



46<sup>th</sup> Parliament

# 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]*

### Documents presented by the President

- 1 Australian Maritime Safety Authority—Answer to question—Letter to the President of the Senate from the Minister for Employment, Skills, Small and Family Business (Senator Cash), dated 3 March 2020 providing information concerning a question without notice asked by Senator Sterle on 27 February 2020.
- 2 Commonwealth Day 2020—  
Message from Her Majesty Queen Elizabeth II.  
Statement by the President.
- 3 Per- and poly-fluoroalkyl substances (PFAS) contamination of Defence bases—Answer to question—Letter to the President of the Senate from the Minister for Finance (Senator Cormann), dated 5 March 2020, providing information concerning a question without notice asked by Senator Roberts on 27 February 2020.
- 4 Temporary Chairs of Committees—Warrant, dated 23 March 2020, nominating Senator McGrath as an additional temporary chair of committees.

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

- 5 No. 26—Performance audit—Management of spectrum reallocation to support the deployment of 5G services: Department of Communications and the Arts; Australian Communications and Media Authority.
- 6 No. 27—Information report—Australian Government procurement contract reporting update. *[Received 11 March 2020]*

### Government documents

- 7 Approval of exemption to Guidelines on Information and Advertising Campaigns by non-corporate Commonwealth entities—COVID-19—Statement by the Special Minister of State, Senator Cormann, dated 23 March 2020.
- 8 Australian Competition and Consumer Commission—Telstra's structural separation undertaking—Report for 2018-19. *[Received 5 March 2020]*
- 9 Australian Human Rights Commission—Reports—  
No. 133—Mr Nauroze Anees v Commonwealth of Australia (Department of Home Affairs).  
Respect@Work—National inquiry into sexual harassment in Australian workplaces 2020.
- 10 Australian Radiation Protection and Nuclear Safety Agency—Quarterly report for the period 1 July to 30 September 2019. *[Received 20 March 2020]*

- 11 Commonwealth Ombudsman—Activities in monitoring controlled operations conducted by the Australian Commission for Law Enforcement Integrity, the Australian Criminal Intelligence Commission and the Australian Federal Police—Report for 2017-18.
- 12 Department of Home Affairs—Emergency Response Fund Program guidelines. [*Received 10 March 2020*].
- 13 *Foreign Influence Transparency Scheme Act 2018*—Report for 2018-19 on the operation of the scheme.
- 14 Murray-Darling Basin Authority—Basin Plan—Report for 2018-19.
- 15 *Migration Act 1958*—Section 486O—Assessment of detention arrangements—Commonwealth Ombudsman’s reports—Reports nos 4 to 8 of 2020.  
Government responses to Ombudsman’s reports nos 4 to 8 of 2020.

### **Responses to Senate resolutions**

- 16 Australian Broadcasting Corporation—Emergency broadcasts—Resolutions of 5 February 2020—Letter to the President of the Senate from the Chair, Australian Broadcasting Corporation (Ms Buttrose), dated 20 February 2020.

### **Documents pursuant to continuing orders**

- 17 Australian Competition and Consumer Commission—Report to the Australian Senate on anti-competitive and other practices by health insurers and providers in relation to private health insurance for the period 1 July 2018 to 30 June 2019. [*Received 28 February 2020*]
- 18 Departmental and agency appointments and vacancies—Letters of advice pursuant to the order of the Senate of 24 June 2008—Additional estimates 2019-20—  
Department of Veterans’ Affairs. [*Received 28 February 2020*]  
Infrastructure, Transport, Regional Development and Communications portfolio. [*Received 28 February 2020*]  
National Indigenous Australians Agency. [*Received 5 March 2020*]  
Prime Minister and Cabinet portfolio [2]. [*Received 2 and 5 March 2020*]
- 19 Departmental and agency grants—Letters of advice pursuant to the order of the Senate of 24 June 2008—Additional estimates 2019-20—  
Australian Research Council. [*Received 5 March 2020*]  
Department of Agriculture. [*Received 28 February 2020*]  
Department of Veterans’ Affairs. [*Received 28 February 2020*]  
Prime Minister and Cabinet portfolio [2]. [*Received 2 and 5 March 2020*]
- 20 Department of Home Affairs—Protection visas—Statement pursuant to the order of the Senate of 14 November 2019—February 2020. [*Received 19 March 2020*]
- 21 Entity contracts for 2019—Letters of advice pursuant to the order of the Senate of 20 June 2001, as amended—  
Agriculture portfolio. [*Received 28 February 2020*]  
Department of Veterans’ Affairs. [*Received 2 March 2020*]  
Education, Skills and Employment portfolio. [*Received 2 March 2020*]  
Foreign Affairs and Trade portfolio. [*Received 2 March 2020*]

