



# Senate Journals

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## 1 Meeting of Senate

The Senate met at 10 am. 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):

*[Documents presented since the last sitting of the Senate, pursuant to standing order 166, were authorised for publication on the dates indicated]*

### Auditor-General's report for 2019-20

- 1 Auditor-General—Audit report no. 25 of 2019-20—Performance audit—Aboriginal and Torres Strait Islander participation targets in major procurements: Across entities. *[Received 20 February 2020]*

### Government document

- 2 *Sydney Airport Demand Management Act 1997*—Quarterly report on the maximum movement limit for Sydney Airport for the period 1 October to 31 December 2019.

### Response to Senate resolution

- 3 Republic of Maldives—Resolution of 12 February 2019—Letter to the President of the Senate from the Honorary Consul General, Republic of Maldives (Mr Lethlean), dated 12 February 2020.

### Documents pursuant to continuing orders

- 4 Department of Home Affairs—Protection visas—Statement pursuant to the order of the Senate of 14 November 2019—January 2020. *[Received 14 February 2020]*
- 5 Departmental and agency appointments and vacancies—Letters of advice pursuant to the order of the Senate of 24 June 2008—Additional estimates 2019-20—
  - Attorney-General's portfolio. *[Received 18 February 2020]*
  - Finance portfolio. *[Received 21 February 2020]*
  - Resources, Water and Northern Australia. *[Received 21 February 2020]*
- 6 Departmental and agency grants—Letters of advice pursuant to the order of the Senate of 24 June 2008—Additional estimates 2019-20—
  - Education, Skills and Employment portfolio. *[Received 21 February 2020]*
  - Finance portfolio. *[Received 21 February 2020]*
  - National Health and Medical Research Council. *[Received 18 February 2020]*
  - National Mental Health Commission. *[Received 18 February 2020]*
  - Resources, Water and Northern Australia. *[Received 21 February 2020]*
  - Social Services portfolio. *[Received 19 February 2020]*
- 7 Estimates hearings—Unanswered questions on notice—Statements pursuant to the order of the Senate of 25 June 2014—Budget estimates 2019-20 (Supplementary)—
  - Agriculture and Water Resources portfolio. *[Received 18 February 2020]*
  - Attorney-General's portfolio. *[Received 18 February 2020]*
  - Employment, Skills, Small and Family Business portfolio. *[Received 18 February 2020]*
  - Finance portfolio. *[Received 14 February 2020]*

Finance portfolio. [*Received 18 February 2020*]

National Australia Day Council. [*Received 21 February 2020*]

Old Parliament House. [*Received 21 February 2020*]

- 8 Indexed lists of departmental and agency files for the period 1 July to 31 December 2019—Statements relating to the order of the Senate of 30 May 1996, as amended—  
Employment, Skills, Small and Family Business. [*Received 18 February 2020*]  
Finance portfolio. [*Received 21 February 2020*]

### **Government responses to committee reports**

- 9 Community Affairs Legislation Committee—Report—Family Assistance Legislation Amendment (Extend Family Assistance to ABSTUDY Secondary School Boarding Students Aged 16 and Over) Bill 2019 [Provisions]—Government response, dated February 2020. [*Received 17 February 2020*]
- 10 Oversight of the implementation of redress related recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse—Joint Select Committee—Report—Getting the National Redress Scheme right: An overdue step towards justice—Government response, dated February 2020. [*Received 18 February 2020*]
- 11 Treaties—Joint Standing Committee—186<sup>th</sup> Report—IA-CEPA and A-HKFTA—Government response, dated January 2020. [*Received 19 February 2020*]

### **Committee reports presented out of sitting**

The following reports and documents were presented and authorised for publication on the dates indicated pursuant to standing order 38(7)(a):

#### *References initiated by the Selection of Bills Committee*

- 12 Community Affairs Legislation Committee—Social Services and Other Legislation Amendment (Simplifying Income Reporting and Other Measures) Bill 2020 [Provisions]—Report, dated February 2020, Hansard record of proceedings, additional information and submissions. [*Received 20 February 2020*]
- 13 Economics Legislation Committee—Australian Business Growth Fund Bill 2019 [Provisions]—Report, dated February 2020, Hansard record of proceedings, additional information and submissions. [*Received 21 February 2020*]
- 14 Education and Employment Legislation Committee—Student Identifiers Amendment (Enhanced Student Permissions) Bill 2019 [Provisions]—Report, dated February 2020, and submissions. [*Received 19 February 2020*]
- 15 Environment and Communications Legislation Committee—Telecommunications Legislation Amendment (Competition and Consumer) Bill 2019 and Telecommunications (Regional Broadband Scheme) Charge Bill 2019 [Provisions]—  
Report, dated February 2020, Hansard record of proceedings, additional information and submissions. [*Received 14 February 2020*]  
Additional information. [*Received 20 February 2020*]
- 16 Legal and Constitutional Affairs Legislation Committee—Transport Security Amendment (Testing and Training) Bill 2019—Report, dated February 2020, and submissions. [*Received 19 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.]*

*Broadcasting Services Act 1992*—Broadcasting Services (Transmitter Access) Regulations 2019 [F2019L01248]—Replacement explanatory statement.

*Civil Aviation Act 1988*—

Civil Aviation Regulations 1988 and Civil Aviation Safety Regulations 1998—The Corryong Paragliding Open 2020 Instrument 2020—CASA EX37/20 [F2020L00121].

Civil Aviation Safety Regulations 1998—

Main Rotor Spindle—AD/R22/30 Amdt 6 [F2020L00146].

Repeal of Airworthiness Directive AD/S-PUMA/51 Amdt 1—CASA ADCX 002/20 [F2020L00135].

Commissioner of Taxation—Public Rulings—Class Rulings CR 2020/8 and CR 2020/9.

*Competition and Consumer Act 2010*—

Competition and Consumer (Price Inquiry—Digital Advertising Services) Direction 2020 [F2020L00129].

Competition and Consumer (Price Inquiry—Digital Platforms) Direction 2020 [F2020L00130].

*Defence Act 1903*—Defence Amendment (2020 Measures No. 1) Regulations 2020 [F2020L00120].

*Emergency Response Fund Act 2019*—Emergency Response Fund Investment Mandate Direction 2020 [F2020L00119].

*Environment Protection and Biodiversity Conservation Act 1999*—Amendment of List of Exempt Native Specimens – Queensland Commercial Trawl (Fin Fish) Fishery and Queensland Line Fishery (Coral), February 2020—EPBC303/DC/SFS/2020/01 [F2020L00124].

*Federal Financial Relations Act 2009*—

Federal Financial Relations (General Purpose Financial Assistance) Determination No. 130 (December 2019) [F2020L00131].

Federal Financial Relations (General Purpose Financial Assistance) Determination No. 131 (January 2020) [F2020L00132].

Federal Financial Relations (National Partnership) Determination No. 157 (January 2020) [F2020L00141].

Federal Financial Relations (National Partnership) Determination No. 159 (January 2020) [F2020L00142].

Federal Financial Relations (National Partnership) Determination No. 160 (January 2020) [F2020L00143].

Federal Financial Relations (National Partnership) Determination No. 161 (February 2020) [F2020L00144].

*Industry Research and Development Act 1986*—Industry Research and Development (Northern Endeavour Temporary Operations Program) Instrument 2020 [F2020L00125].

*Marriage Act 1961*—Marriage Regulations 2017—Marriage (Celebrant Professional Development) Statement 2020 [F2020L00122].

