



46th Parliament

Senate Journals

No. 60: Tuesday, 25 August 2020

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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 document was tabled pursuant to standing order 61(1)(b):

Government document

- 1 Australian Federal Police (AFP)—Report for 2018-19, including reports on delayed notification search warrants, National Witness Protection Program and unexplained wealth investigations and proceedings—Corrigendum.

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.]

A New Tax System (Family Assistance) Act 1999—Child Care Subsidy Amendment (Coronavirus Response Measures No. 6) Minister's Rules 2020 [F2020L01052].

Civil Aviation Act 1988—Civil Aviation Safety Amendment (Flight Crew Licensing Measures No. 1) Regulations 2020 [F2020L01051].

Corporations Act 2001—

Amendments to Australian Accounting Standards – Classification of Liabilities as Current or Non-current – Deferral of Effective Date—AASB 2020-6 [F2020L01049].

Amendments to Australian Accounting Standards – Covid-19-Related Rent Concessions: Tier 2 Disclosures—AASB 2020-7 [F2020L01050].

ASIC Corporations (Litigation Funding Schemes) Instrument 2020/787 [F2020L01045].

Customs Act 1901—Customs Legislation Amendment (Objectionable Goods) Regulations 2020 [F2020L01046].

Migration Act 1958—Migration Amendment (Hong Kong Passport Holders) Regulations 2020 [F2020L01047].

Public Governance, Performance and Accountability Act 2013—PGPA Act Determination (Biosecurity, Imported Food and Export Certification Special Account 2020) [F2020L01048].

Telecommunications Act 1997—Telecommunications (Designated Service Area and Statutory Infrastructure Provider) Declaration (No. 1) 2020 [F2020L01053].

3 Committees—Leave to meet during sittings

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

Environment and Communications References Committee—public meeting today, from 1 pm, to take evidence for the committee's inquiry into Australia's faunal extinction crisis.

Privileges—Standing Committee—private briefing on Thursday, 3 September 2020, from 10.30 am.

National Disability Insurance Scheme—Joint Standing Committee—private meeting otherwise than in accordance with standing order 33(1) on Thursday, 27 August 2020, from 3.30 pm.

4 **Treasury Laws Amendment (2020 Measures No. 2) Bill 2020**

Order of the day read for the consideration of message no. 228 from the House of Representatives in committee of the whole (*see entry no. 26, 24 August 2020*).

In the committee

The Minister for Finance (Senator Cormann) moved—That the committee does not further insist on its amendments to which the House has disagreed.

Debate ensued.

Question put and passed. All Opposition and Australian Greens senators and Senators Patrick and Lambie, by leave, recorded their votes for the noes.

Resolution to be reported.

The Chair of Committees (Senator Lines) reported that the committee had considered message no. 228 from the House of Representatives and resolved not to insist on the amendments made by the Senate to which the House had disagreed.

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

5 **Formal motions—Temporary order—Statements by leave**

Senators Lambie, Patrick, McKim and McAllister, by leave, made statements relating to the temporary order of 18 June 2020 relating to the consideration of formal motions.

6 **Treasury Laws Amendment (Your Superannuation, Your Choice) Bill 2019**

Order of the day read for the further consideration of the bill in committee of the whole.

In the committee

Consideration resumed of the bill—and of the amendments moved by Senator *Whish-Wilson*:

Schedule 1, item 6, page 4 (lines 3 and 4), omit the item, substitute:

6 Paragraph 32C(6)(h)

Repeal the paragraph, substitute:

(h) an enterprise agreement:

(i) made before 1 July 2020; or

(ii) to which subsection (6AAA) applies; or

Schedule 1, item 7, page 4 (before line 7), before subsection 32C(6AA), insert:

(6AAA) For the purposes of subparagraph (6)(h)(ii), this subsection applies to an enterprise agreement that provides for an employee to join a fund in relation to which:

- (a) the employee is eligible to become a defined benefit member; and
- (b) either or both of the following are satisfied:
 - (i) the governing rules of the fund permit the employee, within a period specified within those rules, to choose not to remain a defined benefit member;
 - (ii) the employee may choose another fund.

Schedule 1, page 4 (after line 16), at the end of the Schedule, add:

8 At the end of section 32F

Add:

- (4) A fund (the *selected fund*) cannot become a chosen fund for an employee or a person who will become an employee under this section if the person has become or is eligible to become a defined benefit member pursuant to an arrangement of the kind referred to in paragraph 32C(6)(h).

9 Subsection 32NA(2)

After “An employer is not required under section 32N to give an employee”, insert “or a person who is eligible to become an employee”.

10 Paragraph 32NA(2)(a)

After “the employer is making”, insert “or will make”.

11 Paragraph 32NA(2)(b)

After “the contributions are made”, insert “or will be made”.

12 Subsection 32NA(9)

After “An employer is not required under section 32N to give an employee”, insert “or a person who is eligible to become an employee”.

13 Paragraph 32NA(9)(a)

After “the employee is”, insert “or will become”.

Question—That the amendments be agreed to—put.

The committee divided—

AYES, 23

Senators—

Ayres	Griff	McCarthy	Siewert
Chisholm	Hanson-Young	McKim	Smith, Marielle
Farrell	Keneally	O'Neill	Urquhart*
Faruqi	Lambie	Polley	Walsh
Gallagher	Lines	Pratt	Watt
Green	McAllister	Sheldon	

NOES, 25

Senators—

Antic	Hughes	Molan	Ruston
Birmingham	Hume	O’Sullivan	Scarr
Brockman	McGrath	Paterson	Seselja
Cash	McKenzie	Patrick	Smith, Dean
Colbeck	McLachlan	Payne	Stoker
Davey*	McMahon	Reynolds	Van
Duniam			

* Tellers

Question negated.

Explanatory memorandum: The Assistant Minister for Superannuation, Financial Services and Financial Technology (Senator Hume) tabled a supplementary explanatory memorandum relating to the government amendments to be moved to the bill.

On the motion of Senator Hume the following amendments, taken together by leave, were agreed to:

Schedule 1, item 5, page 4 (line 2), omit “1 July 2020”, substitute “1 January 2021”.

Schedule 1, item 6, page 4 (line 4), omit “1 July 2020”, substitute “1 January 2021”.

The Leader of the Australian Greens in the Senate (Senator Waters) moved the following amendments together by leave:

Schedule 1, page 3 (after line 27), after item 4, insert:

4A Subsection 27(1)

Omit “(1)”.

4B Subsection 27(2)

Repeal the subsection.

Schedule 1, page 4 (after line 16), at the end of the Schedule, add:

8 Application provision

Despite the repeal made by item 4B, subsection 27(2) of the *Superannuation Guarantee (Administration) Act 1992*, as in force immediately before the commencement of this Act, continues to apply at and after that time in relation to an employer for an employee if the employer is entitled to a jobkeeper payment (within the meaning of the *Coronavirus Economic Response Package (Payments and Benefits) Rules 2020*) for the employee during the calendar month.