National Disability Insurance Scheme Launch Transition Agency. [*Received 28 February 2020*]

Prime Minister and Cabinet portfolio. [*Received 28 February 2020*]

Treasury portfolio. [*Received 12 March 2020*]

- 22 Estimates hearings—Unanswered questions on notice—Statements pursuant to the order of the Senate of 25 June 2014—Budget estimates 2019-20 (Supplementary)—Department of the Prime Minister and Cabinet. [*Received 2 March 2020*]  
North Queensland Livestock Industry Recovery Agency. [*Received 2 March 2020*]  
Office of National Intelligence. [*Received 2 March 2020*]
- 23 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—Agriculture portfolio. [*Received 28 February 2020*]  
Department of the Prime Minister and Cabinet. [*Received 28 February 2020*]  
Digital Transformation Agency. [*Received 2 March 2020*]  
Infrastructure, Transport, Regional Development and Communications portfolio. [*Received 28 February 2020*]  
National Indigenous Australians Agency. [*Received 28 February 2020*]  
Office of the Official Secretary to the Governor-General. [*Received 5 March 2020*]  
Old Parliament House (Museum of Australian Democracy). [*Received 28 February 2020*]

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

- 24 Foreign Affairs, Defence and Trade—Joint Standing Committee—Inquiry into the management of PFAS contamination in and around Defence bases—Government response, dated February 2020. [*Received 28 February 2020*]
- 25 Rural and Regional Affairs and Transport Legislation Committee—Agricultural and Veterinary Chemicals Legislation Amendment (Australian Pesticides and Veterinary Medicines Authority Board and Other Improvements) Bill 2019 [Provisions]—Government response, dated March 2020. [*Received 13 March 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):

- 26 Education and Employment Legislation Committee—Additional estimates 2019-20—Report, dated March 2020. [*Received 20 March 2020*]
- 27 Environment and Communications References Committee—Press freedom—Progress report, dated 16 March 2020. [*Received 16 March 2020*]
- 28 Public Works—Joint Statutory Committee—1st report of 2020—Referral made November 2019, dated March 2020. [*Received 20 March 2020*]

*References initiated by the Selection of Bills Committee*

- 29 Community Affairs Legislation Committee—Paid Parental Leave Amendment (Flexibility Measures) Bill 2020 [Provisions]—Report, dated March 2020, and submissions. [*Received 19 March 2020*]
- 30 Economics Legislation Committee—
  - Currency (Restrictions on the Use of Cash) Bill 2019 [Provisions]—Report, dated February 2020, Hansard record of proceedings, documents presented to the committee, additional information and submissions. [*Received 28 February 2020*]
  - Saving Australian Dairy Bill 2019—Report, dated March 2020, and submissions. [*Received 20 March 2020*]
  - Treasury Laws Amendment (Your Superannuation, Your Choice) Bill 2019 [Provisions]—Report, dated March 2020, Hansard record of proceedings, document presented to the committee, additional information and submissions. [*Received 20 March 2020*]
- 31 Education and Employment Legislation Committee—Australian Education Amendment (Direct Measure of Income) Bill 2020 [Provisions]—Report, dated March 2020. [*Received 20 March 2020*]
- 32 Legal and Constitutional Affairs Legislation Committee—Reports, dated March 2020—
  - Anti-Money Laundering and Counter-Terrorism Financing and Other Legislation Amendment Bill 2019 [Provisions], additional information and submissions. [*Received 10 March 2020*]
  - Crimes Legislation Amendment (Combatting Corporate Crime) Bill 2019, Hansard record of proceedings, additional information and submissions. [*Received 17 March 2020*]
  - Family Law Amendment (Western Australia De Facto Superannuation Splitting and Bankruptcy) Bill 2019 [Provisions], additional information and submissions. [*Received 13 March 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.]*

