



Senate Journals

No. 57: Wednesday, 17 June 2020

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1 Meeting of Senate

The Senate met at 9.30 am. The President (Senator the Honourable Scott Ryan) took the chair, read prayers and made an acknowledgement of country.

2 Adjournment—Personal explanation

Senator Whish-Wilson, by leave, made a personal explanation relating to comments made from the chair during the adjournment debate on 16 June 2020.

3 Documents

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

Auditor-General's report for 2019-20

- 1 No. 41—Performance audit—Design and establishment of the Regional Investment Corporation: Across entities.

Response to Senate resolution

- 2 Myalgic Encephalomyelitis and Chronic Fatigue Syndrome—Resolution of 13 May 2020—Letter to the President of the Senate from the Minister for Health (Mr Hunt), dated 12 June 2020.

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.]

Australian Radiation Protection and Nuclear Safety (Licence Charges) Act 1998—Australian Radiation Protection and Nuclear Safety (Licence Charges) Amendment Regulations 2020 [F2020L00715].

Civil Aviation Act 1988—Civil Aviation Regulations 1988 and Civil Aviation Safety Regulations 1998—Number of Cabin Attendants (Virgin Australia International Airlines) Direction 2020—CASA 29/20 [F2020L00716].

Commissioner of Taxation—Public Rulings—

Class Ruling CR 2020/29.

Product Ruling PR 2020/6.

Defence Home Ownership Assistance Scheme Act 2008—Defence Home Ownership Assistance Scheme Amendment (Period of Effective Service) Regulations 2020 [F2020L00712].

Health Insurance Act 1973—

Health Insurance (Diagnostic Imaging Services Table) Regulations (No. 2) 2020 [F2020L00713].

Health Insurance (General Medical Services Table) Regulations (No. 2) 2020 [F2020L00711].

National Health Act 1953—National Health (Pharmaceuticals and Vaccines—Cost Recovery) Amendment (2020 Measures No. 1) Regulations 2020 [F2020L00714].

Superannuation Act 1976—Superannuation (CSS) Productivity Contribution (2020-2021) Declaration 2020 [F2020L00719].

Superannuation Act 1990—

Superannuation (PSS) Maximum Benefits (2020-2021) Determination 2020 [F2020L00717].

Superannuation (PSS) Productivity Contribution (2020-2021) Determination 2020 [F2020L00718].

Therapeutic Goods Act 1989—Therapeutic Goods Legislation Amendment (Fees and Other Measures) Regulations 2020 [F2020L00720].

4 **Committees—Leave to meet during sitting**

Committees were authorised to hold private meetings otherwise than in accordance with standing order 33(1) during the sitting of the Senate today, from 11 am, as follows:

Foreign Interference through Social Media—Select Committee.

Human Rights—Joint Statutory Committee.

5 **Treasury Laws Amendment (2019 Measures No. 3) Bill 2019**

A message from the House of Representatives was reported insisting on disagreeing to the amendments made and insisted on by the Senate to the following bill:

Message no. 221, dated 16 June 2020—Treasury Laws Amendment (2019 Measures No. 3) Bill 2019.

Ordered, on the motion of the Minister for Finance (Senator Cormann), that the message be considered in committee of the whole immediately.

In the committee

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.

Resolution to be reported.

The Chair of Committees (Senator Lines) reported that the committee had considered message no. 221 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.

6 **Export Control Legislation Amendment (Certification of Narcotic Exports) Bill 2020**

Order of the day read for the adjourned debate on the motion of the Assistant Minister for Superannuation, Financial Services and Financial Technology (Senator Hume)—That this bill be now read a second time.

Debate resumed.

Senator Di Natale moved the following amendment:

At the end of the motion, add “, but the Senate calls on the Government to urgently implement the recommendations contained in the report of the Community Affairs References Committee on its inquiry into current barriers to patient access to medicinal cannabis”.

Debate continued.

Question—That the amendment be agreed to—put.

The Senate divided—

AYES, 12

Senators—

Di Natale	Hanson-Young	Patrick	Siewert*
Faruqi	Lambie	Rice	Waters
Hanson	McKim	Roberts	Whish-Wilson

NOES, 31

Senators—

Antic	Davey	McGrath	Ruston
Askew	Duniam	McKenzie	Scarr
Bilyk	Fierravanti-Wells	McLachlan	Seselja
Bragg	Gallacher	Molan	Smith, Dean
Brockman	Gallagher	O’Sullivan	Stoker
Chandler	Hughes	Paterson	Urquhart*
Ciccone	McCarthy	Rennick	Van
Colbeck	McDonald	Reynolds	

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

7 Treasury Laws Amendment (2020 Measures No. 2) Bill 2020

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

Message no. 222, dated 16 June 2020—A Bill for an Act to amend the law relating to taxation, child support and international finance institutions, 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.

Debate ensued.

Senator Whish-Wilson moved the following amendment:

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

- (a) notes that:
 - (i) the JobKeeper scheme requires that employers that have decided to participate must ensure that all eligible employees are nominated for the scheme,
 - (ii) the decision about employee eligibility is entirely at the discretion of employers, and
 - (iii) there is currently no avenue for employees to dispute decisions made by their employer to include some, but not all, employees in the scheme; and
- (b) calls on the Government to give the Fair Work Commission the power to deal with disputes about whether a worker of an employer participating in the JobKeeper scheme is eligible for the JobKeeper Payment”.

Question—That the amendment be agreed to—put.

The Senate divided—

AYES, 30

Senators—

Ayres	Gallacher	McCarthy*	Siewert
Carr	Gallagher	McKim	Sterle
Chisholm	Green	O'Neill	Urquhart
Ciccone	Hanson-Young	Patrick	Walsh
Di Natale	Kitching	Pratt	Waters
Dodson	Lambie	Rice	Watt
Farrell	Lines	Sheldon	Whish-Wilson
Faruqi	McAllister		

NOES, 28

Senators—

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

* Tellers

Question agreed to.

Main question, as amended, 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.

Senator Patrick moved the following amendments together by leave:

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

6. Schedule 7 The day after this Act receives the Royal Assent.

Page 29 (after line 10), at the end of the bill, add:

Schedule 7—Financial reporting obligations for large proprietary companies

Part 1—Repeal of instrument

ASIC Corporations (Exempt Proprietary Companies) Instrument 2015/840

1 The whole of the instrument

Repeal the instrument.

Part 2—Grandfathered exemption

Corporations Act 2001

2 Subsection 1408(6) (table item 7)

Repeal the table item.

Part 3—Application

3 Application

- (1) This item applies to a company if, immediately before the commencement of this item, the company was exempted from complying with subsection 319(1) of the *Corporations Act 2001* by the *ASIC Corporations (Exempt Proprietary Companies) Instrument 2015/840*.
- (2) Despite the amendments made by Parts 1 and 2, that exemption continues to apply to the company in relation to the 2019-20 financial year.

4 Instruments that provide relief from requirements of Corporations Act—Lodgment of annual reports by large proprietary companies

- (1) Despite anything contained in the *Corporations Act 2001*, ASIC may not make a legislative instrument, however described, if that legislative instrument would have the effect of relieving the class of companies referred to in subitem (2) of the requirement to comply with subsection 319(1) of the Act for a financial year.
- (2) The class of companies is the class of large proprietary companies that was relieved from the requirement to comply with subsection 319(1) of the *Corporations Act 2001* due to the operation of the *ASIC Corporations (Exempt Proprietary Companies) Instrument 2015/840* as in force immediately before the commencement of this Schedule.