*Migration Act 1958*—

Migration Regulations 1994—Migration (LIN 20/051: Arrangements for certain Business Skills visas) Instrument 2020 [F2020L00148].

Statement under section 48B—1 July to 31 December 2019.

Statements under section 91L—1 July to 31 December 2019 [3].

*National Disability Insurance Scheme Act 2013*—National Disability Insurance Scheme (NDIS Worker Screening Law) Determination 2020 [F2020L00137].

*National Health Act 1953*—

National Health (Highly specialised drugs program) Special Arrangement Amendment Instrument 2019 (No. 12)—PB 106 of 2019 [F2019L01688]—Replacement explanatory statement.

National Health (IVF Program) Special Arrangement Amendment Instrument 2019 (No. 2)—PB 108 of 2019 [F2019L01692]—Replacement explanatory statement.

National Health (Listing of Pharmaceutical Benefits) Amendment Instrument 2019 (No. 12)—PB 104 of 2019 [F2019L01690]—Replacement explanatory statement.

National Health (Supplies of out-patient medication) Determination 2019 (No. 2)—PB 110 of 2019 [F2019L01703]—Supplementary explanatory statement.

*National Land Transport Act 2014*—Roads to Recovery List 2019 Variation Instrument No. 2020/1 [F2020L00123].

*National Museum of Australia Act 1980*—National Museum of Australia Regulations 2019 [F2019L01273]—Replacement explanatory statement.

*Privacy Act 1988*—

Privacy (Credit Reporting) Code 2014 (Version 2.1) [F2020L00126].

Privacy (International Money Transfers) Generalising Determination 2020 [F2020L00134].

Privacy (International Money Transfers) Public Interest Determination 2020 (No. 1) [F2020L00145].

Privacy (International Money Transfers) Public Interest Determination 2020 (No. 2) [F2020L00133].

*Private Health Insurance Act 2007*—

Private Health Insurance (Notifications Under the Premiums Reduction Scheme) Determination 2020 [F2020L00138].

Private Health Insurance (Prostheses) Rules (No. 1) 2020 [F2020L00136].

*Public Governance, Performance and Accountability Act 2013—*

PGPA Act Determination (Environment SOETM Special Account 2020) [F2020L00147].

PGPA Act Determination (IRSD Special Account 2020) [F2020L00127].

PGPA Act Determination (NIAA SOETM Special Account 2020) [F2020L00128].

*Social Security Act 1991—*

Social Security (Australian Government Disaster Recovery Payment—New South Wales Bushfires) Determination 2020 (No. 14)—LIN 20/097 [F2020L00140].

Social Security (Australian Government Disaster Recovery Payment—Victorian Bushfires) Determination 2020 (No. 15)—LIN 20/096 [F2020L00139].

*Telecommunications Act 1997—*

Telecommunications (Carrier Licence Exemption – Supply of Carriage Services to Visitors) Determination 2019 [F2019L00318]—Replacement explanatory statement.

Telecommunications (Carrier Licence Exemption – Trial Network Units) Determination 2019 [F2019L00317]—Replacement explanatory statement.

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The Clerk tabled the following documents pursuant to order:

Departmental and agency appointments and vacancies—Additional estimates 2019-20—Letter of advice pursuant to the order of the Senate of 24 June 2008—Industry, Science and Technology portfolio.

Departmental and agency grants—Additional estimates 2019-20—Letters of advice pursuant to the order of the Senate of 24 June 2008—

Attorney-General's portfolio.

Industry, Science and Technology portfolio.

Entity contracts for 2019—Letter of advice pursuant to the order of the Senate of 20 June 2001, as amended—Attorney-General's portfolio.

Estimates hearings—Unanswered questions on notice—Budget estimates 2019-20 (Supplementary)—Statements pursuant to the order of the Senate of 25 June 2014—

National Indigenous Australians Agency.

Prime Minister and Cabinet portfolio.

Social Services portfolio.

### **3 Committees—Leave to meet during sittings**

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

Community Affairs Legislation Committee—private meeting otherwise than in accordance with standing order 33(1) today, from 1.55 pm.

Economics References Committee—public meeting, today from 6.30 pm.

Effectiveness of the Australian Government's Northern Australia agenda—Select Committee—private meeting otherwise than in accordance with standing order 33(1) on Thursday, 27 February 2020, from 10.45 am.

Foreign Affairs, Defence and Trade—Joint Standing Committee—

public meeting today, from 4 pm.

private meeting otherwise than in accordance with standing order 33(1), followed by a public meeting and private briefing, on Tuesday, 25 February 2020, from 4.30 pm.

private meeting otherwise than in accordance with standing order 33(1), followed by a private briefing, on Wednesday, 26 February 2020, from 9.30 am.

private meeting otherwise than in accordance with standing order 33(1), followed by a public meeting and private briefing, on Thursday, 27 February 2020, from 9.45 am.

Foreign Interference through Social Media—Select Committee—private meeting otherwise than in accordance with standing order 33(1) on Tuesday, 25 February 2020, from 12.30 pm.

Legal and Constitutional Affairs Legislation Committee—private meetings otherwise than in accordance with standing order 33(1)—

today, from 4.15 pm.

Thursday, 27 February 2020, from 1 pm.

Legal and Constitutional Affairs References Committee—private meeting otherwise than in accordance with standing order 33(1) on Wednesday, 26 February 2020, from 4.15 pm.

Temporary Migration—Select Committee—private meeting otherwise than in accordance with standing order 33(1) on Thursday, 27 February 2020, from 11 am.

**4 Consideration of private senators' bills—Statements by leave**

Senators Gallagher and Siewert, by leave, made statements relating to the consideration of private senators' bills by internal party processes and the Senate.

**5 Environment Protection and Biodiversity Conservation Amendment (Climate Trigger) Bill 2020**

Order of the day read for the adjourned debate on the motion of Senator Hanson-Young—That this bill be now read a second time.

Debate resumed.

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

**6 Galilee Basin (Coal Prohibition) Bill 2018**

The Leader of the Australian Greens in the Senate (Senator Waters) moved—That this bill be now read a second time.

Debate ensued.

*At 12.20 pm:* Debate was interrupted while Senator Green was speaking.



## 7 **Treasury Laws Amendment (Recovering Unpaid Superannuation) Bill 2019**

Order of the day read for the adjourned debate on the motion—That this bill be now read a second time.

Question put and passed.

Bill read a second time.

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

### *In the committee*

Bill, taken as a whole by leave, debated.

Senator McAllister moved the following amendments, together by leave:

Clause 2, page 2 (at the end of the table), add:

6. Schedule 2      The day after the end of the period of 6 months beginning on the day this Act receives the Royal Assent.

Page 9 (after line 28), 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 amendments be agreed to—put.

The committee divided—

**AYES, 31**

Senators—

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

**NOES, 37**

Senators—

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

\* Tellers

Question negatived.

Bill agreed to and reported without amendment.

On the motion of the Assistant Minister for Superannuation, Financial Services and Financial Technology (Senator Hume) the report from the committee was adopted.

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

Question put.

The Senate divided—

# AYES, 37

Senators—

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

# NOES, 31

Senators—

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

*\* Tellers*

Question agreed to.

Bill read a third time.

## 8 Wine Australia Amendment (Label Directory) Bill 2019

Order of the day read for the adjourned debate on the motion of the Assistant Minister for Forestry and Fisheries (Senator Duniam)—That this bill be now read a second time.