*A New Tax System (Family Assistance) Act 1999—*

Child Care Subsidy Minister's Amendment (Building on the Child Care Package and Other Measures) Rules 2020 [F2020L00246].

Child Care Subsidy Secretary's Amendment (Building on the Child Care Package and Other Measures) Rules 2020 [F2020L00268].

*Aged Care Act 1997—Aged Care (Subsidy, Fees and Payments) Amendment (March Indexation) Determination 2020 [F2020L00275].*

*Aged Care (Transitional Provisions) Act 1997—*

Aged Care (Transitional Provisions) Amendment (March Indexation) Principles 2020 [F2020L00277].

Aged Care (Transitional Provisions) (Subsidy and Other Measures) Amendment (March Indexation) Determination 2020 [F2020L00276].

*Agricultural and Veterinary Chemicals Code Act 1994—*Agricultural and Veterinary Chemicals Code (MRL Standard) Amendment Instrument (No. 2) 2020 [F2020L00221].

*Appropriation Act (No. 2) 2019-2020—*

Advance to the Finance Minister Determination (No. 1 of 2019-2020) [F2020L00220].

Advance to the Finance Minister Determination (No. 2 of 2019-2020) [F2020L00235].

*Australian Bureau of Statistics Act 1975—*Survey of Adult Skills in Australia—Proposal No. 1 of 2020.

*Australian Citizenship Act 2007—*Reports under section 51B—

Reporting period: 12 December 2018 – 11 June 2019 (Corrected).

Reporting period: 12 June 2019 – 11 December 2019.

*Australian National University Act 1991—*Australian National University (Academic Board) Statute 2017—Academic Board (Election of Members) Order 2020 [F2020L00171].

*Australian Organ and Tissue Donation and Transplantation Authority Act 2008—*Australian Organ and Tissue Donation and Transplantation Authority Regulations 2020 [F2020L00169].

*Australian Research Council Act 2001—*Grant Guidelines for the Linkage Program Special Research Initiative for Australian Society, History and Culture [F2020L00197].

*Australian Securities and Investments Commission Act 2001 and Corporations Act 2001—*

Amendments to Australian Auditing Standards – March 2020—ASA 2020-1 [F2020L00252].

Identifying and Assessing the Risks of Material Misstatement – February 2020—ASA 315 [F2020L00234].

*Aviation Transport Security Act 2004—*Aviation Transport Security Amendment (Domestic Cargo) Regulations 2020 [F2020L00240].

*Banking Act 1959—*Banking (prudential standard) determination No. 3 of 2020 [F2020L00228].

*Biosecurity Act 2015—*

Biosecurity (First Point of Entry—Brisbane West Wellcamp Airport) Determination 2020 [F2020L00170].

Biosecurity (Human Biosecurity Emergency) (Human Coronavirus with Pandemic Potential) Declaration 2020 [F2020L00266].

Biosecurity (Human Biosecurity Emergency) (Human Coronavirus with Pandemic Potential) (Emergency Requirements) Determination 2020 [F2020L00267].

Biosecurity Repeal (Human Health Response Zones) Determination 2020 [F2020L00270].

Biosecurity (Suspended Goods—Cats and Dogs Malaysia) Determination 2020 [F2020L00243].

*Civil Aviation Act 1988—Civil Aviation Safety Regulations 1998—*

Class 1 Medical Certificate (Certain Flights by Holders of a Commercial Pilot Licence or Air Transport Pilot Licence) Exemption 2020—CASA EX46/20 [F2020L00176].