Debate ensued.

Question—That the amendments be agreed to—put.

The committee divided—

AYES, 32

Senators—

Ayres	Faruqi	Lines	Roberts
Bilyk	Gallacher	McAllister	Sheldon
Brown	Gallagher	McCarthy*	Siewert
Carr	Green	McKim	Sterle
Chisholm	Hanson	O'Neill	Walsh
Ciccione	Hanson-Young	Patrick	Waters
Di Natale	Kitching	Pratt	Watt
Dodson	Lambie	Rice	Whish-Wilson

NOES, 28

Senators—

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

* Tellers

Question agreed to.

Bill agreed to and reported with amendments.

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

8 Treasury Laws Amendment (Your Superannuation, Your Choice) 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.

Question put.

The Senate divided—

AYES, 31

Senators—

Antic	Fierravanti-Wells	McLachlan	Ruston
Askew	Hanson	Molan	Ryan
Bragg	Hughes	O'Sullivan	Scarr
Brockman	Hume	Paterson	Seselja
Cash	Lambie	Patrick	Smith, Dean
Chandler	McDonald	Rennick	Stoker
Colbeck	McGrath	Reynolds	Van
Davey*	McKenzie	Roberts	

NOES, 25

Senators—

Ayres	Faruqi	McCarthy	Sterle
Brown	Gallacher	McKim	Urquhart*
Chisholm	Gallagher	Pratt	Walsh
Ciccone	Green	Rice	Waters
Di Natale	Hanson-Young	Sheldon	Watt
Dodson	McAllister	Siewert	Whish-Wilson
Farrell			

* Tellers

Question agreed to.

Bill read a second time.

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

In the committee

Bill taken as a whole by leave.

Senator McAllister moved the following amendments together by leave:

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) if the agreement includes a restriction on the choice of superannuation funds—made on or after 1 July 2020; or
 - (iii) 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)(iii), 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 subsection 32C(6).

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”.

Debate ensued.

Question—That the amendments be agreed to—put.

The committee divided—

AYES, 25

Senators—

Ayres	Gallacher	McCarthy	Sterle
Bilyk	Gallagher	McKim	Urquhart*
Chisholm	Green	O'Neill	Walsh
Ciccone	Hanson-Young	Pratt	Waters
Di Natale	Lines	Rice	Watt
Farrell	McAllister	Siewert	Whish-Wilson
Faruqi			

NOES, 31

Senators—

Antic	Fierravanti-Wells	McLachlan	Ruston
Askew	Hanson	Molan	Ryan
Bragg	Hughes	O'Sullivan	Scarr
Brockman	Hume	Paterson	Seselja
Cash	Lambie	Patrick	Smith, Dean
Chandler	McDonald	Rennick	Stoker
Colbeck	McGrath	Reynolds	Van
Davey*	McKenzie	Roberts	

* Tellers

Question negatived.

After 12.45 pm: The committee reported progress.

9 Senators' statements

Senators made statements.

At 2 pm—

10 Questions

Questions without notice were answered.

Document: The Minister for Finance (Senator Cormann) tabled the following document:

Environment—Bushfire relief—Answer to question—Letter to the President of the Senate from the Minister for Finance (Senator Cormann), dated 17 June 2020, providing information concerning a question without notice asked by Senator Watt on 16 May 2020.

Statements by leave: Senator Watt and the Leader of the Opposition in the Senate (Senator Wong), by leave, made statements relating to the document.

11 Motions to take note of answers

Senator Gallagher moved—That the Senate take note of the answers given by the Minister for Women (Senator Payne) to questions without notice asked by Senators Pratt and Bilyk today relating to the economic impacts of COVID-19 on women.

Debate ensued.

Question put and passed.

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

Question put and passed.

Senator Faruqi moved—That the Senate take note of the answer given by Senator Ruston to a question without notice asked by Senator Faruqi today relating to animal welfare and live exports.

Question put and passed.

12 Petition

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

From 3,369 petitioners, requesting that the Senate agree that every one of the 700 jobs on the Collins Class submarine maintenance contract remain in South Australia.

Leave refused: Senator Patrick sought leave to make a statement relating to the petition. An objection was raised and leave was not granted.

13 Notices

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, by 9 am on 7 July 2020, the draft report of the statutory review of the *Environment Protection and Biodiversity Conservation Act 1999*. (*general business notice of motion no. 692*)

Senator Lambie: To move on the next day of sitting—That the provisions of the Electoral Legislation Amendment (Miscellaneous Measures) Bill 2020 be referred to the Joint Standing Committee on Electoral Matters for inquiry and report by 2 November 2020. (*general business notice of motion no. 693*)

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

(a) notes that:

- (i) the telehealth Medicare Benefits Schedule (MBS) items introduced during the COVID-19 crisis have provided many Australian patients with safe, continued access to healthcare from their homes when they might otherwise have forgone these consultations,
- (ii) telehealth provides particular benefits for patients with mobility issues, disadvantaged families, rural and remote patients, and Indigenous Australians,
- (iii) the telehealth items, spanning general practice, mental health, specialist, allied health and other consultations have allowed greater protection for healthcare professionals during the pandemic, while allowing them to continue delivering care to patients,

- (iv) greater use of telehealth has been a long-term reform objective in the Australian health system for many years, and has the potential to allow greater, more equitable access to healthcare across Australia long after the COVID-19 pandemic, and
- (v) the current telehealth items introduced during COVID-19 are due to expire on 30 September 2020;
- (b) acknowledges that:
 - (i) telehealth consultations cannot and should not fully replace face-to-face consultations, but offer choice and accessibility to healthcare when required, and
 - (ii) video consultations are preferable to telephone consultations where possible, while acknowledging that Australians have inequitable access to high quality broadband services, and some older Australians in particular face barriers to accessing video consultations; and
- (c) calls on the Government to make the telehealth MBS items permanent, with a full evaluation after 12 months, including of patient access, compliance, and continuity of care. (*general business notice of motion no. 694*)

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, by 9 am on Friday, 26 June 2020:

- (a) all documents relating to plans and exploration of plans by the Department of the Environment to reform or amend the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) between 1 October 2017 and 30 April 2018;
- (b) all documents relating to plans and exploration of plans by the Minister for the Environment to reform or amend the EPBC Act between 1 October 2017 and 30 April 2018; and
- (c) any and all exposure drafts of bills to amend the EPBC Act prepared between 1 October 2017 and 30 April 2018. (*general business notice of motion no. 695*)

Senators Waters, Faruqi and Steele-John: To move on the next day of sitting—That the Senate—

- (a) notes that:
 - (i) Friday, 19 June 2020 marks the sixth annual International Day for the Elimination of Sexual Violence in Conflict,
 - (ii) UN Action Against Sexual Violence in Conflict (UN Action) plays a vital role in working towards ending sexual violence in conflict by uniting 13 UN entities to amplify advocacy, improve coordination and accountability, and support prevention and response efforts, and their six guiding principles are:
 - (A) rape is not an inevitable consequence of conflict – it must be prevented,
 - (B) gender-based violence, including sexual violence, is a violation of fundamental human dignity and rights,