Debate resumed.

Senator Sterle moved the following amendment:

At the end of the motion, add “but the Senate condemns the Government for its failure to address the impact climate change is having on the Australian wine industry”.

Debate ensued.

*At 2 pm:* Debate was interrupted while the Leader of The Nationals in the Senate (Senator McKenzie) was speaking.

## 9 **Family and domestic violence—Statements by leave**

The Minister for Finance (Senator Cormann), the Leader of the Opposition in the Senate (Senator Wong), the Leader of the Australian Greens in the Senate (Senator Waters), the Leader of The Nationals in the Senate (Senator McKenzie), the Leader of Pauline Hanson's One Nation (Senator Hanson) and Senator Griff, by leave, made statements relating to family and domestic violence following the deaths of Ms Hannah Clarke and her three children, Aaliyah, Laianah and Trey.

All senators present joined in a moment of silence.

## 10 **Questions**

Questions without notice were answered.

## 11 **Motions to take note of answers**

The Leader of the Opposition in the Senate (Senator Wong) moved—That the Senate take note of the answers given by the Minister for Families and Social Services (Senator Ruston) and the Minister for Finance (Senator Cormann) to questions without notice asked by Senators McAllister and Kitching today relating to carbon emissions.

Debate ensued.

Question put and passed.

The Leader of Pauline Hanson's One Nation (Senator Hanson) moved—That the Senate take note of the answer given by the Minister for Women (Senator Payne) to a question without notice asked by the Leader of the Australian Greens in the Senate (Senator Waters) today relating to family and domestic violence.

Debate ensued.

Question put and passed.

## 12 **Notices**

Senator McKim: To move on the next day of sitting—That there be laid on the table by the Minister representing the Minister for Infrastructure, Transport and Regional Development, by no later than midday on 27 February 2020, the grant agreement between the Department of Infrastructure, Transport, Cities and Regional Development and South Coast Track Huts Walk Pty Ltd. (*general business notice of motion no. 472*)

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

(a) notes that:

- (i) 17 February 2020 was the sixth anniversary of Mr Reza Barati's death,
- (ii) Mr Barati was murdered on 17 February 2014 while in the Manus Island Regional Processing Centre, Papua New Guinea,
- (iii) Mr Barati's murder occurred during protests and rioting in the centre that also resulted in about 70 refugees being injured,

- (iv) according to the *Review into the events of 16 – 18 February 2014 at the Manus Regional Processing Centre*, initiated by the then Secretary of the Department of Immigration and Border Protection Mr Martin Bowles, AO, PSM, and conducted by Mr Robert Cornall, AO, Mr Barati, who was not involved in the unrest, ‘suffered a severe brain injury caused by a brutal beating by several assailants and died a few hours later’,
- (v) Mr Barati was an architecture student who fled Iran and sought asylum in Australia; due to his size and nature, he was known to friends as ‘the gentle giant’, and
- (vi) since Mr Barati’s death, there have been 12 more deaths in Australia’s offshore processing system;
- (b) expresses sincere condolences to Mr Barati’s family and friends; and
- (c) at the passing of this motion, observes a moment of silence to reflect on the deaths that have occurred in Australia’s offshore processing system, including that of Mr Reza Barati. (*general business notice of motion no. 473*)

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

- (a) notes that:
  - (i) pay and conditions in supply chains are often characterised by a race to the bottom in which companies at the top drive down rates through their economic power,
  - (ii) in the resource industry, mining companies such as BHP, BHP Mitsubishi Alliance and BHP Mitsui Coal through their tenders for auxiliary work are the ultimate employer in the sector influencing the setting of pay and conditions across the sector,
  - (iii) workers at Greyhound Resources have, in good faith, engaged in negotiations with their employers for a new enterprise agreement,
  - (iv) workers at Greyhound Resources exercised their democratic right to take protected industrial action as part of the bargaining process,
  - (v) Greyhound Resources responded, threatening to lock out any and all workers who took part in a legal industrial action, and
  - (vi) Greyhound Resources carried out this threat and is currently locking out those workers who took part in protected industrial action;
- (b) calls on Australian mining companies to recognise their role as the ultimate employer in the sector and their influence on the rates and conditions across their industry; and
- (c) supports the workers of Greyhound Resources who are currently locked out by their employer and calls for the end to the lockout so that negotiations can continue in good faith. (*general business notice of motion no. 474*)

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

- (a) notes the Australian Institute of Health and Welfare's 2019 report, *Family, domestic and sexual violence in Australia: continuing the national story*, which states that:
  - (i) family, domestic and sexual violence is a major health and welfare issue affecting people of all ages and from all backgrounds, but mainly women and children,
  - (ii) 1 in 6 women and 1 in 16 men have experienced physical or sexual violence by a current or previous partner since the age of 15, and
  - (iii) Australian women are nearly three times more likely than men to experience violence from an intimate partner;
- (b) acknowledges the Federal Government's commitment of \$340 million in the 2019-20 Budget to support the *Fourth Action Plan of the National Plan to Reduce Violence against Women and their Children 2010-2022*;
- (c) further acknowledges the Minister for Social Services' recent announcement of only \$2.4 million towards men's behaviour change programs, which will involve group sessions, counselling and home visits, taking place only in New South Wales, Queensland and Western Australia and to run only to June 2022;
- (d) recognises that domestic violence is borderless, affecting every community in Australia; and
- (e) calls on the Federal Government to:
  - (i) fund behaviour change programs in every state and territory,
  - (ii) fund behaviour change programs that are tailored to Indigenous communities, and culturally and linguistically diverse communities, as well as the broader Australian community, and
  - (iii) increase funding for behaviour change programs. (*general business notice of motion no. 475*)

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

- (a) notes that:
  - (i) the Tax Justice Network Financial Secrecy Index, released on 18 February 2020, assigns Australia a secrecy score of 50 out of 100, and
  - (ii) the narrative report on Australia states that Australia undoubtedly hosts significant quantities of illicit funds from outside the country, and identified that the following weaknesses in Australian law continue to enable illicit funds to find a safe haven in Australia:
    - (A) that real estate agents, accountants and lawyers are not subject to anti-money laundering and counter-terrorist financing obligations, and
    - (B) the absence of adequate transparency measures for the beneficial ownership of companies; and

- (b) calls on the Federal Government to introduce legislation that would:
  - (i) ensure that real estate agents, accountants and lawyers are subject to anti-money laundering and counter-terrorist financing obligations, and
  - (ii) establish a publicly accessible register of beneficial ownership of companies. (*general business notice of motion no. 476*)

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 the impacts of opening up the Beetaloo Basin in the Northern Territory would increase Australia's emissions by a staggering 6.6% and destroy any chance of Australia helping to contain global warming below 1.5 degrees;
- (b) acknowledges that the Liberal, National and Labor parties are supporting this destructive project because the proponents, Origin Energy and Santos, have donated at least \$1.7 million to these political parties, with at least \$900,218 going to the Coalition and at least \$810,353 to the Labor Party since 2012; and
- (c) supports the farmers and traditional owners that do not want their water supplies threatened, their cultural heritage compromised, and the climate sacrificed if the 1,200 fracking wells planned for the Northern Territory proceed. (*general business notice of motion no. 477*)

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

- (1) That there be laid on the table by the Minister representing the Prime Minister, by no later than 7.20 pm on 25 February 2020, 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's award of funding under the Community Sport Infrastructure Program.
- (2) In the event the Minister fails to table the report, the Senate requires the Minister representing the Prime Minister to attend the Senate on 26 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 report.
- (3) Any Senator may move to take note of the explanation required by paragraph (2).
- (4) Any motion under paragraph (3) shall have precedence over all government business until determined, and senators may speak to the motion for not more than 10 minutes each. (*general business notice of motion no. 478*)

The Assistant Minister for Finance, Charities and Electoral Matters (Senator Seselja): To move on the next day of sitting—That, in accordance with the provisions of the *Public Works Committee Act 1969*, the following proposed works be referred to the Parliamentary Standing Committee on Public Works for consideration and report as expeditiously as is possible:

RAAF Base Tindal.

