical and psychological checks on older Australians who have applied for home or residential aged care,
  - (ii) based in hospitals across the country, ACATs are ultimately responsible for assessing which older Australians should receive government-funded care,
  - (iii) an ACAT team usually includes a nurse, plus another healthcare worker such as a physiotherapist, occupational therapist or social worker,
  - (iv) the Morrison Government has announced that it will privatise the ACAT workforce from April 2021, when a tender will be put out for organisations to deliver this vital assessment, and

- (v) on 14 January 2020, the chair of the Royal Commission into Aged Care Quality and Safety, the Honourable Gaetano Pagone QC, issued a statement saying that the Commission's interim report 'did not endorse the government's stated position' on privatising the ACATs;
- (b) supports the retention of ACATs as a publicly provided service; and
- (c) commends the Health Services Union and other unions for their continued advocacy on behalf of working people in healthcare across Australia, in particular in the aged care sector.

*Statement by leave:* The Assistant Minister for Forestry and Fisheries (Senator Duniam), by leave, made a statement relating to the motion.

Question put.

The Senate divided—

#### AYES, 36

Senators—

Ayres	Faruqi	McCarthy*	Siewert
Bilyk	Gallagher	McKim	Smith, Marielle
Brown	Green	O'Neill	Steele-John
Carr	Griff	Patrick	Sterle
Chisholm	Hanson	Polley	Walsh
Cicccone	Hanson-Young	Pratt	Waters
Di Natale	Lambie	Rice	Watt
Dodson	Lines	Roberts	Whish-Wilson
Farrell	McAllister	Sheldon	Wong

#### NOES, 32

Senators—

Abetz	Colbeck	McDonald	Reynolds
Antic	Davey	McGrath	Ruston
Askew	Duniam	McKenzie	Ryan
Bragg	Fawcett	McLachlan	Scarr
Brockman	Fierravanti-Wells	McMahon	Seselja
Canavan	Henderson	Molan	Smith, Dean*
Cash	Hughes	O'Sullivan	Stoker
Chandler	Hume	Rennick	Van

\* Tellers

Question agreed to.

## 24 Coal-fired power stations

The Leader of Pauline Hanson's One Nation (Senator Hanson), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 419—That the Senate—

- (a) notes that building new high-efficiency low-emission coal-fired power stations will create jobs, lower power prices, increase competition and increase reliability in the energy system; and
- (b) supports projects, like the Collinsville clean coal-fired power project, which will provide stable reliable baseload power and help lower power prices.

*Statements by leave:* The Assistant Minister for Forestry and Fisheries (Senator Duniam) and Senator Gallagher, by leave, made statements relating to the motion.

Question put.

The Senate divided—

### AYES, 33

Senators—

Abetz	Davey	McGrath	Roberts
Antic	Duniam	McKenzie	Ruston
Askew	Fawcett	McLachlan	Ryan
Bragg	Fierravanti-Wells	McMahon	Scarr
Brockman	Hanson	Molan	Seselja
Canavan	Henderson	O'Sullivan	Smith, Dean*
Cash	Hume	Rennick	Stoker
Chandler	McDonald	Reynolds	Van
Colbeck			

### NOES, 33

Senators—

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

\* Tellers

The ayes and noes were equal and so the question was negatived.

## 25 Peace proposal for Israel and Palestine

*Motion determined as not formal:* Senator Di Natale requested that general business notice of motion no. 421 standing in his name for today, relating to a peace proposal for Israel and Palestine, 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 Leader of the Opposition in the Senate (Senator Wong), by leave, made statements relating to the motion.

## 26 Nuclear energy

Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 420—That the Senate—

- (a) affirms its commitment to a complete moratorium on nuclear energy, as expressed in the *Australian Radiation Protection and Nuclear Safety Act 1998* and the *Environment Protection and Biodiversity Conservation Act 1999*;
- (b) notes the devastating and lasting impacts of the nuclear disasters in Fukushima, Chernobyl and Three Mile Island; and
- (c) calls on all Ministers to commit to Australia being a nuclear-free zone.

*Statements by leave:* The Assistant Minister for Forestry and Fisheries (Senator Duniam) and Senator Gallagher, by leave, made statements relating to the motion.



Question put.

The Senate divided—

### AYES, 29

Senators—

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

### NOES, 35

Senators—

Abetz	Duniam	McGrath	Roberts
Antic	Fawcett	McKenzie	Ruston
Askew	Fierravanti-Wells	McLachlan	Ryan
Bragg	Griff	McMahon	Scarr
Canavan	Hanson	Molan	Seselja
Cash	Henderson	O'Sullivan	Smith, Dean*
Chandler	Hume	Patrick	Stoker
Colbeck	Lambie	Rennick	Van
Davey	McDonald	Reynolds	

\* Tellers

Question negatived.