- (C) attempts to end sexual violence must address gender-based inequalities by empowering women and protecting and promoting their rights,
- (D) the constructive involvement of men and boys is vital,
- (E) survivors of sexual violence must guide advocacy and programming efforts to end sexual violence and secure peace, and
- (F) sexual violence in conflict is one of history's great silences – we all have a duty to act, and
- (iii) sexual violence in conflict continues to affect millions of people, especially women and girls; it persists due to ineffective protections, inadequate rule of law and judicial systems, and under-resourced support services for survivors, and sexual violence during conflict can constitute a war crime, crime against humanity and act of genocide, and it must be prevented;
- (b) acknowledges that:
 - (i) the focus of this year's commemoration event is the impact that the COVID-19 pandemic is having on victims and survivors of conflict-related sexual violence,
 - (ii) COVID-19 is having a detrimental impact on all aspects of the lives of victims and survivors of conflict-related sexual violence, and
 - (iii) quarantine, isolation and movement restrictions, and limitations on services, exacerbate the social and structural barriers to reporting and monitoring sexual violence in conflict; these crisis-related limitations also reduce the availability of support services for survivors, including health services, justice services, counselling services, and emergency housing services; and
- (c) calls on the Government to increase support for UN Action efforts to eliminate the occurrence of sexual violence in conflict. (*general business notice of motion no. 696*)

Senators Siewert and Waters: To move on the next day of sitting—That the Senate—

- (a) notes that recent research published by the Open University on investment in the care industry found that:
 - (i) if Australia invested 1% of GDP in the care industry, it would raise the employment rate by 1.2% which, as a point of comparison, is more than the same investment in the construction industry,
 - (ii) investment in the care industry would result in 79% of new jobs being filled by women, thereby helping to reduce the gender employment gap in Australia, and
 - (iii) the fiscal returns from investing in the care industry are higher compared to investing in other industries, allowing greater investment for the same net cost;
- (b) acknowledges that the care industry, including the education, health, aged care and child care sectors, play a critical role in Australia's recovery from the COVID-19 crisis; and

- (c) calls on the Government to invest in the care industry to generate new jobs, close the gender employment gap and ensure we have the workforce to deliver universal access to essential services. (*general business notice of motion no. 697*)

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

- (a) notes that the Victorian Premier, Mr Daniel Andrews, yesterday, said of South Australia, ‘Why would anyone want to go there?’;
- (b) presumes he actually meant ‘why wouldn’t everyone want to go there?’;
- (c) recognises that approximately 40% of South Australia’s interstate tourism market comes from Victoria;
- (d) acknowledges the many reasons why thousands of Victorians travel to South Australia each year, including (but not limited to): Kangaroo Island; the Fleurieu Peninsula; the Flinders Ranges; the Adelaide Hills; the Barossa Valley; McLaren Vale; Coonawarra; Port Lincoln; Port Pirie; Renmark and all the regions; world class food and wine; real iced coffee; houseboats on the Murray; the Christmas Pageant; the Adelaide Festival; the Adelaide Fringe; fritz; FruChocs; the Tour Down Under; the city parklands; Vili’s pies; Haigh’s; the Adelaide Strikers; Port Power; the Crows; and no congestion;
- (e) calls on Premier Andrews to take a moment, enjoy some FruChocs and a Farmers Union (real) Iced Coffee and concede that South Australia is a wonderful, vibrant and welcoming tourist destination; and
- (f) encourages all Australians to back the South Australian Tourism ‘Welcome Back Campaign’ which looks forward to welcoming all Aussies to ‘#IchooseSA’ as borders re-open. (*general business notice of motion no. 698*)

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

- (a) notes that:
 - (i) the COVID-19 crisis has further exposed existing inequalities in our broken housing system,
 - (ii) renters across Australia face eviction as COVID-19 related eviction bans come to an end across states and territories, and
 - (iii) as the economic crisis continues, more people are at risk of homelessness than ever before;
- (b) calls on the Government to:
 - (i) increase funding for emergency housing,
 - (ii) invest in building more public and community housing, which will create construction jobs and apprenticeships, and provide homes for people,
 - (iii) direct lenders to implement mortgage relief, where needed, with no interest accrual, a ban on foreclosures and a freeze on owners’ credit ratings,
 - (iv) permanently increase income support, and
 - (v) implement a national plan to end homelessness; and

- (c) calls on the National Cabinet to:
 - (i) implement waivers for rent arrears, with relief for those with rental debts, and
 - (ii) agree on a national standard of renters' rights and rental laws to protect people from unfair evictions. (*general business notice of motion no. 699*)

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

- (a) notes:
 - (i) the important and brave contribution of all Australian workers throughout the COVID-19 pandemic, and
 - (ii) the high cost of union fees for workers who belong to a union; and
- (b) calls on all senators to lobby and encourage unions representing Australian workers to reduce union fees in the medium term to acknowledge the contribution and financial hardship of these workers. (*general business notice of motion no. 700*)

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

- (a) notes that:
 - (i) truck drivers across Australia are under pressure because of the squeeze on rates,
 - (ii) pressure on truck drivers does not exist in isolation; it has real life consequences which can be catastrophic,
 - (iii) truck driving is Australia's deadliest industry, with around one in three workplace deaths involving a transport worker,
 - (iv) maintaining safe rates of pay for truck drivers contributes directly to increased road safety for all road users,
 - (v) longstanding state laws in Australia provide owner-drivers with certainty over their rates,
 - (vi) during the pandemic, truck drivers have risked their health and lives to continue delivering goods, crossing closed state borders, finding truck stops shut or unable to provide them with hot meals or showers, and
 - (vii) in response to an opinion article urging fellow owner-drivers not to undercut each other during the COVID-19 pandemic, on 1 June 2020 the Australian Competition and Consumer Commission (ACCC) wrote to owner-driver Mr Frank Black threatening criminal charges carrying jail terms; and
- (b) further notes that the ACCC has been asked to:
 - (i) withdraw the letter and accusations levelled at Mr Frank Black therein,
 - (ii) apologise to Mr Frank Black, and
 - (iii) confirm that the ACCC will commence a detailed inquiry into destructive competition in the road transport industry that sees those at the top of the supply chain squeezing transport operators, their employees and owner drivers like Frank Black into deadly circumstances. (*general business notice of motion no. 701*)

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

- (1) The Senate notes that:
 - (a) the House of Representatives Select Committee on Regional Development and Decentralisation released the ‘Regions at the Ready: Investing in Australia’s Future’ report on 28 June 2018;
 - (b) recommendation 12 of that report called on the Government to develop a clear regional development policy through a comprehensive Regional Australia White Paper, following a Green Paper public consultation process;
 - (c) the Government established an expert panel to ‘undertake a targeted assessment of the key issues raised in the Report, including the development of a White Paper’ which was to report to Government by 31 March 2019; and
 - (d) the report of the expert panel has not been made available to the Parliament or to the public.
- (2) There be laid on the table by the Minister representing the Minister for Infrastructure, Transport and Regional Development, by no later than 18 June 2020, a copy of the expert panel report on the ‘Regions at the Ready: Investing in Australia’s Future’ report. (*general business notice of motion no. 702*)