Engine Compressor Module – Removal from Service—AD/AL 250/91 [F2020L00253].

Repeal of Airworthiness Directive AD/A320/89 Amdt 1—CASA ADCX 004/20 [F2020L00216].

Use of Radiocommunication System in Firefighting Operations (Victoria) Exemption 2020—CASA EX43/20 [F2020L00207].

Commissioner of Taxation—Public Rulings—Class Rulings CR 2020/11 and CR 2020/12.

*Corporations Act 2001—*

Amendments to Australian Accounting Standards – Removal of Special Purpose Financial Statements for Certain For-Profit Private Sector Entities—AASB 2020-2 [F2020L00271].

ASIC Corporations (Amendment) Instrument 2020/200 [F2020L00239].

ASIC Corporations (Foreign Financial Services Providers—Foreign AFS Licensees) Instrument 2020/198 [F2020L00237].

ASIC Corporations (Foreign Financial Services Providers—Funds Management Financial Services) Instrument 2020/199 [F2020L00238].

ASIC Market Integrity Rules (Securities Markets) 2017—

ASIC Market Integrity Rules (Futures Markets) Class Waiver Amendment Instrument 2020/229 [F2020L00269].

ASIC Market Integrity Rules (Securities Markets) Determination 2020/195 [F2020L00229].

ASIC Market Integrity Rules (Securities Markets) Repeal Instrument 2020/196 [F2020L00230].

*Customs Act 1901—Customs By-law No. 2000668 [F2020L00226].*

*Defence Act 1903—*

Defence Determination, Conditions of service Amendment (COVID-19 response) Determination 2020 (No. 6) [F2020L00278].

Defence Determination, Conditions of service Amendment Determination 2020 (No. 3) [F2020L00225].

Defence Determination, Conditions of service Amendment (Specialist Officer – Aviation) Determination 2020 (No. 4) [F2020L00222].



Woomera Prohibited Area Rule 2014—Determination of Exclusion Periods for Amber Zone 1 and Amber Zone 2 for Financial Year 2020-2021 [F2020L00265].

*Export Control Act 1982*—Export Control (Tariff Rate Quotas) Amendment (Trade with United Kingdom) Order 2020 [F2020L00227].

*Federal Financial Relations Act 2009*—

Federal Financial Relations (General Purpose Financial Assistance) Determination No. 133 (March 2020) [F2020L00273].

Federal Financial Relations (National Partnership Payments) Determination No. 164 (March 2020) [F2020L00242].

Federal Financial Relations (National Partnership Payments) Determination No. 165 (March 2020) [F2020L00274].

*Financial Framework (Supplementary Powers) Act 1997*—

Financial Framework (Supplementary Powers) Amendment (Education Measures No. 2) Regulations 2019 [F2019L01156]—Replacement explanatory statement.

Financial Framework (Supplementary Powers) Amendment (Education, Skills and Employment Measures No. 1) Regulations 2020 [F2020L00233].

Financial Framework (Supplementary Powers) Amendment (Health Measures No. 3) Regulations 2019 [F2019L01642]—Replacement explanatory statement.

*Food Standards Australia New Zealand Act 1991*—Australia New Zealand Food Standards Code — Schedule 20 — Maximum residue limits Variation Instrument No. APVMA 2, 2020 [F2020L00219].

*Health Insurance Act 1973*—

Health Insurance (Pathologist-determinable Services) Amendment Determination 2020 [F2020L00251].

Health Insurance (Section 3C General Medical Services – GP and Allied Health COVID-19 Services) Amendment Determination No. 1 2020 [F2020L00255].

Health Insurance (Section 3C General Medical Services – GP and Allied Health COVID-19 Services) Amendment Determination No. 2 2020 [F2020L00259].

Health Insurance (Section 3C General Medical Services – GP and Allied Health COVID-19 Services) Amendment Determination No. 3 2020 [F2020L00261].