National Education Centre for the Great Barrier Reef.

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

- (a) notes that:
  - (i) the Morrison Government has announced that it wants to privatise the Aged Care Assessment Teams (ACAT) workforce from April 2021, when a tender will be put out for organisations to deliver this vital assessment,
  - (ii) ACAT teams are currently based in hospitals across the country and are responsible for assessing which older Australians should receive government-funded care,
  - (iii) the Morrison Government's plan could take away the jobs of over 1,000 qualified, experienced and highly-trained professionals across the country, and
  - (iv) the Morrison Government's plan to privatise ACAT services is not supported by highly regarded experts, the sector or the states;
- (b) strongly opposes:
  - (i) the privatisation of the ACAT workforce, and
  - (ii) any changes to the current qualification arrangements of the ACAT workforce; and
- (c) condemns the Morrison Government for its continued piecemeal approach to aged care policy. (*general business notice of motion no. 479*)

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

- (a) notes that:
  - (i) all Australians deserve the best possible healthcare, especially older Australians,
  - (ii) our community is ageing, with population projections for Australia suggesting that there will be 4 million people aged between 65-84 years by 2022, with the over 65 and over 85 cohorts rapidly accelerating over the next decade,
  - (iii) a third of this cohort live outside of major cities in rural and regional Australia,
  - (iv) as our population ages, our community will increasingly rely on appropriate aged care services for good health, support and dignity,
  - (v) Aged Care Assessment Teams (ACAT) are teams of experienced, qualified and highly trained medical, clinical and allied health professionals who are responsible for assessing the level of government-funded care that ageing Australians should receive,
  - (vi) in 2018-19, ACATs provided over 178,000 assessments,
  - (vii) ACAT teams are local, know their communities, have enormous expertise over 30 years, and their role is to independently assess what older Australians need and identify the best options,
  - (viii) ACAT teams are independent of private service providers and owe no allegiance or preference for any particular provider, and
  - (ix) the Morrison Government has announced that it intends to privatise the ACAT workforce and put out a tender for these vital services;



- (b) rejects the Morrison Government for its plans to privatise ACAT, which would threaten the quality and independence of services provided to ageing Australians, and jeopardise the jobs and independence of Australian healthcare professionals; and
- (c) seeks concurrence for this motion in the House of Representatives. (*general business notice of motion no. 480*)

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

- (a) notes that:
  - (i) the Morrison Government sees ageing as a problem and the market as the solution,
  - (ii) the Morrison Government sees older Australians as a problem, with the Treasurer describing the ageing population as an ‘economic time bomb’,
  - (iii) this Morrison Government thinks that a market-led solution is the answer to every problem, including visa processing, Centrelink’s robodebt compliance and outsourced debt collection program, the National Disability Insurance Scheme, and security vetting services in the Australian Government Security Vetting Agency, and
  - (iv) based on the track record above, the Morrison Government’s market-led solutions result in additional costs to the taxpayer and poor outcomes for ordinary ‘quiet’ Australians; and
- (b) calls on the Morrison Government to stop the privatisation of ACAT services. (*general business notice of motion no. 481*)

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

- (a) notes that:
  - (i) the Morrison Government has announced that it intends to privatise Aged Care Assessment Teams (ACAT),
  - (ii) when asked about the privatisation of ACAT in Parliament, the Minister for Aged Care and Senior Australians, Senator Colbeck, said he is ‘actually implementing a recommendation from the Tune Review’, and
  - (iii) the Tune Review did not recommend the privatisation of ACAT services;
- (b) condemns the Morrison Government for its current plans to privatise ACAT services; and
- (c) calls on:
  - (i) the Minister to correct the record and clarify that the Tune Review did not recommend that ACAT services be put to tender, and
  - (ii) the Morrison Government to stop its plans to privatise ACAT services. (*general business notice of motion no. 482*)

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

- (a) notes that:
  - (i) the Morrison Government has announced that it intends to privatise Aged Care Assessment Teams (ACAT) from April 2021,
  - (ii) when asked in Parliament about the ACAT tender, the Minister for Aged Care and Senior Australians, Senator Colbeck, said he is ‘actually doing what the royal commission said in its interim report last year’,
  - (iii) following reports that the Morrison Government would privatise ACAT, the Chair of the Royal Commission into the Aged Care Quality and Safety, the Honourable Gaetano Pagone ,QC, issued a statement to say that, ‘the interim report did not endorse the Government’s stated position’, and
  - (iv) the Chair of the Royal Commission also stated that ‘we have not yet made recommendations about which sector or mechanism will best achieve an integration of Regional Assessment Services and the Aged Care Assessment Teams’;
- (b) condemns the Morrison Government for its current plans to privatise ACAT services; and
- (c) calls on:
  - (i) the Minister for Aged Care and Senior Australians to correct the record and clarify that the Royal Commission did not recommend that ACAT services be put to tender, and
  - (ii) the Morrison Government to stop its plans to privatise ACAT services.  
(*general business notice of motion no. 483*)

Senators Waters and Hanson-Young: To move on the next day of sitting—That the Senate—

- (a) notes that:
  - (i) on 19 February 2020, a man murdered his ex-wife, Ms Hannah Clarke, and their three children by dousing their car with petrol and setting it alight,
  - (ii) Ms Clarke was the eighth woman to be killed by violence since the start of 2020,
  - (iii) many initial media reports of the crime sought to minimise her ex-husband’s role or to portray him as a ‘loving father pushed too far’,
  - (iv) following a *Four Corners* report on 17 February 2020 regarding the conviction of an athletics coach at St Kevin’s for grooming a student, prominent commentators also sought to minimise the offence and its consequences,
  - (v) inaccurate and biased reporting of violence against women and children allows a culture of violence and entitlement to perpetuate,

- (vi) guidelines adopted by the Press Council, Commercial Radio Australia and FreeTV Australia for the reporting of sexual, domestic and family violence make clear that reports should emphasise the role of the perpetrator and avoid any suggestion of culpability on the part of the victim or survivor – for example, the various guidelines state:
  - (A) ‘Words matter: Publications should be mindful of the language they use and try to avoid terms that tend to trivialise, demean or inadvertently excuse family violence’,
  - (B) ‘Violence is never acceptable: The perpetrator is always solely responsible for a violent situation – Avoid using language or framing the story in a way that suggests the survivor of violence was in any way to blame for what happened to him or her’, and
  - (C) ‘Domestic violence is sometimes reported with headlines like ‘Woman assaulted’, or with stories that focus only on what happened to the survivor – This can suggest that violence is something that ‘just happens’ to women – Emphasise that someone perpetrated this violence, and that it was a crime’; and
- (vii) current guidelines are advisory only and are not part of the enforceable standards against which complaints can be assessed; and
- (b) calls on all reporters, commentators and media outlets to comply with guidelines for reporting on sexual, domestic and family violence. (*general business notice of motion no. 484*)