Senators Lambie and Patrick: To move on the next day of sitting—That the Senate—

- (a) notes that:
 - (i) suicide by current and former Australian Defence Force members continues to claim at least a life a week,
 - (ii) on 5 February 2020, the Prime Minister said his National Commissioner for Defence and Veteran Suicide Prevention would be ‘bigger and better than a Royal Commission’, and
 - (iii) on 27 February 2020, the Senate disagreed with the Prime Minister;
- (b) again condemns the Morrison Government’s proposed National Commissioner for Defence and Veteran Suicide Prevention as a poor imitation of a Royal Commission;
- (c) believes that nothing short of a Royal Commission into Veteran Suicide can address this painful and ongoing scourge;
- (d) expresses its view that:
 - (i) the Prime Minister’s National Commissioner will have neither the power, nor the resources, of a Royal Commission, and can in no way be considered ‘bigger and better’,
 - (ii) any insistence on this unproven, experimental model over the proven and successful model of a Royal Commission is made knowing that it risks making things worse, not better;
- (e) calls on the Morrison Government to establish a Royal Commission into Veterans’ Suicide, with a clear start and end date; and
- (f) invites the Royal Commissioner to recommend that a standing, permanent capability be established to oversee reform, should the Commissioner see fit to do so. (*general business notice of motion no. 703*)

Senators Canavan, Davey, Molan and Dean Smith: To move on the next day of sitting—
That the Senate—

- (a) recognises the hard work, dedication and sacrifice of the over 80,000 state and federal police officers in Australia;
- (b) notes that, in 2018-19, over 9,000 police officers were injured in the line of duty throughout Australia, more than one officer every hour;
- (c) further notes that the 2018 ‘Answering the call’ national survey, found that over 24% of police officers reported that they are sometimes or often physically assaulted when undertaking work duties; and
- (d) condemns those calling for the defunding of our essential police forces, including the views expressed by New South Wales Greens Legislative Councillor Mr David Shoebridge, who has stated that ‘That’s what #defundthepolice could look like here in NSW’. (*general business notice of motion no. 704*)

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

- (1) That the following variations to the standing orders have effect as a temporary order until the last sitting day in June 2021:
 - (a) At the end of standing order 66, add:
 - (5) The following additional requirements apply to the consideration of general business notices of motion as formal motions:
 - (a) senators may make (or have made on their behalf) only one request for formality in any sitting week;
 - (b) no more than 12 motions may be dealt with as formal motions on any sitting day, comprising no more than four proposed by Government senators, four proposed by Opposition senators, and four proposed by minor party and independent senators;
 - (c) the motions to be considered shall be notified to the President; and
 - (d) the allocation of motions to be taken as formal amongst minor party and independent senators each day shall be determined by the President and, across the course of a sitting week, shall be as nearly as practicable proportional to the numbers of those minor party and independent senators in the Senate;
 - (6) The restrictions in paragraph (5) do not apply in respect of motions for the consideration of legislation (including the introduction of bills) or the conduct of Senate or committee business (including the appointment of a select committee).
 - (b) After standing order 76(7), insert:
 - (7A) A general business notice of motion shall not exceed 200 words, unless it is a motion:
 - (a) for the consideration of legislation or the conduct of Senate or committee business (including the appointment of a select committee); or
 - (b) proposing an order for the production of documents.

- (2) That the Procedure Committee review the operation of this order, and report to the Senate by the last sitting day in May 2021. (*general business notice of motion no. 705*)

Senators Keneally, McCarthy, Bilyk, Polley, Rice and Molan: To move on the next day of sitting—That the Senate—

- (a) notes that:
- (i) six babies a day in Australia are stillborn, and the rate of stillbirth in Australia has not changed in two decades,
 - (ii) the Senate Select Committee into Stillbirth Research and Education heard many stories from parents and grandparents of stillborn babies about the silence around stillbirth and the solitary nature of this particular grief, and
 - (iii) the Committee made recommendations to improve bereavement support for parents and that the Government has accepted or accepted in principle all recommendations from the Committee's report;
- (b) acknowledges that social distancing restrictions, which have been necessary during the COVID-19 crisis, will have compounded the grief and sorrow for families mourning their stillborn babies; and
- (c) extends condolences and sympathies to the families of stillborn babies in Australia, especially during the COVID-19 crisis. (*general business notice of motion no. 706*)

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

- (a) notes that:
- (i) regional Australia is a fundamental pillar of our economy, and will play a critical role as we emerge and rebuild from the economic impacts caused by COVID-19,
 - (ii) our regional, rural and remote areas punch well above their weight; they represent just under a third of the national population, yet contribute two thirds of our national income,
 - (iii) regional Australians have had to endure the COVID-19 pandemic in the wake of a devastating summer of bushfires, and
 - (iv) the courage demonstrated by those in our regions as they continue to persist and resist, time and again, characterises the best of what it means to be Australian; and
- (b) commends the Liberal and Nationals Government on:
- (i) continuing to recognise and respect the challenges faced by our regional communities, and letting those in bushfire-affected communities know that they have not been forgotten by this Government,
 - (ii) supporting these communities as they recover and rebuild through the \$448.5 million Regional Bushfire Recovery and Development Program, and
 - (iii) ensuring that our regions are better prepared than ever before the next bushfire season – attributing over \$37 million towards strengthening communications across rural fire depots and evacuation centres. (*general business notice of motion no. 707*)

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

- (a) notes that:
 - (i) the design of the Morrison-McCormack Government's HomeBuilder program has been criticised within the Government and publicly,
 - (ii) housing experts are concerned that the HomeBuilder program will not deliver for regional areas, where the required spend will overcapitalise existing houses, and
 - (iii) similarly, the LNP Member for Herbert, Mr Phillip Thompson OAM MP, and the LNP Member for Leichhardt, the Honourable Warren Entsch MP, have raised concerns that renovations for houses in their electorates will not meet the \$150,000 threshold;
- (b) supports the comments about the HomeBuilder program of Senator Canavan, that 'I'm worried we are putting ourselves in a weaker position if asset prices in Australia were to fall', and recognises the Morrison-McCormack Government has failed tradies, home buyers, home renovators and thousands of Australians on public housing waiting lists; and
- (c) calls on the Morrison-McCormack Government to address the inadequacy of this scheme, especially in regional areas. (*general business notice of motion no. 708*)

14 **Postponement**

General business notice of motion no. 680 standing in the name of Senator Gallagher for today, proposing an order for the production of documents relating to the government modelling on COVID-19, was postponed till 18 June 2020 (*but see entry no. 31*).

15 **Competition and Consumer Amendment (Australian Consumer Law—Country of Origin Representations) Bill 2020**

The Assistant Minister for Forestry and Fisheries (Senator Duniam), at the request of the Minister for Employment, Skills, Small and Family Business (Senator Cash) and pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 1—That the following bill be introduced:

A Bill for an Act to amend the *Competition and Consumer Act 2010*, and for related purposes.

Question put and passed.

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

Explanatory memorandum: Senator Duniam tabled an explanatory memorandum relating to the bill.

Consideration of legislation: Pursuant to order, the debate was adjourned till the first day in the next period of sittings, 4 August 2020.

16 Consideration of legislation

The Assistant Minister for Forestry and Fisheries (Senator Duniam), pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 2—That the provisions of paragraphs (5) to (8) of standing order 111 not apply to the following bills, allowing them to be considered during this period of sittings:

Broadcasting Services Amendment (Regional Commercial Radio and Other Measures) Bill 2020

Education Legislation Amendment (2020 Measures No. 1) Bill 2020

National Vocational Education and Training Regulator Amendment (Governance and Other Matters) Bill 2020

Therapeutic Goods Amendment (2020 Measures No. 1) Bill 2020

Treasury Laws Amendment (2020 Measures No. 3) Bill 2020

Treasury Laws Amendment (More Flexible Superannuation) Bill 2020.