Health Insurance (Section 3C General Medical Services – GP and Allied Health COVID-19 Services) Determination 2020 [F2020L00249].

Health Insurance (Section 3C General Medical Services – Specialist, Consultant Physician and Consultant Psychiatrist COVID-19 Telehealth Services) Amendment Determination No. 1 2020 [F2020L00254].

Health Insurance (Section 3C General Medical Services – Specialist, Consultant Physician and Consultant Psychiatrist COVID-19 Telehealth Services) Amendment Determination No. 2 2020 [F2020L00260].

Health Insurance (Section 3C General Medical Services – Specialist, Consultant Physician and Consultant Psychiatrist COVID-19 Telehealth Services) Determination 2020 [F2020L00248].

Health Insurance (Section 3C Pathology Services – COVID-19) Amendment Determination 2020 [F2020L00258].

Health Insurance (Section 3C Pathology Services – COVID-19) Determination 2020 [F2020L00250].

*Higher Education Support Act 2003*—Higher Education Provider Approval No. 1 of 2020 [F2020L00256].

*Marine Safety (Domestic Commercial Vessel) National Law Act 2012*—Marine Order 504 (Certificates of operation and operation requirements – national law) Amendment Order 2020—AMSA MO 2020/1 [F2020L00186].

*Marriage Act 1961*—Marriage Regulations 2017—Marriage (Celebrant Professional Development) Amendment Statement 2020 [F2020L00257].

*Migration Act 1958*—Migration Regulations 1994—

Migration (LIN 20/101: Arrangements for certain visa applications) Amendment Instrument 2020 [F2020L00245].

Migration (LIN 20/103: Subclass 417 (Working Holiday) Visa – Regional Australia and Specified Work) Instrument 2020 [F2020L00224].

Migration (LIN 20/104: Subclass 462 (Work and Holiday) Visa – Specified Areas of Australia and Kinds of Work) Instrument 2020 [F2020L00223].

*Military Rehabilitation and Compensation Act 2004*—Military Rehabilitation and Compensation (Non-warlike Service) Amendment Determination 2020 (No. 1) [F2020L00262].

*National Greenhouse and Energy Reporting Act 2007*—National Greenhouse and Energy Reporting (Safeguard Mechanism) Amendment (Prescribed Production Variables) Rule 2020 [F2020L00210].

*National Health Act 1953*—

National Health (Continued Dispensing – Emergency Measures) Amendment Determination 2020 (No. 1)—PB 16 of 2020 [F2020L00189].

National Health (Efficient Funding of Chemotherapy) Special Arrangement Amendment Instrument 2020 (No. 2)—PB 18 of 2020 [F2020L00187].

National Health (Highly specialised drugs program) Special Arrangement Amendment Instrument 2020 (No. 2)—PB 17 of 2020 [F2020L00185].

National Health (Listed drugs on F1 or F2) Amendment Determination 2020 (No. 2)—PB 19 of 2020 [F2020L00188].

National Health (Listing of Pharmaceutical Benefits) Amendment Instrument 2020 (No. 2)—PB 14 of 2020 [F2020L00184].

National Health (Pharmaceutical benefits – early supply) Amendment Instrument 2020 (No. 2)—PB 15 of 2020 [F2020L00178].

National Health (Price and Special Patient Contribution) Amendment Determination 2020 (No. 1)—PB 10 of 2020 [F2020L00067]—Replacement explanatory statement.

National Health (Weighted average disclosed price – April 2020 reduction day) Amendment Determination 2020—PB 13 of 2020 [F2020L00244].

*National Sports Tribunal Act 2019*—National Sports Tribunal Rule 2020 [F2020L00231].

*National Workplace Relations Consultative Council Act 2002*—National Workplace Relations Consultative Council Regulations 2020 [F2020L00241].

*Parliamentary Business Resources Act 2017*—Parliamentary Business Resources Regulations 2017—Advice of decision to pay assistance—27 February 2020 [2].