Senators Wong and Keneally: To move on the next day of sitting—

- (1) That the Senate notes that:
  - (a) on 19 February 2020, Mr Rowan Baxter murdered his wife Ms Hannah Clarke, aged 31, and their children Aaliyah, 6, Laianah, 4, and Trey, 3;
  - (b) Mr Baxter doused his family in petrol and burnt them alive in their car on a suburban Queensland street before taking his own life;
  - (c) according to Ms Clarke’s family and friends, Hannah had experienced years of emotional, sexual and physical abuse in her marriage to Mr Baxter, had only recently been able to escape with her children, and had a domestic violence restraining order in place against Mr Baxter at the time he committed these murders;
  - (d) this horrific event has shocked Australia and the Senate joins in that shock, expresses its grief, deep sorrow and support for the family and friends of Hannah, Aaliyah, Laianah, and Trey;
  - (e) violence against women is a national shame in Australia:
    - (i) according to the Australian Institute of Criminology, on average, one woman a week in Australia is murdered by her current or former partner,
    - (ii) according to the Australian Bureau of Statistics:
      - (A) 1 in 4 women in Australia has experienced emotional abuse by a current or former partner since the age of 15,

- (B) 1 in 5 women in Australia has experienced sexual violence since the age of 15,
    - (C) almost 40% of women continued to experience violence from their partner while temporarily separated, and
    - (D) 1 in 6 women has experienced stalking since the age of 15; and
  - (iii) according to studies commissioned by the Department of Social Services:
    - (A) children of mothers experiencing domestic violence have higher rates of social and emotional problems than other children, and
    - (B) violence against women is estimated to cost the Australian economy \$22 billion a year;
  - (f) according to studies conducted by Our Watch, 1 in 3 young people do not think controlling someone is a form of violence; and
  - (g) according to a news report on the Australian Broadcasting Corporation, Australian police deal with domestic violence every two minutes.
- (2) That the Senate calls on the Commonwealth Government to:
- (a) acknowledge that Australians demand more, and more effective, action to stop the violence;
  - (b) acknowledge that violence against women is an urgent matter of national importance; and
  - (c) convene a national summit as soon as possible with the states and territories, service providers, experts and survivors to address this crisis.
- (general business notice of motion no. 485)*

Senators Wong and Keneally: To move on the next day of sitting—That the Senate—

- (a) notes that:
  - (i) on the same day that Queensland Police Commissioner, Ms Katarina Carroll, said that it was inappropriate to suggest the murder of a woman and her children by her husband could be an instance of a husband being driven too far, Ms Bettina Arndt, who received an Order of Australia honour in January, nonetheless said ‘keeping an open mind and awaiting proper evidence, including the possibility that Rowan Baxter might have been driven too far’,
  - (ii) the statement of Ms Arndt has the potential to bring the Order of Australia, instituted by Her Majesty The Queen, into disrepute, and
  - (iii) Order of Australia awards are a privilege and an honour and come with responsibilities; and
- (b) agrees that:
  - (i) Ms Arndt’s comments are reckless and abhorrent, and
  - (ii) the values that underpin Ms Arndt’s views on this horrific family violence incident are not consistent with her retaining her Order of Australia.

*(general business notice of motion no. 486)*

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

(a) notes that:

- (i) Australia's Collins Class submarines provide vital capability for the Australian Defence Force,
- (ii) in June 2011 the Navy could not put even one of our six Collins Class submarines to sea,
- (iii) it took more than half a decade and a significant amount of taxpayer's money to rectify submarine sustainment and achieve world benchmarks,
- (iv) the sustainment model now has short-term maintenance activities in Western Australia (WA) and deep maintenance in South Australia (SA), specifically through Collins Class Submarine Full Cycle Dockings,
- (v) Australian Submarine Corporation in SA still sends experts to WA when WA is unable to resolve complex maintenance issues, and
- (vi) there is a proposal before Government to move Full Cycle Dockings from SA to WA, which would result in:
  - (A) only a small percentage of the SA workforce relocating to WA, causing a huge loss of corporate knowledge from Australia's submarine sustainment organisation,
  - (B) significant challenges and risk being injected into the sustainment model,
  - (C) submarine availability suffering, thereby damaging national security,
  - (D) at best, only similar outcomes would be achieved, thus the cost of the move cannot represent value for money,
  - (E) a sustainment model inconsistent with Defence's longer term plans of having submarines based on the East and West coasts, and
  - (F) Defence being exposed to higher levels of risk by having all its Collins Class submarines maintenance capabilities in one location; and

(b) calls on the Federal Government to:

- (i) recognise the success of the current sustainment model, and
- (ii) continue the current sustainment model, retaining Collins Class Submarine Full Cycle Dockings in SA. (*general business notice of motion no. 487*)

Senator McAllister: To move on 26 February 2020—That the following bill be introduced: A Bill for an Act to amend the law relating to intelligence and security, and for related purposes. ***Intelligence and Security Legislation Amendment (Implementing Independent Intelligence Review) Bill 2020.*** (*general business notice of motion no. 488*)

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

(a) notes:

- (i) that the Joint Standing Committee on Foreign Affairs, Defence and Trade tabled its report, *Inquiry into the management of PFAS contamination in and around Defence bases*, in November 2018, to which the government response is overdue by a year,
- (ii) that in a resolution of 29 July 2019, the Senate called on the Government to provide a response to the aforementioned report,
- (iii) that on 9 September 2019, the Senate ordered the production of the government response to the report, with which the Government failed to comply,
- (iv) the statement made in the Senate by Senator Birmingham, representing the Minister for the Environment, on 13 November 2019, that a response to the report was to be finalised before the end of 2019, with no response to date,
- (v) that communities are waiting anxiously on the Government's response to the key recommendations of the inquiry, such as:
  - (A) the appointment of a Coordinator-General to coordinate the national response to PFAS contamination,
  - (B) undertaking measures to improve participation in the voluntary blood testing program for PFAS, and
  - (C) assisting property owners and businesses in affected areas for the demonstrated, quantifiable financial losses associated with PFAS contamination, including the possibility of buybacks,
- (vi) the failure of the Minister representing the Minister for the Environment, and the Minister for Defence to:
  - (A) respond to recommendations by the Joint Standing Committee on Foreign Affairs, Defence and Trade's *Inquiry into the management of PFAS contamination in and around Defence bases* tabled in November 2018,
  - (B) provide adequate compensation to affected communities, and
  - (C) coordinate a whole-of-government response to the issues arising from PFAS contamination; and

(b) declares its lack of confidence in the Minister representing the Minister for the Environment, and the Minister for Defence for their:

- (i) handling of issues related to PFAS contamination,
- (ii) failure to provide adequate compensation to affected communities, and
- (iii) disregard of the Senate in failing to comply with multiple resolutions of the Senate to produce a response to the aforementioned inquiry. (*general business notice of motion no. 489*)

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

- (a) notes that:
  - (i) the *2020 Poverty in Australia Overview* released last week found that poverty rates have remained at much the same level for the past decade, despite economic growth,
  - (ii) the report found that more than 3.24 million people including 774,000 children under 15 are living below the poverty line and that more than 1 in 8 adults and 1 in 6 children live below the poverty line in Australia, and
  - (iii) the Government's continued failure to act has meant that those trying to survive on Newstart are falling even further behind, prompting the Australian Council of Social Services to call for an urgent \$95 increase in Newstart; and
- (b) calls on the Federal Government to make it a priority to help address poverty in Australia by immediately raising Newstart and Youth Allowance and to implement a Government strategy to address poverty. (*general business notice of motion no. 490*)