Debate ensued.

Question—That the amendments be agreed to—put.

The committee divided—

AYES, 6

Senators—

Faruqi	Lambie	Patrick	Siewert*
Hanson-Young	McKim		

NOES, 27

Senators—

Antic	Green*	McLachlan	Sheldon
Brockman	Griff	Molan	Smith, Dean
Chandler	Hughes	O'Sullivan	Stoker
Davey	Hume	Polley	Urquhart
Duniam	McAllister	Pratt	Van
Fierravanti-Wells	McGrath	Reynolds	Walsh
Gallagher	McKenzie	Scarr	

* Tellers

Question negated.

On the motion of Senator Patrick the following amendment was debated and agreed to:

Page 2 (after line 12), after clause 3, insert:

4 Review of amendments

- (1) The Australian Prudential Regulation Authority (**APRA**) must conduct a review into the operation of the amendments made by this Act.
- (2) Without limiting the matters that APRA may consider when conducting the review, the purpose of the review is to:
 - (a) identify any unintended consequences of the amendments made by this Act on the operation of defined benefits schemes, including the ongoing viability and profitability of defined benefits schemes; and
 - (b) consider whether amendments to the *Superannuation Guarantee (Administration) Act 1992* or any other Act are necessary to rectify the unintended consequences identified under paragraph (a).
- (3) In conducting the review, APRA must consult industry stakeholders.
- (4) The review must be completed before the end of the period of 30 months beginning on the day this Act commences.
- (5) APRA must give the Minister a written report of the review.
- (6) The Minister must cause a copy of the report to be tabled in each House of the Parliament within 15 sitting days of that House after the report is given to the Minister.
- (7) In this section, **Minister** means the Minister administering the *Superannuation Guarantee (Administration) Act 1992*.

Senator McAllister moved the following amendments together by leave:

Schedule 1, page 3 (before line 5), before the heading specifying *Superannuation Guarantee (Administration) Act 1992*, insert:***Fair Work Act 2009*****1A At the end of section 187**

Add:

Requirement relating to restrictions of choice of superannuation fund

- (7) If the agreement includes a restriction on the choice of superannuation fund or funds available to employees, the FWC must be satisfied that the restriction is in the interests of the employees who will be covered by the agreement.

- (8) For the purposes of considering whether the restriction is in the interests of the employees, the FWC must consider:
- (a) the extent to which the employers who will be covered by the agreement have complied, or are likely to comply, with the requirements of the *Superannuation Guarantee (Administration) Act 1992*; and
 - (b) the features of the proposed default superannuation fund or funds, including matters such as insurance; and
 - (c) any other relevant matters.

Schedule 1, item 6, page 4 (lines 3 and 4), omit the item, substitute:

6 Paragraph 32C(6)(h)

Repeal the paragraph, substitute:

- (h) an enterprise agreement:
 - (i) made before 1 January 2021; or
 - (ii) if the agreement includes a restriction on the choice of superannuation funds—made on or after 1 January 2021.

Schedule 1, page 4 (after line 16), at the end of the Schedule, add:

8 Subsection 32NA(2)

After “An employer is not required under section 32N to give an employee”, insert “or a person who is eligible to become an employee”.

9 Paragraph 32NA(2)(a)

After “the employer is making”, insert “or will make”.

10 Paragraph 32NA(2)(b)

After “the contributions are made”, insert “or will be made”.

11 Subsection 32NA(9)

After “An employer is not required under section 32N to give an employee”, insert “or a person who is eligible to become an employee”.

12 Paragraph 32NA(9)(a)

After “the employee is”, insert “or will become”.

Debate ensued.

Question—That the amendments be agreed to—put.

The committee divided—

AYES, 22

Senators—

Ayres	Green	McKim	Siewert
Bilyk	Hanson-Young	O'Neill	Smith, Marielle
Chisholm	Keneally	Polley	Urquhart
Farrell	Lambie	Pratt	Walsh
Faruqi	McAllister	Sheldon	Watt
Gallagher	McCarthy*		

NOES, 26

Senators—

Antic	Hughes	O’Sullivan	Ryan
Brockman	Hume	Paterson	Scarr
Cash	McGrath	Patrick	Seselja
Chandler	McKenzie	Payne	Smith, Dean
Colbeck	McLachlan	Reynolds	Stoker
Davey*	McMahon	Ruston	Van
Griff	Molan		

* Tellers

Question negated.

Bill, as amended, debated.

Senator McAllister moved the following amendment:

Page 4 (after line 16), at the end of the bill, add:

Schedule 2—Superannuation contributions in National Employment Standards

Fair Work Act 2009

1 After paragraph 61(2)(h)

Insert:

(ha) superannuation contributions (Division 10A);

2 After Division 10 of Part 2-2 of Chapter 2

Insert:

Division 10A—Superannuation contributions

116A Superannuation contributions

Obligation in relation to contributions

- (1) An employer must make contributions to a superannuation fund for the benefit of an employee so as to avoid liability to pay superannuation guarantee charge under the *Superannuation Guarantee Charge Act 1992* in relation to the employee.

Amount of contributions

- (2) The amount of the contributions relating to the employee is to be worked out:
 - (a) in accordance with the *Superannuation Guarantee (Administration) Act 1992*; or
 - (b) if a modern award or enterprise agreement applies to the employee and provides for an amount higher than the amount applicable under paragraph (a)—in accordance with the modern award or enterprise agreement (as the case requires).

Superannuation fund

- (3) The superannuation fund to which the contributions relating to the employee are made must be:
 - (a) if a superannuation fund is a chosen fund (within the meaning of the *Superannuation Guarantee (Administration) Act 1992*) for the employee—that superannuation fund; or
 - (b) if there is no chosen fund (within the meaning of that Act) for the employee and a modern award or enterprise agreement applies to the employee—the superannuation fund specified in the modern award or enterprise agreement (as the case requires); or

- (c) otherwise—a superannuation fund for which the choice of fund requirements in section 32C of that Act are satisfied in relation to the contributions to the fund.

Salary sacrifice arrangements

- (4) A contribution made by an employer to a superannuation fund for the benefit of an employee under a salary sacrifice arrangement (within the meaning of the *Superannuation Guarantee (Administration) Act 1992*) with the employee does not satisfy the employer's obligation to make contributions under subsection (1).

Superannuation Guarantee (Administration) Act 1992

3 After subsection 37(1)

Insert:

- (1A) Without limiting subsection (1), the Commissioner may amend an assessment if a court or tribunal has ordered the payment of superannuation contributions in relation to an employee and the order has been complied with.

Debate ensued.

Question—That the amendment be agreed to—put.