*Private Health Insurance Act 2007*—

Private Health Insurance Legislation Amendment Rules (No. 1) 2020 [F2020L00190].

Private Health Insurance Legislation Amendment Rules (No. 2) 2020 [F2020L00272].

Private Health Insurance (Prostheses) Amendment Rules (No. 1) 2020 [F2020L00203].

*Public Governance, Performance and Accountability Act 2013*—

Commonwealth acquired shares in Australian Rail Track Corporation—27 February 2020.

Commonwealth acquired shares in WSA Co Limited—3 March 2020 [5].

Public Governance, Performance and Accountability Amendment (2020 Measures No. 1) Rules 2020 [F2020L00175].

Public Governance, Performance and Accountability (Financial Reporting) Amendment (2020 Measures No. 1) Rules 2020 [F2020L00218].

Public Governance, Performance and Accountability (Section 75 Transfers) Amendment Determination 2017-2018 (No. 9) [F2020L00172].

Public Governance, Performance and Accountability (Section 75 Transfers) Amendment Determination 2018-2019 (No. 10) [F2020L00173].

Public Governance, Performance and Accountability (Section 75 Transfers) Amendment Determination 2019-2020 (No. 4) [F2020L00174].

*Radiocommunications Act 1992*—Radiocommunications (Communication with Space Object) Class Licence Variation 2020 (No. 1) [F2020L00181].

*Radiocommunications (Receiver Licence Tax) Act 1983*—Radiocommunications (Receiver Licence Tax) Amendment Determination 2020 (No. 1) [F2020L00183].

*Radiocommunications (Transmitter Licence Tax) Act 1983*—Radiocommunications (Transmitter Licence Tax) Amendment Determination 2020 (No. 1) [F2020L00182].

*Remuneration Tribunal Act 1973*—Remuneration Tribunal Amendment Determination (No. 1) 2020 [F2020L00215].

*Renewable Energy (Electricity) Act 2000*—Renewable Energy (Electricity) Amendment (Percentages) Regulations 2020 [F2020L00236].

*Social Security Act 1991*—

Social Security (Exempt Lump Sums – Financial Product Rebate Payments – Ending Conflicted Remuneration) Determination 2020 [F2020L00264].

Social Security (Ordinary Waiting Period Exemption) Instrument 2020 [F2020L00247].

*Sydney Airport Curfew Act 1995*—Dispensation Report—04/20.

*Taxation Administration Act 1953*—2018 Australian Common Reporting Standard Reportable Accounts by Jurisdiction.

*Telecommunications Act 1997*—Telecommunications (Mobile Number Pre-Porting Additional Identity Verification) Industry Standard 2020 [F2020L00179].

*Telecommunications (Consumer Protection and Service Standards) Act 1999*—Telecommunications (Emergency Call Service) Amendment Determination 2020 (No. 1) [F2020L00232].

*Torres Strait Fisheries Act 1984*—Torres Strait Fisheries (Quotas for Tropical Rock Lobster (Kaiar)) Management Plan 2018—Torres Strait Fisheries Tropical Rock Lobster (Total Allowable Catch) Amendment Determination (No. 1) 2020 [F2020L00217].

*Veterans' Entitlements Act 1986*—

Amendment Statement of Principles concerning acute myeloid leukaemia—No. 17 of 2020 [F2020L00193].

Amendment Statement of Principles concerning malignant neoplasm of the eye (Balance of Probabilities)—No. 20 of 2020 [F2020L00200].

Amendment Statement of Principles concerning malignant neoplasm of the eye (Reasonable Hypothesis)—No. 19 of 2020 [F2020L00198].

Amendment Statement of Principles concerning malignant neoplasm of the lung—No. 18 of 2020 [F2020L00194].

Amendment Statement of Principles concerning migraine (Balance of Probabilities)—No. 16 of 2020 [F2020L00204].

Amendment Statement of Principles concerning migraine (Reasonable Hypothesis)—No. 15 of 2020 [F2020L00202].