Question put and passed.

17 Commonwealth Electoral Amendment (Banning Dirty Donations) Bill 2020

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. 524—That the following bill be introduced:

A Bill for an Act to amend the *Commonwealth Electoral Act 1918*, and for related purposes.

Question put and passed.

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

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

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

18 COVID-19—Shipping industry—Sister Mary Leahy

Senator Urquhart, at the request of Senator Brown and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 679—That the Senate—

(a) notes:

- (i) that many of the world's 1.6 million seafarers are currently trapped on board ships as shore leave has been cancelled due to COVID-19, including many hundreds of Australian seafarers, and the cancellation of shore leave for workers who have been at sea for up to nine months can have a significant impact on the seafarers' physical and mental health, and

- (ii) for over 20 years, Sister Mary Leahy, known as the angel of Sydney's waterfront, has worked as Chaplain to seafarers either visiting or based in Sydney — Sister Mary's work is praised by seafarers and shipping company CEOs alike; and
- (b) records its thanks to Sister Mary, and her team of volunteers, for the important work she is undertaking with, and on behalf of, seafarers during these most challenging times.

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

Question put and passed.

19 **Racism**

Senator Urquhart, at the request of Senator McCarthy and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 683—That the Senate—

- (a) recognises that all people in Australia, regardless of their ethnicity, cultural or religious background, deserve to be respected in our society;
- (b) notes the letter from more than 30 community groups in response to a rise in racist attacks and commentary in Australia;
- (c) acknowledges that racism has negative physiological and psychological impacts; and
- (d) calls on the Government to:
 - (i) immediately begin a bipartisan approach to the development of a national racism strategy that will build a more tolerant and inclusive society, and
 - (ii) immediately begin a bipartisan approach to developing a national racism campaign that educates and sends a message of zero tolerance to any form of racism in Australia.

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 **Living with disability**

Senator Urquhart, at the request of Senators Marielle Smith and Gallacher and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 684—That the Senate—

- (a) acknowledges that:
 - (i) many Australians face challenges physically accessing the wider community, whether they live in urban, regional or remote areas, and
 - (ii) many Australians living with disability do not have access to reliable, affordable and safe transport;

- (b) notes that:
 - (i) around 4.4 million Australians live with disability,
 - (ii) the lives of many of these Australians can be significantly improved by the National Disability Insurance Scheme with the right commitment, funding and effort to work through the issues that they face on a daily basis,
 - (iii) too often, barriers to transport, both economic and practical, prevent Australians living with disability from participating fully in the social and economic life of our community,
 - (iv) too many Australians with disability are not able to access reliable, affordable and safe transport when they need it most, and
 - (v) further research and publicly accessible data is required which details the use of transport by Australians with disability; and
- (c) calls on the Government to prioritise the transport needs of all Australians living with disability.

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

Question put and passed.

21 **Social Services Legislation Amendment (Ending the Poverty Trap) Bill 2018—Order of the day discharged**

Senator Siewert, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 685—That general business order of the day no. 23, relating to the Social Services Legislation Amendment (Ending the Poverty Trap) Bill 2018, be discharged from the *Notice Paper*.

Question put and passed.

22 **COVID-19—Disability Support Pension and Carer Payments**

Senator Siewert, also on behalf of Senator Steele-John, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 686—That the Senate—

- (a) notes that Disability Support Pension and Carer Payment recipients did not receive the \$550 per week coronavirus supplement;
- (b) recognises that disabled people and carers are:
 - (i) experiencing higher vulnerability to COVID-19, disruption to essential supports and services, and increased economic insecurity during the pandemic,
 - (ii) reporting increased living costs as a result of COVID-19 and increased economic insecurity, and
 - (iii) more likely to be hit hardest by the recession because they are already disadvantaged within the labour market;
- (c) acknowledges that 40% of people on the Disability Support Pension, and 20% of people on Carer Payment are living below the poverty line; and

- (d) calls on the Government to immediately provide additional financial support to Disability Support Pension and Carer Payment recipients, and ensure its COVID-19 recovery plan includes specific strategies to support disabled people and carers.

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.

23 Employment rates

Senator Faruqi, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 678—That the Senate—

- (a) notes that:
- (i) between World War 2 and the 1970s, the average unemployment rate was 2%, and
 - (ii) since the 1980s, 5% unemployment has been considered ‘full employment’ by most governments, even though it means hundreds of thousands more people either have no work or not enough work; and
- (b) considers that:
- (i) ‘full employment’ should mean what most people think it means, namely that everyone who wants a job can get one, and
 - (ii) Australia should have a full employment target of 2% unemployment and 2% underemployment.

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

Question put.

The Senate divided—

AYES, 9

Senators—

Di Natale
Faruqi
Hanson-Young

McKim
Rice

Roberts
Siewert*

Waters
Whish-Wilson

NOES, 30

Senators—

Abetz
Antic
Askew
Bragg
Brockman
Canavan
Chandler
Davey

Duniam
Fierravanti-Wells
Gallagher
Henderson
Hughes
Hume
Lambie
McDonald

McGrath
McKenzie
McLachlan
McMahon
Molan
Paterson
Rennick

Ruston
Ryan
Scarr
Smith, Dean
Stoker
Urquhart*
Van

* Tellers

Question negatived.

24 **Animal welfare—Greyhound racing**

Senator Faruqi, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 681—That the Senate—

- (a) notes that:
 - (i) more than 100 greyhounds have been killed at racing tracks across Australia so far this year,
 - (ii) more than 3,000 injuries have been suffered by greyhounds at racing tracks across Australia so far this year, and
 - (iii) unlike other sports, greyhound and horse racing was allowed to continue during COVID-19 in all states and territories where it usually operates, with the exception of Tasmania;
- (b) recognises that greyhound racing is an inherently dangerous and cruel ‘sport’; and
- (c) calls for a national ban on greyhound racing.

Question put.

The Senate divided—

AYES, 8

Senators—

Di Natale
Faruqi

Hanson-Young
McKim

Rice
Siewert*

Waters
Whish-Wilson

NOES, 30

Senators—

Abetz
Antic
Askew
Bragg
Brockman
Canavan
Chandler
Davey

Duniam
Fierravanti-Wells
Gallagher
Henderson
Hughes
Hume
Lambie
McDonald

McGrath
McKenzie
McLachlan
McMahon
Molan
Paterson
Rennick

Roberts
Ruston
Ryan
Smith, Dean
Stoker
Urquhart*
Van

** Tellers*

Question negatived.

25 **Oil and gas exploration—Ningaloo Reef, Shark Bay and Exmouth Gulf**

Senator Siewert, also on behalf of Senator Whish-Wilson, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 687—That the Senate—

- (a) notes that, as part of the acreage release process, the Government is asking industry to nominate areas they are interested in for oil and gas exploration around Ningaloo Reef, Shark Bay, and the Exmouth Gulf;
- (b) acknowledges that:
 - (i) the Exmouth Gulf is a rare and precious estuarine system and crucial to the health of the World Heritage listed Ningaloo Reef,
 - (ii) Ningaloo Reef is one of the world’s last healthy coral reefs and is home to humpback whales, whale sharks, dugongs, sawfish, turtles, and seagrass,

- (iii) Shark Bay is World Heritage listed, satisfying all four criteria for natural heritage values, and is home to stromatolites which are among the oldest forms of life on earth,
- (iv) any seismic exploration and drilling could have a devastating environmental impact on these areas, and
- (v) areas south of the Pilbara are too environmentally sensitive to risk; and
- (c) calls on the Federal Government to remove Ningaloo Reef, Shark Bay, and the Exmouth Gulf from the acreage release process.