The committee divided—

AYES, 22

Senators—

Ayres	Green	McKim	Siewert
Bilyk	Hanson-Young	O'Neill	Smith, Marielle
Chisholm	Keneally	Polley	Urquhart
Farrell	Lambie	Pratt	Walsh
Faruqi	McAllister	Sheldon	Watt
Gallagher	McCarthy*		

NOES, 26

Senators—

Antic	Duniam	McKenzie	Reynolds
Birmingham	Fawcett	Molan	Ruston
Brockman	Fierravanti-Wells	O'Sullivan	Ryan
Cash	Griff	Paterson	Scarr
Chandler	Hughes	Patrick	Smith, Dean
Colbeck	Hume	Payne	Stoker
Davey*	McGrath		

* Tellers

Question negatived.

Question—That the bill, as amended, be agreed to—put and passed. All Opposition and Australian Greens senators and Senator Lambie, by leave, recorded their votes for the noes.

Bill reported with amendments.

Senator Hume moved—That the report from the committee be adopted.

Question put.

The Senate divided—

AYES, 26

Senators—

Brockman	Hughes	O’Sullivan	Ryan
Cash	Hume	Paterson	Scarr
Colbeck	McGrath	Patrick	Seselja
Davey*	McKenzie	Payne	Smith, Dean
Duniam	McLachlan	Reynolds	Stoker
Fierravanti-Wells	McMahon	Ruston	Van
Griff	Molan		

NOES, 22

Senators—

Ayres	Green	McKim	Siewert
Bilyk	Hanson-Young	O’Neill	Smith, Marielle
Chisholm	Keneally	Polley	Urquhart
Farrell	Lambie	Pratt	Walsh
Faruqi	McAllister	Sheldon	Watt
Gallagher	McCarthy*		

** Tellers*

Question agreed to.

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

The Senate divided—

AYES, 26

Senators—

Brockman	Hughes	O’Sullivan	Ryan
Cash	Hume	Paterson	Scarr
Colbeck	McGrath*	Patrick	Seselja
Davey	McKenzie	Payne	Smith, Dean
Duniam	McLachlan	Reynolds	Stoker
Fierravanti-Wells	McMahon	Ruston	Van
Griff	Molan		

NOES, 22

Senators—

Ayres	Green	McKim	Siewert
Bilyk	Hanson-Young	O’Neill	Smith, Marielle
Chisholm	Keneally	Polley	Urquhart
Farrell	Lambie	Pratt	Walsh
Faruqi	McAllister	Sheldon	Watt
Gallagher	McCarthy*		

** Tellers*

Question agreed to.

Bill read a third time.

7 Tertiary Education Quality and Standards Agency Amendment (Prohibiting Academic Cheating Services) 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.

At 2 pm: Debate was interrupted while Senator Scarr was speaking.

8 Questions

Questions without notice were answered.

9 Order for production of documents—Explanation

Senator Faruqi, pursuant to standing order 164(3), asked the Minister for Trade, Tourism and Investment (Senator Birmingham) for an explanation of the minister's failure to comply with an order for the production of documents of 16 June 2020 relating to support for international students (*see entry no. 18, 16 June 2020*).

Point of order: Senator Birmingham raised a point of order and indicated that the government had responded to the order by indicating that no documents exist that meet its terms, and had therefore complied with the order.

Ruling of President: The President ruled that the process set out in standing order 164(3) is not available if a minister has complied with an order for documents, in the same way the provisions of standing order 74(5) relating to unanswered questions cease to be available once an answer is provided. Absent a Senate motion contesting the minister's response, it was reasonable to accept it according to its terms, and to conclude that the order had been complied with. The standing order does not provide a means for determining disagreements over the interpretation of the order, but it is open to Senator Faruqi to pursue that matter using other procedures.

10 Motions to take note of answers

Senator Gallagher moved—That the Senate take note of the answers given by the Minister for Aged Care and Senior Australians (Senator Colbeck) to questions without notice asked by Opposition senators today relating to COVID-19 and aged care.

Debate ensued.

Question put and passed.

Senator Lambie moved—That the Senate take note of the answer given by the Minister for Defence (Senator Reynolds) to a question without notice asked by Senator Lambie today relating to the mental health of veterans.

Question put and passed.

Senator Faruqi moved—That the Senate take note of the answer given by the Minister for Trade, Tourism and Investment (Senator Birmingham) to a question without notice asked by Senator Faruqi today relating to universities.

Question put and passed.

11 Notices

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

(a) the Senate notes that:

- (i) on 16 November 2017, the Senate ordered the production of all documents relating to water purchases across the Murray Darling Basin from 1 January 2017,

- (ii) on 12 February 2018, documents were returned redacted, including the valuations of Clyde and Kiora in Queensland (the ‘watergate’ purchases), with a claim of public interest immunity and the documents were re-tabled on 26 October 2018, with the ‘watergate’ valuations remaining redacted,
 - (iii) despite denying the Senate access to the ‘watergate’ valuations, the department has released them to a citizen under freedom of information law, and
 - (iv) ‘watergate’ purchases were effected at \$2,745 per megalitre, despite an independent valuation recommending between \$1,100 and \$2,300 per megalitre;
- (b) the Minister representing the Minister for Resources, Water and Northern Australia, attend the Senate at 12.20 pm on 31 August 2020 to explain, for no longer than 15 minutes, why an improper public interest immunity claim was advanced in relation to the ‘watergate’ valuations, and why the Commonwealth paid more than the independent valuer’s range; and
- (c) any senator may move to take note of the explanation and the debate (maximum 1.5 hours; 15 minutes per speaker) shall have precedence over all business until determined. (*general business notice of motion no. 735*)

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

- (1) That so much of the standing orders be suspended as would prevent this resolution having effect.
- (2) That the Defence Amendment (Sovereign Naval Shipbuilding) Bill 2018 be restored to the *Notice Paper* and consideration of the bill resume at the stage reached in the 45th Parliament. (*general business notice of motion no. 736*)

Senators McAllister and Waters: To move on the next day of sitting—That the Industry Research and Development (Bankable Feasibility Study on High-Efficiency Low-Emissions Coal Plant in Collinsville Program) Instrument 2020, made under the *Industry Research and Development Act 1986*, be disallowed [F2020L00772].