Statement of Principles concerning acute pancreatitis (Balance of Probabilities)—No. 6 of 2020 [F2020L00212].

Statement of Principles concerning acute pancreatitis (Reasonable Hypothesis)—No. 5 of 2020 [F2020L00211].

Statement of Principles concerning chronic multisymptom illness (Balance of Probabilities)—No. 4 of 2020 [F2020L00209].

Statement of Principles concerning chronic multisymptom illness (Reasonable Hypothesis)—No. 3 of 2020 [F2020L00208].

Statement of Principles concerning dysbaric osteonecrosis No. 17 of 2015 – Repeal [F2020L00195].

Statement of Principles concerning dysbaric osteonecrosis No. 18 of 2015 – Repeal [F2020L00196].

Statement of Principles concerning hypersensitivity pneumonitis (Balance of Probabilities)—No. 8 of 2020 [F2020L00206].

Statement of Principles concerning hypersensitivity pneumonitis (Reasonable Hypothesis)—No. 7 of 2020 [F2020L00205].

Statement of Principles concerning malignant neoplasm of the nasopharynx (Balance of Probabilities)—No. 10 of 2020 [F2020L00191].

Statement of Principles concerning malignant neoplasm of the nasopharynx (Reasonable Hypothesis)—No. 9 of 2020 [F2020L00192].

Statement of Principles concerning multiple sclerosis (Balance of Probabilities)—No. 12 of 2020 [F2020L00214].

Statement of Principles concerning multiple sclerosis (Reasonable Hypothesis)—No. 11 of 2020 [F2020L00213].

Statement of Principles concerning osteonecrosis (Balance of Probabilities)—No. 14 of 2020 [F2020L00201].

Statement of Principles concerning osteonecrosis (Reasonable Hypothesis)—No. 13 of 2020 [F2020L00199].

Veterans' Entitlements (Attribution of Income — Ineligible Deductions) Determination 2020—Instrument 2020 No. R2 [F2020L00177].

Veterans' Entitlements (Non-warlike Service) Amendment Determination 2020 (No. 1) [F2020L00263].

Veterans' Entitlements (Value of Asset-tested Income Streams (Lifetime)) Amendment Determination 2020—Instrument 2020 No. R4 [F2020L00180].

*Veterans' Entitlements Act 1986 and Military Rehabilitation and Compensation Act 2004—Veterans' Affairs Pharmaceutical Benefits Schemes (Electronic Prescriptions and Active Ingredient Prescribing) Amendment Instrument 2019—Instrument 2019 No. R44/ MRCC44 [F2019L01387]—Replacement explanatory statement.*

### 3 **Coronavirus disease (COVID-19) pandemic—Statements**

*Statement by President:* The President made a statement relating to arrangements for the operation of the Senate and Parliament House in response to the coronavirus disease (COVID-19) pandemic.

Leave was granted for minor procedural variations to apply in the Senate to enable senators to observe social distancing and other health advice.

*Statements by leave:* The Leader of the Government in the Senate (Senator Cormann), the Deputy Leader of the Opposition in the Senate (Senator Keneally), the Deputy Leader of the Australian Greens in the Senate (Senator McKim), the Leader of The Nationals in the Senate (Senator McKenzie), and Senators Roberts and Griff made statements in relation to the coronavirus disease (COVID-19) pandemic.

### 4 **Days and hours of meeting and routine of business—Variation**

The Minister for Finance (Senator Cormann), by leave, moved—That this week the Senate meet on Monday 23 March 2020 only, the hours of meeting be 10 am to adjournment, divisions may take place between 6.30 pm and 7.30 pm and the routine of business be as follows:

- (a) authorisation for committees to meet;
- (b) notices of motion;
- (c) placing of business;
- (d) committee membership;
- (e) a motion relating to the extension of reporting dates for committee inquiries;