## 27 **Cashless debit card**

Senator Siewert, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 423—That the Senate—

- (a) notes that the Government is in discussions with the big four banks, major retailers and EFTPOS around a possible national rollout of the cashless debit card (CDC);
- (b) recognises that compulsory income management disadvantages people on low incomes by limiting their ability to shop around and make savings where purchases can be made through cash;
- (c) acknowledges that rolling out compulsory income management to people on income support payments would remove the choice and control they have over the financial products and services they use;
- (d) further notes that the Australian National Audit Office found that there was no evidence that there has been a reduction in social harm following the introduction of the CDC;
- (e) urges the big four banks, EFTPOS and major retailers not to facilitate any national rollout of compulsory income management, including the CDC; and
- (f) calls on the Federal Government to be honest and transparent about its plans to rollout compulsory income management to income support recipients across Australia.

*Statement by leave:* The Assistant Minister for Forestry and Fisheries (Senator Duniam), by leave, made a statement relating to the motion.

Question put.

The Senate divided—

AYES, 29

Senators—

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

NOES, 33

Senators—

Abetz	Duniam	McGrath	Roberts
Antic	Fawcett	McKenzie	Ruston
Askew	Fierravanti-Wells	McLachlan	Ryan
Bragg	Hanson	McMahon	Scarr
Canavan	Henderson	Molan	Seselja
Cash	Hume	O'Sullivan	Smith, Dean*
Chandler	Lambie	Rennick	Stoker
Colbeck	McDonald	Reynolds	Van
Davey			

\* Tellers

Question negatived.

## 28 Commonwealth Integrity Commission

Senator McCarthy, at the request of Senators Watt and Waters and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 424—That the Senate—

(a) notes:

- (i) that the Morrison Government committed to implement a Commonwealth Integrity Commission (CIC) on 13 December 2018,
- (ii) that it has been 424 days since that commitment and the Morrison Government has still failed to introduce legislation to establish the body, and
- (iii) reports that the Member for Wide Bay, Mr Llew O'Brien, has called for the proposed federal anti-corruption body to be given 'more strenuous, stronger' powers;

(b) calls on the Attorney-General, Mr Porter, to revise his proposed anti-corruption commission to give it the powers, independence and transparency it needs to effectively combat corruption in the federal sphere; and

(c) calls on the Federal Government to introduce legislation on the CIC as a matter of priority.

*Statement by leave:* The Assistant Minister for Forestry and Fisheries (Senator Duniam), by leave, made a statement relating to the motion.

Question put.

The Senate divided—

AYES, 34

Senators—

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

NOES, 30

Senators—

Abetz	Davey	McKenzie	Ruston
Antic	Duniam	McLachlan	Ryan
Askew	Fawcett	McMahon	Scarr
Bragg	Fierravanti-Wells	Molan	Seselja
Canavan	Henderson	O'Sullivan	Smith, Dean*
Cash	Hume	Rennick	Stoker
Chandler	McDonald	Reynolds	Van
Colbeck	McGrath		

\* Tellers

Question agreed to.

## 29 **Kashmir**

*Motion determined as not formal:* Senator Faruqi requested that general business notice of motion no. 425 standing in her name for today, relating to Kashmir, be taken as formal. An objection was raised and the motion was not proceeded with as a formal motion.

*Statement by leave:* Senator Faruqi, by leave, made a statement relating to the motion.

## 30 **Discussion of matter of public importance—Bushfires**

The Acting Deputy President (Senator Brockman) informed the Senate that the following matter of public importance submitted by Senator Gallagher under standing order 75 had been selected for discussion today:

Ensuring small businesses affected by this summer's catastrophic bushfires get the assistance they need immediately.

The proposal was supported by four senators and the matter was discussed.

## 31 **Documents—Consideration**

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

### 32 **Committee reports and government responses—Tabling and consideration**

Senator Davey tabled the following documents:

Rural and Regional Affairs and Transport Legislation Committee—Report—Farm Household Support Amendment (Relief Measures) Bill (No. 1) 2019—Additional information.

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

Community Affairs References Committee—Centrelink’s compliance program—Interim report.

*Order for production of documents:* Senator Siewert moved—That the Senate adopt the recommendation in the interim report requiring the production of documents:

That there be laid on the table by the Minister representing the Minister for Government Services no later than 10 am on 24 February 2020, responses to all questions placed on notice by Senators Siewert and O’Neill relating to legal advice and Centrelink’s compliance program. This includes, but is not limited to, questions about:

- meetings and/or briefings between the Minister and Services Australia in relation to the current legal proceedings regarding Centrelink’s compliance program;
- the frequency and dates of legal advice obtained by Services Australia from the Solicitor-General, Australian Government Solicitor, departmental lawyers, and external counsel and/or solicitors in relation to any aspect of the compliance program and, specifically, whether a debt or debt components is able to be founded on extrapolations from Australian Taxation Office records;
- legal advice about the lawfulness of debt or debt components solely based on extrapolations from Australian Taxation Office records;
- legal advice in relation to liability for the death of any Australian who received a debt notice under the compliance program; and
- the cost of legal advice in relation to the compliance program.