The Minister for Foreign Affairs (Senator Payne): To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the *Family Law Act 1975*, and for related purposes. ***Family Law Amendment (Risk Screening Protections) Bill 2020.***

The Minister for Youth and Sport (Senator Colbeck): 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 sport, and for related purposes. ***Sport Integrity Australia Amendment (World Anti-Doping Code Review) Bill 2020.***

Senators McCarthy and Dodson: To move on the next day of sitting—That the Senate—

- (a) notes that:
 - (i) the Aboriginal Flag is an official flag of Australia and a symbol of strength and unity,
 - (ii) the Aboriginal Flag is the single unifying symbol of Australia’s different and diverse Aboriginal Nations,
 - (iii) commercial interests are restricting the use of the flag and putting profit before pride, and

- (iv) Aboriginal organisations have been sent cease and desist orders, simply for using the flag; and
- (b) calls on the Government to do everything in its power to free the flag, and get it back so it can be used by the whole community; at the same time as respecting Mr Harold Thomas. (*general business notice of motion no. 737*)

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

- (a) notes that:
 - (i) 19 July 2020 was the seventh anniversary of the introduction of Australia's current policy of offshore detention,
 - (ii) on 19 July 2013, then Prime Minister Kevin Rudd announced his Government had entered into a regional resettlement arrangement with Papua New Guinea, which would reintroduce offshore processing and detention for people seeking asylum who arrived by sea, and
 - (iii) since this arrangement was entered into, the following 13 people who were sent to Manus Island or Nauru by Australia under its offshore detention system have died: Reza Barati (2014); Sayed Ibrahim Hussein (2014); Hamid Kehazaei (2014); Omid Masoumali (2016); Rakib Khan (2016); Kamil Hussain (2016); Faysal Ishak Ahmed (2016); Hamed Shamshiripour (2017); Rajeev Rajendran (2017); Jahingir (2017); Salim Kyawning (2018); Fariborz Karami (2018); Sayed Mirwais Rohani (2019);
- (b) expresses sincere condolences to the families and friends of these men who died while subject to Australia's offshore detention policy; and
- (c) at the passing of this motion rises and spends a moment in silence to reflect on the deaths that have occurred in Australia's current offshore detention system. (*general business notice of motion no. 738*)

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

- (a) notes that:
 - (i) economists, business groups and civil society organisations are calling for a permanent increase to unemployment payments – including the BCA, ACOSS, the RBA, COSBOA, and the ARA;
 - (ii) Barnaby Joyce, John Howard, Matt Canavan, Dean Smith, Russell Broadbent, Andrew Wallace, Arthur Sinodinos and Fiona Scott have joined this call;
 - (iii) the Coronavirus Supplement is scheduled to cease entirely in December, reducing the base rate of JobSeeker to \$565 a fortnight – a rate which is so low it traps people in poverty,
 - (iv) the number of people relying on unemployment payments has more than doubled since the beginning of the year, and
 - (v) Government legislation proposes to make people with modest savings wait six months to access JobSeeker Payment, leaving people without a buffer; and
- (b) calls on the Government to:
 - (i) delay its plans to re-introduce the liquid assets waiting period and dump its legislation to double the waiting period to six months, and

- (ii) permanently increase the rate of JobSeeker so people can afford to live with dignity and pay for the basics they need to get back to work. (*general business notice of motion no. 739*)

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

- (a) notes that:
 - (i) the Age Pension, Disability Support Pension, Carer Payment and many other social security payments will not be indexed by the Government in September,
 - (ii) the last time pensions were not indexed was almost a quarter of a century ago,
 - (iii) this will mean that pensions will be frozen for at least a year,
 - (iv) the cost of fresh fruit and vegetables has increased by over 5% in the past six months and the out-of-pocket cost of seeing a GP has increased \$11 under this Government, and
 - (v) record low interest rates are hurting pensioners with modest savings; and
- (b) calls on the Government to treat pensioners fairly, by ending the Prime Minister's pension freeze. (*general business notice of motion no. 740*)

Senators Davey and McKenzie: To move on the next day of sitting—That the Senate—

- (a) notes that over 2.6 million Australians call the Murray-Darling Basin home, with \$24 billion worth of food produced annually to feed the nation and the world;
- (b) acknowledges the significant financial and emotional hardship faced by primary producers along the Murray-Darling Basin communities, arising from outdated, fragmented, and unfair regulations around water management;
- (c) welcomes the Australian Competition and Consumer Commission (ACCC) *Interim Report into Murray-Darling Basin Water Markets*, that notes major reform is necessary to build integrity within the water market and ensure the water market operates in an open, fair and efficient way;
- (d) further notes that the ACCC is now undertaking targeted consultation on the observations in its interim report before delivering a final report in November 2020; and
- (e) calls on state governments to work with the Federal Government to explore solutions to the ACCC's interim observations, with a view to implementing key final report recommendations relating to:
 - (i) increasing water data availability and pricing transparency,
 - (ii) implementing a licence system to accredit and regulate water brokers, and
 - (iii) immediately separating the Murray Darling Basin Authority enforcement and river management functions, in line with the Productivity Commission's 2019 review. (*general business notice of motion no. 741*)

Senators Sheldon, Chisholm and O'Neill: To move on the next day of sitting—That the Senate—

- (a) recognises that Health Services Union (HSU) members in the aged care, health and disability support sectors are some of the most at-risk people during this pandemic;

- (b) acknowledges that for many workers in these sectors the choice of saying no to a shift can mean the difference between putting food on the table or going hungry;
- (c) notes that forcing sick workers to come to work due to lack of appropriate leave provisions will only inhibit efforts to contain the COVID-19 pandemic;
- (d) urges the Morrison Government to legislate and fund paid pandemic leave for health, aged care and disability support workers; and
- (e) commends the HSU for standing up for its members on this crucial issue. (*general business notice of motion no. 742*)

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

- (a) notes that:
 - (i) the Federal Court of Australia has made formal declarations of unlawful logging by VicForests in 66 forest areas under Victoria's Regional Forest Agreement,
 - (ii) the Bob Brown Foundation has launched a separate legal action, arguing that logging under the Tasmanian Regional Forest Agreement is unsustainable and illegal, and
 - (iii) handing environmental approvals to the states will make the rest of our environment subject to the same systemic failure as our forests have been suffering under the Regional Forests Agreements; and
- (b) calls on the Government to:
 - (i) abandon the failed, flawed Regional Forest Agreements,
 - (ii) immediately protect all old-growth and high conservation value forests,
 - (iii) abandon attempts to rush through changes to environmental laws that make it easier for big miners and developers to damage our environment and wildlife, and
 - (iv) create an independent environmental watchdog with teeth. (*general business notice of motion no. 743*)

The Leader of the Opposition in the Senate (Senator Wong): To move on the next day of sitting—That—

- (a) the Senate requires the Minister for Aged Care and Senior Australians to attend the Senate on 27 August 2020, before government business is called on, to provide an explanation, of no more than 15 minutes, of his administration of his portfolio, with particular reference to the Commonwealth's support to, and regulation of, aged care providers during the COVID-19 pandemic;
- (b) at the conclusion of the Minister's statement, or if the Minister fails to make a statement, the Leader of the Opposition in the Senate may move a motion - without notice - relating to the explanation or the conduct of the minister;
- (c) a motion moved under paragraph (b) may not be amended; and
- (d) any motion under paragraph (b) shall have precedence over all other business until determined, and if the question has not been resolved at 11.40 am the question shall then be put. (*general business notice of motion no. 744*)