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

Question put.

The Senate divided—

AYES, 8

Senators—

Di Natale
Faruqi

Hanson-Young
McKim

Rice
Siewert*

Waters
Whish-Wilson

NOES, 29

Senators—

Abetz
Antic
Bragg
Brockman
Canavan
Chandler
Davey
Duniam

Fierravanti-Wells
Gallagher
Henderson
Hughes
Hume
Lambie
McDonald

McGrath
McKenzie
McLachlan
McMahon
Molan
Paterson
Rennick

Roberts
Ruston
Ryan
Scarr
Smith, Dean
Stoker
Urquhart*

* *Tellers*

Question negatived.

26 COVID-19—Northern Territory border

Senator McMahon, also on behalf of Senators McKenzie, Canavan, Davey and McDonald, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 682—That the Senate—

(a) notes that:

- (i) the Northern Territory (NT) Gunner Labor Government closed the NT border on Tuesday, 24 March 2020, without a plan to re-open the border, citing expert medical advice as the foundation of this decision, and
- (ii) Northern Territory Leader of the Opposition and Country Liberal Party Leader, Mrs Lia Finocchiaro MLA, has asked Chief Minister Gunner on multiple occasions to explain his criteria for re-opening the border, and he has not provided an acceptable answer detailing the criteria upon which a decision will finally be made;

- (b) recognises that:
 - (i) the last Territorian resident to have tested positive for COVID-19 was diagnosed on 6 April 2020 and there has never been an instance of community transfer of the virus in the NT,
 - (ii) there has been a total of 30 cases of COVID-19, all of whom recovered, and with no deaths recorded within the NT,
 - (iii) comments made by Prime Minister Scott Morrison on 27 May 2020 that ‘the national medical advice that came from the expert panel that has driven all the other decisions never recommended closing (interstate) borders’ and that border closures such as these ‘do harm the economy, they do harm jobs and it is important that we get those removed as soon as possible’, and
 - (iv) over the past four years the economy of the NT has suffered greatly under the Gunner Labor Government, with most businesses now under enormous financial stress while the NT border remains closed; and
- (c) calls on the NT Gunner Labor Government to:
 - (i) provide certainty and clarity to the people of the NT on when the Territory border will re-open,
 - (ii) deliver a real plan for re-opening the border, with identifiable targets, clear criteria and structured goals, based on the expert medical advice provided by the Chief Medical Officer of Australia, and
 - (iii) commit to re-opening the NT border by next Monday, 22 June 2020.

Statement by leave: Senator Gallagher, by leave, made a statement relating to the motion.
Question put and passed.

27 COVID-19—National COVID-19 Coordination Commission

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. 688—That the Senate—

- (a) notes that:
 - (i) the Morrison Government’s handpicked National COVID-19 Coordination Commission was established without clear terms of reference,
 - (ii) the membership of the Commission and its Manufacturing Taskforce is dominated by people with ties to the gas industry and who stand to benefit from investment in gas projects, including the Narrabri pipeline championed by the Commission,
 - (iii) despite requests for greater transparency, all but one of the members of the Commission have declined to make their conflict of interest disclosures publicly available,
 - (iv) members of the Commission’s Manufacturing Taskforce are not required to disclose their conflicts of interest to the Prime Minister and Cabinet even though public records show some hold shareholdings in companies that would benefit from the projects the Taskforce recommends,

- (v) Paul Bastian, a member of the Manufacturing Taskforce, has reported that the Taskforce is overwhelmingly focused on a gas-led recovery and did not give adequate consideration to renewable energy projects, and
- (vi) the Commission has failed to give comprehensive, independent consideration to important economy-boosting projects such as renewable energy and public housing infrastructure; and
- (b) calls on the Federal Government to disband the National COVID-19 Coordination Commission.

Question put.

The Senate divided—

AYES, 8

Senators—

Di Natale
Faruqi

Hanson-Young
McKim

Rice
Siewert*

Waters
Whish-Wilson

NOES, 30

Senators—

Abetz
Antic
Bragg
Brockman
Canavan
Chandler
Davey
Duniam

Fierravanti-Wells
Gallagher
Henderson
Hughes
Hume
McDonald
McGrath
McKenzie

McLachlan
McMahon
Molan
Paterson
Patrick
Rennick
Roberts

Ruston
Ryan
Scarr
Smith, Dean
Stoker
Urquhart*
Van

* Tellers

Question negatived.

28 COVID-19—Economic response

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. 689—That the Senate—

- (a) notes the imminent end to many of the Government's COVID-19 economic response measures, including:
 - (i) the JobKeeper wage subsidy, which is due to finish on 27 September 2020, except for childcare centres for whom JobKeeper will finish at the end of June 2020,
 - (ii) the increase in JobSeeker and other social security payments, which are due to finish on 24 September 2020, along with the relaxation of eligibility criteria,
 - (iii) economic support payments to eligible income support recipients, the last of which will be made during July,
 - (iv) free childcare, which will finish at the end of June 2020,
 - (v) cash flow support for small and medium sized enterprises, which is due to finish at the end of September 2020,
 - (vi) the apprentice wages subsidy for small and medium sized enterprises which is due to finish at the end of September, and

- (vii) arrangements for eviction moratoriums, rent reductions and mortgage holidays, which are all due to finish at the end of September; and
- (b) calls on the Federal Government to:
 - (i) extend economic response measures so as to avoid more people losing their jobs, more people having their income reduced, and more people falling into poverty,
 - (ii) develop a government-led recovery plan that will create the jobs for the future, and
 - (iii) announce these measures urgently so as to provide certainty and confidence, and to give the nation the best chance of making a strong recovery.

Question put and passed.

29 **COVID-19—Arts and entertainment industry funding**

Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 690—That the Senate—

- (a) notes that:
 - (i) it has been more than three months since COVID-19 physical distancing rules effectively shut down the arts and entertainment industry overnight,
 - (ii) hundreds of thousands of workers in the arts and entertainment industry have been impacted, and
 - (iii) the Morrison Government has not announced any specific industry assistance for the arts and entertainment;
- (b) calls on the Morrison Government to detail and deliver a recovery package for the arts and entertainment industry; and
- (c) transmits this resolution to the House of Representatives for concurrence.

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.

30 **Refugees and asylum seekers**

Senator McKim, also on behalf of Senators Griff and Keneally, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 691—That the Senate—

- (a) notes that 14 to 20 June 2020 is Refugee Week in Australia, and that 20 June 2020 is World Refugee Day;
- (b) reaffirms Australia's commitments as a signatory to the Convention Relating to the Status of Refugees;

- (c) agrees that:
- (i) refugees and people seeking asylum have made, and will continue to make, significant contributions to Australia's social fabric and economic well-being, and
 - (ii) the indefinite detention of refugees, both offshore and onshore, causes trauma and harm to people who have applied for refugee status under the Convention Relating to the Status of Refugees; and
- (d) calls on the Federal Government to immediately accept the kind offer from the New Zealand Government to provide resettlement to 150 people each year from Australia's offshore detention cohort.