Debate ensued.

Question put and passed.

**33 Community Sport Infrastructure Program—Legal authority of Minister—Order for production of documents—Documents**

The Assistant Minister for Superannuation, Financial Services and Financial Technology (Senator Hume) tabled the following documents:

Community Sport Infrastructure Program—Legal authority of Minister—Order of 5 February 2020 (388)—Letter to the President of the Senate from the Minister for Foreign Affairs (Senator Payne) responding to the order, and attachment as follows—

Letter from the Attorney-General (Mr Porter) to the Minister for Foreign Affairs (Senator Payne), dated 11 February 2020, responding to the order, and raising a public interest immunity claim.

**34 Community Sport Infrastructure Program—Spreadsheet and communication between offices—Economic and social impacts of recreational hunting and shooting report—Orders for production of documents—Document**

The Assistant Minister for Superannuation, Financial Services and Financial Technology (Senator Hume) tabled the following document:

Community Sport Infrastructure Program—Spreadsheet and communication between offices—Economic and social impacts of recreational hunting and shooting report—Orders of 5 February 2020 (387, 389, 390)—Letter to the President of the Senate from the Minister for Youth and Sport (Senator Colbeck), dated 11 February 2020, responding to the order.

**35 Committee membership**

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

The Assistant Minister for Superannuation, Financial Services and Financial Technology (Senator Hume), by leave, moved—That senators be discharged from and appointed to committees as follows:

**Australian Commission for Law Enforcement Integrity—Joint Statutory Committee—**

Discharged—Senator Stoker

Appointed—Senator Scarr

**Community Affairs Legislation Committee—**

Discharged—Senator Hughes

Appointed—

Senator McLachlan

Participating member: Senator Hughes

**Community Affairs References Committee—**

Appointed—Participating member: Senator McLachlan

**Economics Legislation and References Committees—**

Appointed—Participating member: Senator McLachlan

**Environment and Communications Legislation and References Committees—**

Appointed—Participating member: Senator McLachlan

**Finance and Public Administration Legislation and References Committees—**

Appointed—Participating member: Senator McLachlan

**Foreign Affairs, Defence and Trade Legislation and References Committees—**

Appointed—Participating member: Senator McLachlan

**Human Rights—Joint Statutory Committee—**

Discharged—Senator Chandler

Appointed—Senator McLachlan

**Legal and Constitutional Affairs Legislation and References Committees—**

Appointed—Participating member: Senator McLachlan

**Rural and Regional Affairs and Transport Legislation and References Committees—**

Discharged—

Senator Gallacher

Participating member: Senator Sheldon

Appointed—

Senator Sheldon

Participating members: Senators Gallacher and McLachlan

Question put and passed.

**36 Student Identifiers Amendment (Enhanced Student Permissions) Bill 2019**

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

Message no. 155, dated 11 February 2020—A Bill for an Act to amend the *Student Identifiers Act 2014*, and for related purposes.

The Assistant Minister for Superannuation, Financial Services and Financial Technology (Senator Hume) 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 Hume moved—That this bill be now read a second time.

*Consideration of legislation:* Pursuant to order, the debate was adjourned till the day fixed for the Education and Employment Legislation Committee to report on the bill, 19 February 2020.

**37 Treasury Laws Amendment (Recovering Unpaid Superannuation) Bill 2019**

Order of the day read for the adjourned debate on the motion of the Minister for Resources and Northern Australia (Senator Canavan)—That this bill be now read a second time.

Debate resumed.

*At 7.20 pm:* Debate was interrupted while Senator Walsh was speaking.

**38 Ministerial standards—Parkinson Report—Answer to question—Document**

The Assistant Minister for Finance, Charities and Electoral Matters (Senator Seselja) tabled the following document:

Ministerial standards—Parkinson Report—Answer to question—Letter to the President of the Senate from the Minister for Finance (Senator Cormann), dated 11 February 2020, providing information concerning a question without notice asked by Senator Gallagher earlier today.

**39 Leave of absence**

Senator Ciccone, by leave, moved—That leave of absence be granted to Senator Urquhart for today, for personal reasons.

Question put and passed.

**40 Adjournment**

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

Debate ensued.

The Senate adjourned at 9.43 pm till Wednesday, 12 February 2020 at 9.30 am.

**41 Attendance**

Present, all senators except Senators Gallacher\* and Urquhart\* (\*on leave).

**RICHARD PYE**  
Clerk of the Senate