The Leader of the Australian Greens in the Senate (Senator Waters): To move on the next day of sitting—That the Senate—

- (a) notes that:
 - (i) 36 women have been killed by violence in 2020, as reported by Counting Dead Women Australia from Destroy the Joint, 28 since the horrific murder of Hannah Clarke and her children six months ago,
 - (ii) there is no national government toll reporting women killed by violence in real time,
 - (iii) more than 370,000 women are subjected to violence from men each year,
 - (iv) 1 in 3 women have experienced physical violence and, on average, one woman is murdered every week by her current or former partner,
 - (v) women are nearly three times more likely than men to experience intimate partner violence and 2.5 times more likely to be hospitalised from family and domestic violence,
 - (vi) young women, women with disabilities, and First Nations women are more likely to experience violence,
 - (vii) demand for domestic and family violence services continues to increase, and
 - (viii) COVID-19 has put more women and children at risk and increased the demands on front-line domestic and family violence services; and
- (b) calls on the Government to recognise violence against women as a national security crisis and increase funding accordingly so everyone seeking safety can access appropriate services when and where they need them. (*general business notice of motion no. 745*)

Contingent notice of motion: Senator Patrick gave a contingent notice as follows—

To move (contingent on any senator being refused leave to amend a motion prior to it being taken as formal)—That so much of the standing orders be suspended as would prevent that senator amending the motion.

Notice of motion withdrawn: Senator Hanson-Young, also on behalf of Senators Kitching and Carr, pursuant to notice of intention given on 24 August 2020, withdrew business of the Senate notice of motion no. 1 standing in their names for the disallowance of the Australian Postal Corporation (Performance Standards) Amendment (2020 Measures No. 1) Regulations 2020 [F2020L00579].

12 **Death of former senator Colin Victor James Mason**

The President informed the Senate of the death, on 18 July 2020, of Colin Victor James Mason, a senator for the state of New South Wales from 1978 to 1987.

The Leader of the Government in the Senate (Senator Cormann), by leave, moved—That the Senate records its sorrow at the death, on 18 July 2020, of Colin Victor James Mason, former senator for New South Wales, places on record its appreciation for his service to the Parliament and the nation, and tenders its sympathy to his family in their bereavement.

The motion was supported and all senators present joined in a moment of silence.

Question passed.

13 **Death of former senator John Joseph Madigan**

The President informed the Senate of the death, on 16 June 2020, of John Joseph Madigan, a senator for the state of Victoria from 2010 to 2016.

The President advised the Senate that a condolence motion would be moved on a day to be agreed with the family of the former senator.

14 **Postponements**

Business was postponed as follows:

General business notice of motion no. 724 standing in the name of Senator Marielle Smith for today, relating to independent repairers, postponed till 31 August 2020.

General business notice of motion no. 725 standing in the name of Senator Polley for today, relating to superannuation, postponed till 26 August 2020.

15 **Leave of absence**

Senator Dean Smith, by leave, moved—That leave of absence be granted to Senator Canavan for today, for personal reasons.

Question put and passed.

16 **Valedictory statements**

The Assistant Minister for Forestry and Fisheries (Senator Duniam), at the request of the Minister for Families and Social Services (Senator Ruston) and pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 1—That on Tuesday, 25 August 2020, consideration of the business before the Senate be interrupted at approximately 5 pm, but not so as to interrupt a senator speaking, to enable senators to make valedictory statements relating to Senator Di Natale.

Question put and passed.

17 **Death of Mr Lyall Munro Sr**

Senator Urquhart, at the request of Senators Sheldon, Ayres, Keneally, McCarthy, Dodson, McAllister and O'Neill and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 719—That the Senate—

- (a) honours the life and acknowledges the death of Mr Lyall Munro Sr, Komeroi elder, on 21 May 2020, and notes that:
 - (i) born in 1921 in Tingha New South Wales (NSW), Mr Munro Sr fought for rights, justice, opportunities and a voice for Aboriginal people and Indigenous people around the world,
 - (ii) Mr Munro Sr was at the forefront of the 1965 Freedom Ride in Moree, highlighting racist practices in NSW that excluded Aboriginal people from clubs, pools and picture theatres,
 - (iii) Mr Munro Sr was a descendant of the victims of the Myall Creek massacre, and was instrumental in establishing a memorial to the massacre near Bingara NSW,

- (iv) Mr Munro Sr contributed to the Royal Commission into Aboriginal Deaths in Custody and was a founding member of the NSW Aboriginal Legal Service, the Aboriginal Housing Company and the Aboriginal Medical Service,
- (v) Mr Munro Sr is preceded in death by his wife of 63 years, Carmine May Munro – together they had 12 children and he is survived by 9 children, 45 grandchildren, 122 great-grandchildren and 28 great-great grandchildren, and
- (vi) Mr Munro Sr leaves a profound and significant legacy of achievements; and
- (b) expresses its sympathy to his family, friends and community in Moree and across Australia.

Question put and passed.

18 **Interactive Gambling Amendment (Prohibition on Credit Card Use) Bill 2020**

Senator Griff, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 720—That the following bill be introduced:

A Bill for an Act to amend the *Interactive Gambling Act 2001*, and for related purposes.

Question put and passed.

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

Explanatory memorandum: Senator Griff, by leave, tabled an explanatory memorandum relating to the bill.

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

19 **Multi-Jurisdictional Management and Execution of the Murray Darling Basin Plan—Select Committee—Extension of time to report**

The Chair of the Select Committee on the Multi-Jurisdictional Management and Execution of the Murray-Darling Basin Plan (Senator Brockman), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 722—That the time for the presentation of the report of the Select Committee on the Multi-Jurisdictional Management and Execution of the Murray Darling Basin Plan be extended to 30 June 2021.

Question put and passed.

20 Australian citizenship ceremonies

Senator Dean Smith, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 723—That the Senate—

- (a) acknowledges the exemplary work of all Department of Home Affairs staff who assisted the Government to overcome social isolation challenges, and continue to hold Australian citizenship ceremonies throughout the COVID-19 period;
- (b) notes that Australian citizenship ceremonies have been hosted online via secure video-link since April 2020;
- (c) recognises Mr Scott Osborne of the Department of Home Affairs, Perth Citizenship Section; and
- (d) further recognises the following who made the pledge of commitment as a citizen of the Commonwealth of Australia before us in ceremonies held between May and June 2020: Mr Terry Dunn, Mrs Jacqueline Dunn, Mr Carter Dunn, Mr Conrad Cowan and Mrs Shradha Cowan of Tapping, Western Australia; Mr Mario Bermundo and Ms Maria Mercado of Pearsall, Western Australia; Mr Rhyno Saunderson and Mrs Krystil Saunderson of Mount Hawthorn, Western Australia; Mr Roger Miro, Mrs Gerlyn Miro, Miss Eunice Miro, Mr Roge Miro, Mr Jimmy Villanueva, Mrs Madelyn Villanueva, Miss Jemalyn Villanueva and Mr Jhay Villanueva of Hocking, Western Australia; Mr Bel Bhandari and Mrs Gita Bhandarib of Landsdale, Western Australia; and Mr Amandeep Bhullar and Mrs Gagandeep Brar of Bassendean, Western Australia.