The question was divided at the request of the Assistant Minister for Forestry and Fisheries (Senator Duniam).

Question—That the motion be agreed to in respect of paragraphs (a) and (b) and subparagraph (c)(i)—put and passed.

Question—That the motion be agreed to in respect of subparagraph (c)(ii) and paragraph (d)—put.

The Senate divided—

AYES, 27

Senators—

Ayres	Dodson	Lines	Sterle
Bilyk	Farrell	McKim	Urquhart*
Brown	Faruqi	Patrick	Walsh
Carr	Gallacher	Pratt	Waters
Chisholm	Gallagher	Rice	Watt
Ciccone	Green	Sheldon	Whish-Wilson
Di Natale	Hanson-Young	Siewert	

NOES, 27

Senators—

Abetz	Davey	McGrath	Roberts
Antic	Duniam	McKenzie	Ruston
Birmingham	Fierravanti-Wells	McLachlan	Ryan
Bragg	Henderson	McMahon	Seselja
Brockman	Hughes	Payne	Smith, Dean*
Canavan	Hume	Rennick	Van
Cash	McDonald	Reynolds	

* Tellers

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

31 COVID-19—Government modelling—Order for production of documents

Senator Gallagher, by leave, moved general business notice of motion no. 680, postponed earlier today (*see entry no. 14*)—That the Senate—

- (a) notes that:
- (i) on 8 April 2020 the Senate unanimously supported the establishment of the Senate Select Committee on COVID-19 to inquire into the Government's response to the pandemic,

- (ii) the Leader of the Government in the Senate told the chamber on 8 April 2020 that ‘we do believe there is a need for scrutiny’ and that ‘it is very important to have in place a committee of the type that is being proposed’,
- (iii) the Government has refused to provide the Senate Select Committee on COVID-19 with important information relevant to its inquiry including:
 - (A) modelling and scenario work undertaken by Treasury on the Government’s response to the COVID-19 pandemic, and
 - (B) the date the Chief Medical Officer first briefed Cabinet on COVID-19, and
- (iv) in relation to each of the examples in paragraph (a)(iii):
 - (A) the Government has asserted that it cannot provide the relevant information because it pertains to Cabinet,
 - (B) the Government has failed to make a public interest immunity claim in relation to the information sought,
 - (C) in particular, no attempt has been made to identify any specific harm to the public that would result from disclosing the information, and
 - (D) the Committee has reiterated its requests for information and, in the case of the Treasury modelling, did not accept the Department’s answer;
- (b) reaffirms:
 - (i) the resolution of the Senate of 16 July 1975 relating to the powers of the Senate and the accountability of witnesses and requiring that any claim to withhold information from the Senate be based on an established ground,
 - (ii) the order of the Senate of 13 May 2009 (the ‘Cormann order’), which sets out the process to be followed for witnesses, including ministers, to raise public interest immunity claims, including by stating the grounds of those claims and the harm that might be occasioned by providing the information, and
 - (iii) the principle that information may only be withheld following consideration by the Senate of a properly founded claim of public interest immunity, as laid out in the Cormann order and reaffirmed in orders of the Senate of 22 September 2020, 10 February 2011, 3 March 2016, 11 October 2016 and 12 September 2017; and
- (c) orders the Minister representing the Treasurer and the Minister representing the Minister for Health to provide the information identified in paragraph (a)(iii) to the Senate Select Committee by 12 pm Thursday, 18 June 2020.

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

Question put.

The Senate divided—

AYES, 29

Senators—

Ayres	Farrell	Lines	Siewert
Bilyk	Faruqi	McKim	Sterle
Brown	Gallacher	Patrick	Urquhart*
Carr	Gallagher	Pratt	Walsh
Chisholm	Green	Rice	Waters
Ciccone	Hanson-Young	Roberts	Watt
Di Natale	Lambie	Sheldon	Whish-Wilson
Dodson			

NOES, 26

Senators—

Abetz	Duniam	McLachlan	Ryan
Antic	Fierravanti-Wells	McMahon	Scarr
Bragg	Henderson	Molan	Seselja
Brockman	Hughes	Paterson	Smith, Dean*
Canavan	McDonald	Rennick	Stoker
Chandler	McGrath	Ruston	Van
Davey	McKenzie		

* Tellers

Question agreed to.

32 Discussion of matter of public importance—Morrison Government

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

The Morrison Government's continual failure to deliver, leaving Australians to suffer the consequences.

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

33 Notice

Senator Ciccone, by leave and at the request of Senator Gallagher, gave a notice of motion as follows: To move on the next day of sitting—That the Senate—

(a) notes that:

- (i) more than 5 million Australians and their families are relying on government assistance to help them through the COVID-19 pandemic,
- (ii) JobKeeper and the increase to JobSeeker are set to expire at the end of September, and
- (iii) more than \$250 billion in deferred loans for mortgages and business are also due to expire at the end of September; and

- (b) calls on the Government to outline a national economic plan that:
 - (i) prevents millions of Australians being ‘snapped-back’ to unemployment, poverty and insecure jobs at the end of September,
 - (ii) has job creation and skills development at the centre, and
 - (iii) ensures that ongoing government investment is targeted to lift Australia out of its first recession in 29 years. (*general business notice of motion no. 709*)

34 Documents—Consideration

A document tabled earlier today (*see entry no. 3*) was considered as follows:

Motion to take note of document no. 1 moved by Senator Rice and agreed to.

35 Committee reports and government responses—Tabling and consideration

Senator McGrath, at the request of the Chair of the Rural and Regional Affairs and Transport Legislation Committee (Senator McDonald), tabled the following report and documents:

Rural and Regional Affairs and Transport Legislation Committee—Performance of the Australian Maritime Safety Authority—Report, dated June 2020, Hansard record of proceedings, additional information and submissions.

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

Question put and passed.

Senator Ciccone, at the request of the Chair of the Standing Committee for the Scrutiny of Bills (Senator Polley), tabled the following report:

Scrutiny of Bills—Standing Committee—Scrutiny digest 8 of 2020, dated 17 June 2020.

The Chair of the Standing Committee for the Scrutiny of Delegated Legislation (Senator Fierravanti-Wells) tabled the following reports:

Scrutiny of Delegated Legislation—Standing Committee—

Annual report for 2019, dated 10 June 2020.

Delegated legislation monitor 8 of 2020, dated 17 June 2020.

Senator Fierravanti-Wells moved—That the Senate take note of the reports.

Question put and passed.

The Chair of the Parliamentary Joint Committee on Human Rights (Senator Henderson) tabled the following report:

Human Rights—Joint Statutory Committee—Report 7 of 2020—Human rights scrutiny report, dated 17 June 2020.

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

Question put and passed.

Senator O’Sullivan, on behalf of the Joint Committee of Public Accounts and Audit, tabled the following report and documents:

Public Accounts and Audit—Joint Statutory Committee—481st report—Efficiency and Effectiveness: Inquiry into Auditor-General’s reports 25, 29, 38, 42, 44, 45 and 51 (2018-19), dated June 2020, and executive minutes.

Senator O’Sullivan moved—That the Senate take note of the report.

Question put and passed.