Senator Hanson-Young: To move on the next day of sitting—That there be laid on the table by the Minister representing the Minister for the Environment, the following documents in relation to the Environment Restoration Fund, as announced in the 2019-20 Budget, and the Communities Environment Program, announced in March 2019, prior to the 2019-20 Budget:

- (a) all communications between the Commonwealth policy entity responsible and the Minister for the Environment (the Minister) or the Minister's office in relation to the programs;
- (b) all communications between the Minister and other parliamentarians in relation to the programs;
- (c) all ministerial briefs prepared for the Minister in relation to the programs;
- (d) all administrative guidelines, including grant funding guidelines, in relation to the programs;
- (e) any advice on the content of guidelines or program arrangements, or drafts of the same, prepared for the Minister in relation to the programs; and
- (f) all documents prepared for the Minister relating to the eligibility and eligibility assessments for the programs. (*general business notice of motion no. 491*)

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) on 26 January 2020, Ms Bettina Arndt was made a Member of the Order of Australia; the award was said to be based on Ms Arndt's service to 'gender equity through advocacy for men',
  - (ii) Ms Arndt's work has consistently promoted division, undermined and criticised women's safety programs, and discouraged women from reporting violence,

- (iii) following criticism of comments made by a Queensland Police officer on 20 February 2020 that the police were ‘keeping an open mind’ regarding the circumstances surrounding the brutal murders of Ms Hannah Clarke and her three children, Aaliyah, Laianah and Trey, Ms Arndt said on Twitter: ‘Congratulations on the Queensland police for keeping an open mind and awaiting proper evidence, including the possibility that Rowan Baxter might have been ‘driven too far’. But note the misplaced outrage. How dare police deviate from the feminist script of seeking excuses...’
- (iv) Ms Arndt’s ‘Fake Rape Crisis Campus Tour’ sought to discredit the damning report from the *Australian Human Rights Commission, Change the Course: National Report on Sexual Assault and Sexual Harassment at Australia Universities* and undermine efforts to improve safety for women on campus,
- (v) Ms Arndt has previously given a favourable interview to convicted paedophile, Mr Nicolaas Bester, and accused his 15 year old victim of ‘sexually provocative behaviour’ – his victim/survivor, Ms Grace Tame, has said: ‘Honouring someone who actively defended a paedophile on a public platform is a blatant example of the protracted, systemic moral corruption that still hampers our society’, and
- (vi) honouring Ms Arndt with an Order of Australia insults victims and survivors of sexual assault and domestic and family violence and sends a dangerous message that the Government supports her views; and
- (b) calls on the Governor-General to revoke the Order of Australia given to Ms Arndt. (*general business notice of motion no. 492*)

### 13 **Leave of absence**

Senator Dean Smith, by leave, moved—That leave of absence be granted to Senator Birmingham from 24 to 27 February 2020, on account of ministerial business.

Question put and passed.

### 14 **Committees—Extensions of time to report**

The following committees were granted extensions of time to report:

Economics References Committee—

Australia’s sovereign naval shipbuilding capability—from the last sitting day in June 2020 to 3 December 2020.

Regional inequality—from the last sitting day in June 2020 to 3 December 2020.

Environment and Communications References Committee—Impact of feral deer, pigs and goats in Australia—from 16 March to 16 June 2020.



## 15 **Routine of business—First speech**

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 consideration of the business before the Senate on Wednesday, 26 February 2020 be interrupted at approximately 5 pm, but not so as to interrupt a senator speaking, to enable Senator McLachlan to make his first speech without any question before the chair.

Question put and passed.

## 16 **Public dental care**

Senator Griff, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 463—That the Senate—

- (a) notes that:
  - (i) an estimated 2 million Australians forego necessary dental treatment each year because of the high cost, leaving many with ongoing pain, periodontal disease, decay or missing teeth,
  - (ii) poor oral health can cause cardiovascular disease, diabetes and stroke,
  - (iii) oral health care is regarded as an ancillary health service and is not covered by Medicare, which often makes it unaffordable to lower-income Australians and those without health insurance, and
  - (iv) according to the Australian Institute of Health and Welfare, there were more than 70,000 hospitalisations in 2016-17 due to preventable dental conditions;
- (b) recognises that:
  - (i) public dental care is available to people with a Health Care or Pensioner Concession Card but services are so stretched and focused on emergency cases that, according to the 2018 Productivity Commission report on Reforms to Human Services, most patients placed on waiting lists wait for a year or more to access treatment, and
  - (ii) the Child Dental Benefits Schedule (CDBS) allows families to access basic services provided in private clinics to a value of \$1,000 over two years, usually bulk-billed, for a child's dental treatment; and
- (c) calls on the Federal Government to:
  - (i) commit to a long-term preventative approach to dental care, and work with the states and territories to reduce public dental service waiting lists, and
  - (ii) introduce a low-income dental benefits scheme, similar to the CDBS, to provide low-income workers and recipients of the Health Care Card and Pensioner Concession Card with the ability to access timely dental care.

*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 **Manufacturing**

Senator Faruqi, also on behalf of Senator Patrick, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 466—That the Senate—

(a) notes that:

(i) *Beyond Business as Usual: A 21st Century Culture of Manufacturing in Australia* is a new research report by Western Sydney University and the University of Newcastle identifying the need for a just and sustainable culture of manufacturing in Australia, and

(ii) this research:

(A) confirms that manufacturing is making a vital contribution to the Australian economy, and that just and environmentally sustainable manufacturing has a successful future in Australia, providing decent jobs that value workers in an inclusive society, and

(B) identifies the importance of manufacturing in addressing climate change and environmental degradation which is evident in the growth of renewable energy technologies and the application of manufacturing techniques to improve energy productivity and sustainability; and

(b) congratulates the authors of this report, which explores the reinvention of manufacturing in Australia.

Question put and passed.

## 18 **Postponement**

Senator Hanson-Young, by leave, postponed general business notice of motion no. 471 standing in her name for today, relating to floodplain harvesting and water pumping, till 25 February 2020.

## 19 **Education and Employment References Committee—Mental health of first responders, emergency workers and volunteers—Government response—Order for production of documents**

Senator Urquhart, also on behalf of Senators Pratt, Watt and Sheldon, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 469—

(1) That the Senate notes that:

(a) the report of the Senate Education and Employment References Committee for its inquiry into the role of Commonwealth, state and territory governments in addressing the high rates of mental health conditions experienced by first responders, emergency service workers and volunteers, was tabled on 14 February 2019;

(b) in a resolution of 14 March 1973, the Senate declared its opinion that the Government should provide a response to committee reports within three months of tabling; and

- (c) on 4 December 2019, Minister Cash tabled a letter from the Attorney-General and Minister for Industrial Relations stating that the Government was still considering and consulting with stakeholders on the report's recommendations, and was therefore not in a position to table the response.
- (2) That there be laid on the table by the Minister representing the Attorney-General and Minister for Industrial Relations, by no later than midday on 25 February 2020, the government response to the report of the Senate Education and Employment References Committee for its inquiry into the role of Commonwealth, state and territory governments in addressing the high rates of mental health conditions experienced by first responders, emergency service workers and volunteers.