Question put and passed.

21 Coronavirus Supplement

Senator Siewert, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 727—That the Senate—

- (a) notes that the Government is cutting the Coronavirus Supplement by \$300 a fortnight from 25 September 2020;
- (b) acknowledges that there is uncertainty around the future rate of the Coronavirus Supplement after 31 December 2020, which is causing significant distress and anxiety for Australians;
- (c) recognises that it is irresponsible to cut income support payments at this time, especially as the effective unemployment rate is predicted to hit 13% by the end of the year; and
- (d) calls on the Government to maintain the current rate of the Coronavirus Supplement of \$550 a fortnight to ensure unemployed Australians receive adequate support.

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 and negatived. All Australian Greens senators, by leave, recorded their votes for the ayes.

22 *MV Al Kuwait*—Independent Observer report—Order for production of documents

Senator Urquhart, at the request of Senator Farrell, amended general business notice of motion no. 728 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That there be laid on the table, by the Minister representing the Minister for Agriculture, Drought and Emergency Management, by no later than 3 pm on Thursday 27 August 2020, the full Independent Observer report on *MV Al Kuwait*, Report 219.

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

Question put and passed.

23 Former senator Mr Neville Bonner

Senator Brockman, also on behalf of Senators Stoker, Canavan, Scarr, McGrath, O’Sullivan and Dean Smith, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 721—That the Senate—

- (a) notes that, on 17 August 1971, Neville Thomas Bonner was sworn in as a senator for Queensland, in doing so becoming the first Indigenous Australian to sit in the Australian Parliament; and
- (b) recognises:
 - (i) the significance of this moment, and commemorates the legacy of his parliamentary contribution, and
 - (ii) that his accomplishments for the people of Queensland were a product of his industry, intellect and concern for his constituents.

Question put and passed.

24 Aged care data

Senator Griff, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 734—That the Senate—

- (a) notes that:
 - (i) currently the Australian Government has no quality outcome reporting for home care and reports on only three indicators for residential aged care,
 - (ii) research conducted for the Royal Commission into Aged Care Quality and Safety shows that the Government could immediately establish independent, transparent, routine monitoring and public reporting of many aspects of aged care quality outcomes,
 - (iii) the research, by the South Australian Health and Medical Research Institute (SAHMRI), shows a range of quality outcome indicators can be produced from existing data without any burden to providers, and
 - (iv) the reporting would include indicators for medication-related quality of care, falls and fractures, hospital re-admissions, hospitalisation for dementia/delirium, pain, premature mortality, pressure injury, utilisation of care plans and medication reviews, and weight loss/malnutrition;
- (b) acknowledges the opinion of the Royal Commissioners, Tony Pagone and Lynelle Briggs, that independent measurement and public reporting is essential for the good operation of the aged care system; and

- (c) calls on the Government to immediately move to implement routine monitoring and public reporting of aged care quality indicators at the service provider level, as outlined in the SAHMRI report, to enhance transparency and accountability.

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.

25 **43rd Parliament**

Senator Siewert, at the request of Senator Di Natale and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 726—That the Senate—

- (a) notes that, 10 years ago, the Australian people elected a Parliament where no single party had a majority;
- (b) affirms that the 43rd Parliament was one of the most productive the country has seen, getting dental into Medicare for over 3 million children, making Parliament more democratic, including by creating the Parliamentary Budget Office, and being the only Parliament in recent history to meaningfully cut climate pollution; and
- (c) congratulates former Prime Minister Julia Gillard, former Greens Leader Bob Brown and the independent Members of Parliament for agreeing to work together for the benefit of the Australian people.

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, 22

Senators—

Ayres	Green	McKim	Siewert
Bilyk	Hanson-Young	O'Neill	Smith, Marielle
Chisholm	Keneally	Polley	Urquhart*
Farrell	Lines	Pratt	Walsh
Faruqi	McAllister	Sheldon	Watt
Gallagher	McCarthy		

NOES, 25

Senators—

Askew	Duniam	McKenzie	Ruston
Birmingham	Fawcett	McLachlan	Ryan
Bragg	Fierravanti-Wells	Molan	Scarr
Brockman	Henderson	Paterson	Seselja
Cash	Hughes	Payne	Smith, Dean*
Colbeck	Hume	Rennick	Van
Davey			

* *Tellers*

Question negatived.

26 **Climate change policy—National Farmers’ Federation**

Senator Urquhart, at the request of Senators Ayres and Watt and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 729—That the Senate—

- (a) notes that:
 - (i) the National Farmers’ Federation (NFF) is the latest significant body which has reviewed its climate change policy and committed to net zero emissions by 2050,
 - (ii) our agriculture sector is amongst the most adversely affected by the impacts of climate change,
 - (iii) climate action will provide farmers with opportunities to participate in carbon markets, reaping the benefits of carbon-generated income for efforts to further improve the productivity and efficiency of farming practices, and
 - (iv) in adopting net zero emissions by 2050, the NFF joins 73 nations, every state and territory, the Australian Industry Group, the Business Council of Australia, the energy industry, our biggest airline, mining company, bank and telecommunications provider, and countless experts and scientists;
- (b) supports the NFF, its members, other growers and producers, all those along the food production value chain, and the research community to improve the prospects of meeting the NFF’s ambition of making farming a \$100 billion industry by 2030; and
- (c) calls on the Morrison Government to accept net zero emissions by 2050 as Australia’s long-term climate change goal, and implement policies that support the members of the NFF and others to achieve their shared goals of net zero emissions by 2050.

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

Question put and passed.

27 **COVID-19—Aged care—Order for production of documents**

Senator Urquhart, at the request of Senator Keneally and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 730—That—

- (1) There be laid on the table by the Minister for Aged Care and Senior Australians, by no later than 12.45 pm on 26 August 2020, the following documents:
 - (a) the daily briefings prepared for the Government containing updates on COVID-19 cases in aged care, referred to by the Minister for Aged Care and Senior Australians in evidence to Senate Select Committee on COVID-19 on 21 August 2020 as ‘Sit Rep’, for each day from 1 July 2020;
 - (b) any communications plan prepared by the Department of Health or other agency for use by the Government relating to the handling of COVID-19 cases in aged care; and

- (c) plans to develop the training modules produced by the Government for staff in aged care in the use of personal protective equipment and the plan to distribute those modules.
- (2) In the event that the Minister fails to table any of the documents, the Senate requires the Minister for Aged Care and Senior Australians to attend the Senate at the conclusion of question time on 26 August 2020 to provide an explanation, of no more than 10 minutes, of the Minister's failure to table the documents.
- (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 60 minutes, shall have precedence over all business until determined, and senators may speak to the motion for not more than 10 minutes each.