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

Economics Legislation Committee—Performance of the Inspector-General of Taxation—Report, dated June 2020, Hansard record of proceedings, documents presented to the committee, additional information and submissions.

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

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

36 Defence Honours and Awards Appeals Tribunal—Order for production of documents—Documents

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

Defence Honours and Awards Appeals Tribunal—Order of 11 June 2020 (595)—Letter to the President of the Senate from the Minister for Finance (Senator Cormann), dated 17 June 2020, responding to the order, and attachments.

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

Debate ensued.

Question put and passed.

Senator Hume tabled the following documents:

Defence Honours and Awards Appeals Tribunal—Order of 15 June 2020 (649)—Letter to the President of the Senate from the Minister for Defence (Senator Reynolds), dated 16 June 2020, responding to the order, and attachment.

37 **Committee membership**

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

The Minister for Aged Care and Senior Australians (Senator Colbeck), by leave, moved—
That senators be discharged from and appointed to committees as follows:

Road Safety—Joint Select Committee

Discharged—

Senator Sterle

Participating member: Senator Gallacher

Appointed—

Senator Gallacher

Participating member: Senator Sterle

Rural and Regional Affairs and Transport Legislation Committee—

Discharged—

Senator Green

Participating member: Senator Gallacher

Appointed—

Senator Gallacher

Participating member: Senator Green

Rural and Regional Affairs and Transport References Committee—

Discharged—

Senator Sheldon

Participating member: Senator Gallacher

Appointed—

Senator Gallacher

Participating member: Senator Sheldon.

Question put and passed.

38 **Therapeutic Goods Amendment (2020 Measures No. 1) Bill 2020 National Vocational Education and Training Regulator Amendment (Governance and Other Matters) Bill 2020**

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

Message no. 223, dated 17 June 2020—A Bill for an Act to amend the *Therapeutic Goods Act 1989*, and for related purposes.

Message no. 224, dated 17 June 2020—A Bill for an Act to amend the *National Vocational Education and Training Regulator Act 2011*, and for related purposes.

The Minister for Aged Care and Senior Australians (Senator Colbeck) 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 Colbeck moved—That these bills be now read a second time.

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

39 Governor-General's message—Assent to laws

A message from His Excellency the Governor-General was reported, informing the Senate that he had assented to the following laws:

16 June 2020—Message no. 11—

Health Insurance Amendment (General Practitioners and Quality Assurance) Act 2020 (Act no. 50, 2020)

Australian Sports Anti-Doping Authority Amendment (Enhancing Australia's Anti-Doping Capability) Act 2020 (Act no. 51, 2020)

Official Development Assistance Multilateral Replenishment Obligations (Special Appropriation) Act 2020 (Act no. 52, 2020)

Paid Parental Leave Amendment (Flexibility Measures) Act 2020 (Act no. 53, 2020).

40 Treasury Laws Amendment (2020 Measures No. 2) Bill 2020

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

Message no. 225, dated 17 June 2020—Treasury Laws Amendment (2020 Measures No. 2) Bill 2020.

Ordered, on the motion of the Minister for Aged Care and Senior Australians (Senator Colbeck), that the message be considered in committee of the whole immediately.

In the committee

Senator Colbeck moved—That the committee does not insist on its amendments to which the House of Representatives has disagreed.

Question put.

The committee divided—

AYES, 29

Senators—

Abetz
Antic
Birmingham
Bragg
Brockman*
Canavan
Chandler
Colbeck

Davey
Duniam
Fawcett
Fierravanti-Wells
Henderson
Hughes
Hume

McDonald
McGrath
McKenzie
McLachlan
Molan
O'Sullivan
Paterson

Rennick
Ryan
Scarr
Seselja
Smith, Dean
Stoker
Van

NOES, 33

Senators—

Bilyk	Gallacher	McAllister	Sheldon
Brown	Gallagher	McCarthy	Siewert
Carr	Hanson	McKim	Sterle
Chisholm	Hanson-Young	O'Neill	Urquhart*
Cicccone	Keneally	Patrick	Walsh
Di Natale	Kitching	Pratt	Waters
Dodson	Lambie	Rice	Watt
Farrell	Lines	Roberts	Whish-Wilson
Faruqi			

* Tellers

Question negatived.

Resolution to be reported.

The Chair of Committees (Senator Lines) reported that the committee had considered message no. 225 from the House of Representatives and resolved to insist on the amendments made by the Senate to which the House had disagreed.

On the motion of the Assistant Minister for Finance, Charities and Electoral Matters (Senator Seselja) the report from the committee was adopted.

41 **Coronavirus Economic Response Package (Payments and Benefits) Amendment Rules (No. 2) 2020—Proposed disallowance**

Senator Sheldon, also on behalf of Senator Rice, pursuant to notice, moved business of the Senate notice of motion no. 1— That items 4 to 7 of Schedule 1 of the Coronavirus Economic Response Package (Payments and Benefits) Amendment Rules (No. 2) 2020, made under the *Coronavirus Economic Response Package (Payments and Benefits) Act 2020*, be disallowed [F2020L00546].

Debate ensued.

The question was divided at the request of Senator Sheldon.

Question—That item 4 of Schedule 1 be disallowed—put.

The Senate divided—

AYES, 30

Senators—

Ayres	Faruqi	McAllister	Sheldon
Bilyk	Gallacher	McCarthy*	Siewert
Brown	Gallagher	McKim	Sterle
Chisholm	Green	O'Neill	Waters
Cicccone	Hanson-Young	Patrick	Watt
Di Natale	Keneally	Pratt	Whish-Wilson
Dodson	Lambie	Rice	Wong
Farrell	Lines		

NOES, 30

Senators—

Abetz	Davey	McDonald	Reynolds
Antic	Duniam	McKenzie	Roberts
Birmingham	Fawcett	McLachlan	Scarr
Bragg	Fierravanti-Wells	Molan	Seselja
Brockman*	Hanson	O'Sullivan	Smith, Dean
Canavan	Henderson	Paterson	Stoker
Chandler	Hughes	Rennick	Van
Colbeck	Hume		

** Tellers*

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

Question—That items 5 to 7 of Schedule 1 be disallowed—put.

The Senate divided—

AYES, 29

Senators—

Ayres	Faruqi	McAllister	Sheldon
Bilyk	Gallacher	McCarthy*	Siewert
Brown	Gallagher	McKim	Sterle
Chisholm	Green	O'Neill	Waters
Ciccone	Hanson-Young	Patrick	Watt
Di Natale	Keneally	Pratt	Whish-Wilson
Dodson	Lines	Rice	Wong
Farrell			

NOES, 31

Senators—

Abetz	Davey	Lambie	Reynolds
Antic	Duniam	McDonald	Roberts
Birmingham	Fawcett	McKenzie	Scarr
Bragg	Fierravanti-Wells	McLachlan	Seselja
Brockman*	Hanson	Molan	Smith, Dean
Canavan	Henderson	O'Sullivan	Stoker
Chandler	Hughes	Paterson	Van
Colbeck	Hume	Rennick	

** Tellers*

Question negated.

42 Adjournment

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

Debate ensued.

The Senate adjourned at 8 pm till Thursday, 18 June 2020 at 9.30 am.

43 Attendance

Present, all senators except Senators Griff*, Polley*, Marielle Smith* and Steele-John* (*on leave).

RICHARD PYE
Clerk of the Senate