*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 **Newstart**

Senator Siewert, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 470—That the Senate—

- (a) notes that:
  - (i) according to the latest figures from the Department of Social Services, there are more than 330,000 people aged between 45 and 65 on Newstart,
  - (ii) age discrimination in the workplace is happening to people as young as 45,
  - (iii) the Centre of Excellence in Population Ageing Research found that 18% of workers aged between 55 and 64 believe their organisation discriminates on the basis of age in recruitment and selection, and
  - (iv) older people, especially women, are increasingly retiring in poverty;
- (b) acknowledges that ageism limits choice, drives poorer outcomes and undermines rights for older people in crucial areas affecting wellbeing including employment and healthcare; and
- (c) calls on the Federal Government to:
  - (i) immediately raise the rate of Newstart and related payments by a significant amount to ensure people are not ageing into poverty; and
  - (ii) address the underlying issue of ageism that contributes to the discrimination, abuse and neglect of older Australians.

Question put and passed.

## 21 **Mr Julian Assange**

*Motion determined as not formal:* Senator Whish-Wilson requested that general business notice of motion no. 464 standing in his name for today, relating to Mr Julian Assange, be taken as formal. An objection was raised and the motion was not proceeded with as a formal motion.

*Statements by leave:* Senators Whish-Wilson and Gallagher, by leave, made statements relating to the motion.

## 22 Carbon emissions

Senator Roberts, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 467—That the Senate—

- (a) notes that:
  - (i) on 1 June 2017 during Senate Estimates hearings, Australia's Chief Scientist, Dr Finkel, was asked by former Senator Ian Macdonald if the world was to reduce its carbon emissions by 1.3%, which is approximately Australia's rate of emissions, what impact would that make on the changing climate of the world, and
  - (ii) Dr Finkel's response was that 'the impact would be virtually nothing'; and
- (b) further notes that:
  - (i) reducing all or part of Australia's emissions will have virtually no effect on the global temperature; and
  - (ii) all Australian climate policies designed to reduce our carbon dioxide output, whether past, present or future, will have no measurable benefit to humanity or the environment.

Question put and negatived.

## 23 Transport services—New South Wales

Senator Urquhart, at the request of Senators O'Neill, Rice and Sheldon and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 465—That the Senate—

- (a) recognises that:
  - (i) the impending privatisation of buses in Sydney will be a disaster for commuters and transit staff,
  - (ii) the Rail, Tram and Bus Union of New South Wales (NSW), which represents the staff of the bus networks, is adamantly opposed to the privatisation plans,
  - (iii) the recent bus privatisations in the Inner West and Newcastle have resulted in reduced on-time running, cut routes, closing stops and poorer working conditions, and
  - (iv) tens of thousands of Sydney residents have already signed petitions and rallied against privatisation;
- (b) calls on the NSW Government to:
  - (i) protect the jobs and working conditions of the around 35,000 workers who are due to have only three years of job security under this reckless scheme,
  - (ii) scrap this reckless privatisation scheme, and
  - (iii) invest in better publicly run and publicly funded transport services; and
- (c) supports the work of the Rail, Tram and Bus Union NSW Branch and Unions NSW in the fight for better public transport services and better working conditions for its members.

Question put.

The Senate divided—

AYES, 31

Senators—

Ayres	Faruqi	McCarthy	Siewert
Bilyk	Gallagher	McKim	Steele-John
Brown	Green	O'Neill	Urquhart*
Carr	Hanson	Polley	Walsh
Chisholm	Hanson-Young	Pratt	Waters
Cicccone	Kitching	Rice	Watt
Di Natale	Lambie	Roberts	Whish-Wilson
Dodson	McAllister	Sheldon	

NOES, 29

Senators—

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

\* Tellers

Question agreed to.

## 24 **Parliamentary system—Integrity measures**

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. 468—That the Senate—

(a) notes that:

- (i) former Liberal Opposition Leader, Dr John Hewson, in an article published in the *Sydney Morning Herald* on 13 February 2020, called on all political parties to fix weaknesses in the parliamentary system, rather than seek to exploit them, and
- (ii) Dr Hewson identified a 6 point plan to clean up politics:
  - (A) public funding for election campaigns and limits on campaign spending,
  - (B) transparency around lobbying, including real-time disclosure of all ministerial meetings,
  - (C) truth in advertising legislation,
  - (D) introduce penalties for false, deceptive, and misleading conduct by parliamentarians,
  - (E) independent standards for candidates, and
  - (F) a fully funded Independent Commission Against Corruption to oversee all activities of our politicians, bureaucrats and federal government, with the capacity to receive anonymous references; and

- (b) calls on the Federal Government to listen to their former leader and take action to implement Dr Hewson's plan.

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

Question put.

The Senate divided—

#### AYES, 11

Senators—

Di Natale	Hanson-Young	Rice	Waters
Faruqi	McKim	Siewert*	Whish-Wilson
Griff	Patrick	Steele-John	

#### NOES, 45

Senators—

Abetz	Colbeck	Kitching	Polley
Antic	Davey	Lambie	Pratt
Askew	Duniam	McAllister	Rennick
Bilyk	Fawcett	McDonald	Roberts
Bragg	Fierravanti-Wells	McGrath	Ruston
Brockman	Gallagher	McLachlan	Scarr
Brown	Green	McMahon	Smith, Dean
Canavan	Hanson	Molan	Stoker
Carr	Henderson	O'Neill	Urquhart*
Cash	Hughes	O'Sullivan	Van
Chandler	Hume	Paterson	Walsh
Ciccone			

\* Tellers

Question negatived.

### 25 Urgency motion—Violence against women

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

The Government's failure to commit adequate resources to address the national security crisis of violence against women.

The proposal was supported by four senators.

The Leader of the Australian Greens in the Senate (Senator Waters), at the request of Senator Di Natale, moved the motion.

Debate ensued.

Question put and passed.

### 26 Documents—Consideration

Documents tabled earlier today (*see entry no. 2*) were considered as follows:

Motion to take note of document no. 1 moved by Senator Siewert. Consideration to resume on Thursday.

Motion to take note of document no. 7 moved by Senator McCarthy. Consideration to resume on Thursday.

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Oversight of the implementation of redress related recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse—Joint Select Committee—Report—Getting the National Redress Scheme right: An overdue step towards justice—Government response.

Motion to take note of the document moved by Senator Siewert. Consideration to resume on Thursday.

**27 Parliamentary Zone—Capital works proposal—Documents**

The Minister for Aged Care and Senior Australians (Senator Colbeck) tabled the following documents:

*Parliament Act 1974*—Parliamentary Zone—Proposal, together with supporting documentation, relating to the Sir John McEwen sculpture, pavement and interpretive material.

*Notice of motion:* Senator Colbeck, by leave, gave a notice of motion as follows: To move on 26 February 2020—That, in accordance with section 5 of the *Parliament Act 1974*, the Senate approves the proposal by the National Capital Authority for capital works within the Parliamentary Zone, relating to the Sir John McEwen sculpture, pavement and interpretive material.

**28 Treasury Laws Amendment (Combating Illegal Phoenixing) Bill 2019—Document**

The Minister for Aged Care and Senior Australians (Senator Colbeck) tabled the following document:

Treasury Laws Amendment (Combating Illegal Phoenixing) Bill 2019—Letter from the Assistant Minister for Superannuation, Financial Services and Financial Technology (Senator Hume) to Senator Patrick, dated 24 February 2020.