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

The question was divided at the request of Senator Patrick.

Question—That the motion be agreed to in respect of paragraph (1)—put and passed.

Question—That the motion be agreed to in respect of paragraphs (2) to (4)—put.

The Senate divided—

AYES, 23

Senators—

Ayres	Green	McCarthy	Siewert
Bilyk	Griff	McKim	Smith, Marielle
Chisholm	Hanson-Young	O'Neill	Urquhart*
Farrell	Keneally	Polley	Walsh
Faruqi	Lines	Pratt	Watt
Gallagher	McAllister	Sheldon	

NOES, 26

Senators—

Askew	Duniam	McMahon	Ruston
Birmingham	Fierravanti-Wells	Molan	Ryan
Bragg	Henderson	Paterson	Scarr
Brockman	Hughes	Patrick	Seselja
Cash	Hume	Payne	Smith, Dean*
Colbeck	McKenzie	Rennick	Van
Davey	McLachlan		

* Tellers

Question negatived.

28 COVID-19—Border travel restrictions

Senator McKenzie, also on behalf of Senators Davey, Canavan, McDonald and McMahon, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 731—That the Senate—

- (a) notes that regional border communities across Australia are home to hundreds of thousands of residents;
- (b) acknowledges that border travel restrictions imposed by state and territory governments have negatively impacted the lives and livelihoods of hundreds of thousands of regional Australians who live and work across border communities;

- (c) expresses concern for the health and welfare of those impacted by these restrictions within our border communities, particularly where restrictions prevent travel for:
 - (i) medical/health purposes,
 - (ii) accessing education,
 - (iii) accessing employment, particularly in primary production, where the lack of a workforce is preventing primary producers, who feed the nation, from operating, and
 - (iv) compassionate grounds; and
- (d) urgently calls on state and territory governments to:
 - (i) work together through National Cabinet to adopt a risk-based health approach based on clear definitions of COVID-19 hotspots,
 - (ii) agree fair and proportionate protocols for essential travel within border communities for:
 - (A) employment, particularly within the agricultural supply chain,
 - (B) education, particularly for year 12 students,
 - (C) health purposes, and
 - (D) facilitating relocations, particularly for employment,
 - (iii) agree and publish clear and accessible exemption regulations, which afford natural justice to applicants through an appeals process, and
 - (iv) adequately resource state and territory services responsible for implementing restrictions and exemptions for border communities.

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

Question put.

The Senate divided—

AYES, 27

Senators—

Askew	Duniam	McLachlan	Ruston
Birmingham	Fierravanti-Wells	McMahon	Ryan
Bragg	Griff	Molan	Scarr
Brockman	Henderson	Paterson	Seselja
Cash	Hughes	Patrick	Smith, Dean*
Colbeck	Hume	Payne	Van
Davey	McKenzie	Rennick	

NOES, 22

Senators—

Ayres	Green	McKim	Siewert
Bilyk	Hanson-Young	O'Neill	Smith, Marielle
Chisholm	Keneally	Polley	Urquhart*
Farrell	Lines	Pratt	Walsh
Faruqi	McAllister	Sheldon	Watt
Gallagher	McCarthy		

* Tellers

Question agreed to.

29 Urgency motion—COVID-19—Aged care system

The Acting Deputy President (Senator Polley) informed the Senate that the following motion proposed to be moved by Senator Lines had been selected under standing order 75—That, in the opinion of the Senate, the following is a matter of urgency:

The need for the Senate to:

- (a) note that:
 - (i) even before COVID-19, the Morrison Government had pushed the aged care system into crisis and older Australians were suffering,
 - (ii) the aged care system has endured a revolving door of ministers – with seven in seven years,
 - (iii) the Morrison Government has cut funding and removed safeguards in aged care, including:
 - (A) abolishing the \$1.2 billion aged-care workforce supplement for 350,000 front-line aged care workers within 18 days of forming government in 2013, and
 - (B) Mr Morrison, as treasurer, cutting \$1.7 billion from the aged care budget;
 - (iv) almost 150 recommendations have been made to the Morrison Government in a dozen inquiries and reviews, to protect older Australians in aged care, but too many recommendations have been ignored, including:
 - (A) six years after then-Minister Fifield promised an aged-care workforce strategy, Australia still does not have one, and
 - (B) three years after the Australian Law Reform Commissioner recommended a Serious Incident Response Scheme to reduce the risk of abuse and neglect in aged care, Australia still does not have one,
 - (v) the Morrison Government's own statistics reveal that these cuts, confusion and chaos have resulted in:
 - (A) more than 100,000 Australians are waiting for their approved home care package,
 - (B) the average waiting time for older Australians going into residential aged care has blown out by more than 100 days, and
 - (C) Australians needing high-level home care are waiting, on average, 3 years for help, and
 - (vi) Royal Commissioners, the Honourable Tony Pagone QC and Lynelle Briggs AO, said that, ‘Had the Australian Government acted upon previous reviews of aged care, the persistent problems in aged care would have been known much earlier and the suffering of many people could have been avoided’; and
- (b) call on the Prime Minister and the Minister for Aged Care and Senior Australians to:
 - (i) recognise that Australia’s aged care crisis is seven years in the making,

- (ii) apologise to the many mothers, fathers, sisters, brothers, grandmothers and grandfathers that would be alive today if not for these seven years of neglect, and
- (iii) demonstrate leadership, stop seeking to deflect blame, and take responsibility for the crisis in our aged care system.

The proposal was supported by four senators.

Senator Bilyk, at the request of Senator Lines, moved the motion.

Debate ensued.

After 5 pm: Debate was interrupted.

30 **Valedictory statements**

Pursuant to order (*see entry no. 16*), senators made statements relating to the retirement of Senator Di Natale.

31 **Urgency motion—COVID-19—Aged care system**

Debate resumed on the motion of Senator Bilyk (*see entry no. 29*).

Question put and passed.

32 **Documents—Consideration**

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

33 **Committee reports and government responses—Tabling and consideration**

Senator McGrath, at the request of the Chair of the Economics Legislation Committee (Senator Brockman), tabled the following report:

Economics Legislation Committee—Annual reports referred to legislation committees—Report no. 2 of 2020, dated August 2020.

Pursuant to order, Senator McGrath, at the request of the Chair of the Environment and Communications Legislation Committee (Senator Fawcett), tabled the following report and documents:

Environment and Communications Legislation Committee—The future of Australia Post's service delivery—Report, dated August 2020, Hansard record of proceedings, documents presented to the committee, additional information and submissions.