**29 Banking code—Order for production of documents—Documents**

The Minister for Aged Care and Senior Australians (Senator Colbeck) tabled the following documents:

Banking code—Order of 12 February 2020—Letter to the President of the Senate from the Minister for Finance (Senator Cormann), dated 24 February 2020, responding to the order, and attachment.

**30 Climate change reports—Order for production of documents—Document**

The Minister for Aged Care and Senior Australians (Senator Colbeck) tabled the following document:

Climate change reports—Order of 12 February 2020—Letter to the President of the Senate from the Minister for Finance (Senator Cormann), dated 24 February 2020, responding to the order.

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

Debate ensued.

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

**31 Centrelink’s compliance program—Answers to questions—Legal advice—Order for production of documents—Documents**

The Minister for Aged Care and Senior Australians (Senator Colbeck) tabled the following documents:

Centrelink’s compliance program—Answers to questions—Legal advice—Order of 11 February 2020—Letter to the President of the Senate from the Minister for Families and Social Services (Senator Ruston), dated 24 February 2020, responding to the order, and attachment.

Senator Siewert moved—That the Senate take note of the documents.

Question put and passed.

**32 Orders for production of documents—Report on outstanding orders**

The Minister for Aged Care and Senior Australians (Senator Colbeck) tabled the following document:

Orders for production of documents—Report on outstanding orders for documents as at 24 February 2020.

**33 Committee membership**

The Acting Deputy President (Senator Fawcett) informed the Senate that the President had received a letter nominating senators to be members of committees.

The Assistant Minister for Forestry and Fisheries (Senator Duniam), by leave, moved—That Senators Canavan and McKenzie be appointed as participating members to all legislation and references committees.

Question put and passed.

**34 Student Identifiers Amendment (Higher Education) Bill 2019**

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

Message no. 178, dated 24 February 2020—A Bill for an Act to amend the *Student Identifiers Act 2014*, and for related purposes.

The Assistant Minister for Forestry and Fisheries (Senator Duniam) 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 Duniam moved—That this bill be now read a second time.

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



### 35 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:

13 February 2020—Message no. 1—*Treasury Laws Amendment (2019-20 Bushfire Tax Assistance) Act 2020* (Act no. 1, 2020).

17 February 2020—Message no. 2—

*Financial Sector Reform (Hayne Royal Commission Response—Protecting Consumers (2019 Measures)) Act 2020* (Act no. 2, 2020)

*Financial Sector Reform (Hayne Royal Commission Response—Stronger Regulators (2019 Measures)) Act 2020* (Act no. 3, 2020)

*Higher Education Support (HELP Tuition Protection Levy) Act 2020* (Act no. 4, 2020)

*VET Student Loans (VSL Tuition Protection Levy) Act 2020* (Act no. 5, 2020)

*Treasury Laws Amendment (Combating Illegal Phoenixing) Act 2020* (Act no. 6, 2020).

### 36 Community Affairs Legislation Committee—Report—Australian Sports Anti-Doping Authority Amendment (Enhancing Australia's Anti-Doping Capability) Bill 2019

Pursuant to order, Senator Dean Smith, at the request of the Chair of the Community Affairs Legislation Committee (Senator Askew), tabled the following report and documents:

Community Affairs Legislation Committee—Australian Sports Anti-Doping Authority Amendment (Enhancing Australia's Anti-Doping Capability) Bill 2019 [Provisions]—Report, dated February 2020, Hansard record of proceedings, additional information and submissions.

### 37 Wine Australia Amendment (Label Directory) Bill 2019

Order of the day read for the adjourned debate on the motion of the Assistant Minister for Forestry and Fisheries (Senator Duniam)—That this bill be now read a second time—*and on the amendment moved by Senator Sterle (see entry no. 8).*

Debate resumed.

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

Main question put and passed.

Bill read a second time.

No amendments to the bill were circulated and no senator required that it be considered in committee.

On the motion of Senator Duniam the bill was read a third time.

**38 Trade Support Loans Amendment (Improving Administration) Bill 2019**

Order of the day read for the adjourned debate on the motion of the Assistant Minister for Finance, Charities and Electoral Matters (Senator Seselja)—That this bill be now read a second time.

Debate resumed.

Question put and passed.

Bill read a second time.

No amendments to the bill were circulated and no senator required that it be considered in committee.

On the motion of the Minister for Families and Social Services (Senator Ruston) the bill was read a third time.

**39 Female Facilities and Water Safety program—Orders for production of documents—Documents**

The Minister for Families and Social Services (Senator Ruston) tabled the following documents:

Female Facilities and Water Safety program—Order of 11 February 2020 (430)—  
Letter to the President of the Senate from the Minister for Youth and Sport (Senator Colbeck), dated 24 February 2020, responding to the order and raising public interest immunity claims, and attachments.

Senator Di Natale moved—That the Senate take note of the documents.

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

Senator Ruston tabled the following documents:

Female Facilities and Water Safety program—Order of 11 February 2020 (431)—  
Letter to the President of the Senate from the Minister for Employment, Skills, Small and Family Business (Senator Cash), dated 24 February 2020, responding to the order and attachments as follows—

Letter to the President of the Senate from the Minister for Infrastructure, Transport and Regional Development (Mr McCormack), dated 24 February 2020, raising public interest immunity claims, and attachments.

Senator Di Natale moved—That the Senate take note of the documents.

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

**40 Australian Sports Anti-Doping Authority Amendment (Sport Integrity Australia) Bill 2019**

Order of the day read for the adjourned debate on the motion of the Minister for Families and Social Services (Senator Ruston)—That this bill be now read a second time.

Debate resumed.

Senator Rice moved the following amendment:

At the end of the motion, add “but the Senate:

- (a) notes that:
  - (i) the provision of adequate sporting infrastructure will assist Sports Integrity Australia in meeting its education and outreach goals,
  - (ii) an evaluation of the Community Sport Infrastructure Program by the Australian National Audit Office found that ‘the award of funding reflected the approach documented by the Minister’s Office of focusing on ‘marginal’ electorates held by the Coalition as well as those electorates held by other parties or independent members that were to be ‘targeted’ by the Coalition at the 2019 Election. Applications from projects located in those electorates were more successful in being awarded funding than if funding was allocated on the basis of merit assessed against the published program guidelines’, and
  - (iii) the Government, including the former Minister for Sport, has not displayed ethics and values that promote community confidence in sport; and
- (b) calls on the Government to provide an honest, comprehensive account of the role the Prime Minister’s office played in allocating these grants”.

Debate ensued.

*Explanatory memorandum:* The Minister for Aged Care and Senior Australians (Senator Colbeck) tabled an addendum to the explanatory memorandum relating to the bill.

Question—That the amendment be agreed to—put.

The Senate divided—

AYES, 32

Senators—

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

## NOES, 34

## Senators—

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

\* Tellers

Question negatived.

Main question put and passed.

Bill read a second time.

No amendments to the bill were circulated and no senator required that it be considered in committee.

On the motion of Senator Colbeck the bill was read a third time.

#### 41 **Agriculture Legislation Amendment (Streamlining Administration) Bill 2019**

Order of the day read for the adjourned debate on the motion of the Assistant Minister for Forestry and Fisheries (Senator Duniam)—That this bill be now read a second time.

Debate resumed.

*At 9.50 pm:* Debate was interrupted while Senator Rice was speaking.

#### 42 **Adjournment**

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

Debate ensued.

The Senate adjourned at 9.58 pm till Tuesday, 25 February 2020 at midday.

#### 43 **Attendance**

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

**RICHARD PYE**  
Clerk of the Senate