The Chair of the Joint Standing Committee on Electoral Matters (McGrath) tabled the following report:

Electoral Matters—Joint Standing Committee—Electoral Legislation Amendment (Miscellaneous Measures) Bill 2020—Advisory report, dated August 2020.

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

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

Senator Urquhart moved—That the recommendation in paragraph 1.1 of the Procedure Committee’s first report of 2020 be adopted.

Question put and passed.

Accordingly the temporary orders recommended by the committee in its third report of 2019 (*see entry no. 25, 3 December 2019*) were adopted on a permanent basis.

The following orders of the day relating to committee reports and government responses presented out of sitting (*see entry no. 2, 24 August 2020*) were considered:

Community Affairs References Committee—Report—Effectiveness of the Aged Care Quality Assessment and accreditation framework for protecting residents from abuse and poor practices, and ensuring proper clinical and medical care standards are maintained and practised—Government response. Motion to take note of document moved by Senator Urquhart. Debate adjourned till the next day of sitting.

Human Rights—Joint Statutory Committee—Reports 8 and 9 of 2020—Human rights scrutiny report. Motion to take note of reports moved by the chair of the committee (Senator Henderson) and agreed to.

Road Safety—Joint Select Committee—Improving road safety in Australia—Interim report. Motion to take note of report moved by Senator Rice. Debate adjourned till the next day of sitting.

34 Family Assistance Legislation Amendment (Improving Assistance for Vulnerable and Disadvantaged Families) Bill 2020

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

Message no. 233, dated 25 August 2020—A Bill for an Act to amend the law relating to family assistance, and for related purposes.

The Assistant Minister for Finance, Charities and Electoral Matters (Senator Seselja) 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 Seselja moved—That this bill be now read a second time.

Explanatory memorandum: Senator Seselja tabled a revised explanatory memorandum relating to the bill.

On the motion of Senator Seselja the debate was adjourned and the resumption of the debate made an order of the day for a later hour.

35 Norfolk Island Amendment (Supreme Court) Bill 2020
Primary Industries (Customs) Charges Amendment (Dairy Cattle
Export Charge) Bill 2020
Superannuation Amendment (PSSAP Membership) Bill 2020

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

Message no. 231, dated 24 August 2020—A Bill for an Act to amend the law relating to Norfolk Island, and for related purposes.

Message no. 232, dated 24 August 2020—A Bill for an Act to amend the *Primary Industries (Customs) Charges Act 1999*, and for related purposes.

Message no. 234, dated 25 August 2020—A Bill for an Act to amend the law relating to superannuation, and for related purposes.

The Assistant Minister for Finance, Charities and Electoral Matters (Senator Seselja) 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 Seselja moved—That these bills be now read a second time.

On the motion of Senator Seselja the debate was adjourned till the next day of sitting and the bills listed as separate orders of the day.

36 Product Stewardship (Oil) Amendment Bill 2020
Excise Tariff Amendment Bill 2020

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

Message no. 235, dated 25 August 2020—A Bill for an Act to amend the *Product Stewardship (Oil) Act 2000*, and for related purposes.

Message no. 236, dated 25 August 2020—A Bill for an Act to amend the *Excise Tariff Act 1921*, and for related purposes.

The Assistant Minister for Finance, Charities and Electoral Matters (Senator Seselja) 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 Seselja moved—That these bills be now read a second time.

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

37 Treasury Laws Amendment (Your Superannuation, Your Choice) Bill 2019

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

Message no. 237, dated 25 August 2020—Treasury Laws Amendment (Your Superannuation, Your Choice) Bill 2019.

38 Governor-General's messages—Assent to laws

Messages from His Excellency the Governor-General were reported, informing the Senate that he had assented to the following laws:

19 June 2020—Message no. 12—

Australian Prudential Regulation Authority Amendment (APRA Industry Funding) Act 2020 (Act no. 54, 2020)

Authorised Deposit-taking Institutions Supervisory Levy Imposition Amendment Act 2020 (Act no. 55, 2020)

Authorised Non-operating Holding Companies Supervisory Levy Imposition Amendment Act 2020 (Act no. 56, 2020)

General Insurance Supervisory Levy Imposition Amendment Act 2020 (Act no. 57, 2020)

Life Insurance Supervisory Levy Imposition Amendment Act 2020 (Act no. 58, 2020)

Retirement Savings Account Providers Supervisory Levy Imposition Amendment Act 2020 (Act no. 59, 2020)

Superannuation Supervisory Levy Imposition Amendment Act 2020 (Act no. 60, 2020)

Treasury Laws Amendment (2020 Measures No. 3) Act 2020 (Act no. 61, 2020)

Education Legislation Amendment (2020 Measures No. 1) Act 2020 (Act no. 62, 2020)

Great Barrier Reef Marine Park Amendment (Coronavirus Economic Response Package) Act 2020 (Act no. 63, 2020).

22 June 2020—Message no. 13—

Treasury Laws Amendment (2019 Measures No. 3) Act 2020 (Act no. 64, 2020)

Commonwealth Registers Act 2020 (Act no. 65, 2020)

Business Names Registration (Fees) Amendment (Registries Modernisation) Act 2020 (Act no. 66, 2020)

Corporations (Fees) Amendment (Registries Modernisation) Act 2020 (Act no. 67, 2020)

National Consumer Credit Protection (Fees) Amendment (Registries Modernisation) Act 2020 (Act no. 68, 2020)

Treasury Laws Amendment (Registries Modernisation and Other Measures) Act 2020 (Act no. 69, 2020)

Crimes Legislation Amendment (Sexual Crimes Against Children and Community Protection Measures) Act 2020 (Act no. 70, 2020)

Migration Amendment (Regulation of Migration Agents) Act 2020 (Act no. 71, 2020)

Migration Agents Registration Application Charge Amendment (Rates of Charge) Act 2020 (Act no. 72, 2020)

Export Control Legislation Amendment (Certification of Narcotic Exports) Act 2020 (Act no. 73, 2020).

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Health Insurance Amendment (Continuing the Office of the National Rural Health Commissioner) Act 2020 (Act no. 74, 2020)

Therapeutic Goods Amendment (2020 Measures No. 1) Act 2020 (Act no. 75, 2020).

39 Tertiary Education Quality and Standards Agency Amendment (Prohibiting Academic Cheating Services) 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.

At 7.20 pm: Debate was interrupted while Senator Bilyk was speaking.

40 Adjournment

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

Debate ensued.

The Senate adjourned at 9.57 pm till Wednesday, 26 August 2020 at 9.30 am.

41 Attendance

Present, all senators except Senators Abetz*, Brown*, Canavan*, Carr*, Ciccone*, Di Natale*, Dodson*, Gallacher*, Hanson*, Kitching*, McDonald*, Rice*, Roberts*, Steele-John*, Sterle*, Waters* and Whish-Wilson* (*on leave).

RICHARD PYE
Clerk of the Senate