- (f) government business notice of motion no. 1—Approval of the Health Insurance (Extended Medical Safety Net) Amendment Determination 2020;
  - (g) government business order of the day—Consideration of the advances to the Finance Minister under the annual Appropriation Acts;
  - (h) consideration of the following bills:
    - (i) Appropriation Bill (No. 3) 2019-2020  
Appropriation Bill (No. 4) 2019-2020,
    - (ii) Farm Household Support Amendment (Relief Measures) Bill (No. 1) 2020,
    - (iii) Australian Education Amendment (Direct Measure of Income) Bill 2020,
    - (iv) Coronavirus Economic Response Package Omnibus Bill 2020  
Boosting Cash Flow for Employers (Coronavirus Economic Response Package) Bill 2020  
Assistance for Severely Affected Regions (Special Appropriation) (Coronavirus Economic Response Package) Bill 2020  
Appropriation (Coronavirus Economic Response Package) Bill (No. 1) 2019-20  
Appropriation (Coronavirus Economic Response Package) Bill (No. 2) 2019-20  
Structured Finance Support (Coronavirus Economic Response Package) Bill 2020  
Australian Business Growth Fund (Coronavirus Economic Response Package) Bill 2020  
Guarantee of Lending to Small and Medium Enterprises (Coronavirus Economic Response Package) Bill 2020, and
    - (v) Supply Bill (No. 1) 2020-2021  
Supply Bill (No. 2) 2020-2021  
Supply (Parliamentary Departments) Bill (No. 1) 2020-2021;
  - (i) at 2 pm, questions;
  - (j) further consideration of the items listed in paragraphs (e) to (h);
  - (k) a motion relating to the next meeting of the Senate and leave of absence for all senators; and
  - (l) adjournment without debate.
- Question put and passed.

## 5 Notice

Senator Faruqi: To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the *Fair Work Act 2009*, and for related purposes. ***Fair Work Amendment (COVID-19) Bill 2020.*** (*general business notice of motion no. 528*)

## **6 Leave of absence**

Senator Dean Smith, by leave, moved—That leave of absence be granted to the following senators for today for personal, health and other reasons: Senators Abetz, Askew, Bragg, Brockman, Canavan, Chandler, Fawcett, Hanson, Hughes, Hume, Lambie, McDonald, McLachlan, McMahon, Paterson, Patrick, Payne, Rennick, Stoker and Van.

Question put and passed.

Senator Urquhart, by leave, moved—That leave of absence be granted to the following senators for today for personal reasons: Senators Bilyk, Brown, Carr, Dodson, Farrell, Gallacher, McAllister, McCarthy, Polley, Pratt, Sheldon, Marielle Smith, Sterle and Wong.

Question put and passed.

Senator Siewert, by leave, moved—That leave of absence be granted to the following senators for today for personal reasons: Senators Di Natale, Rice, Steele-John, Waters and Whish-Wilson.

Question put and passed.

## **7 Committee membership**

The President informed the Senate that he had received a letter requesting changes in the membership of committees.

The Minister for Trade, Tourism and Investment (Senator Birmingham), by leave, moved—That Senators Canavan and McKenzie be appointed as participating members of the following committees:

Select Committee on Autism

Select Committee on the effectiveness of the Australian Government's Northern Australian Agenda

Select Committee on Financial Technology and Regulatory Technology

Select Committee on Foreign Interference through Social Media

Select Committee on Multi-Jurisdictional Management and Execution of the Murray Darling Basin Plan

Select Committee on Temporary Migration

Question put and passed.

## **8 Extension of time for committees to report**

The Minister for Finance (Senator Cormann), by leave, moved—That, if required, the time for the presentation of reports on matters referred by the Senate to standing committees, select committees and joint committees may be extended by agreement of the committee, duly notified to the President.

Question put and passed.

**9 Health Insurance (Extended Medicare Safety Net) Amendment Determination 2020—Approval**

The Minister for Trade, Tourism and Investment (Senator Birmingham), at the request of the Minister for Employment, Skills, Small and Family Business (Senator Cash) and pursuant to notice, moved government business notice of motion no. 1—That, in accordance with subsection 10B(2) of the *Health Insurance Act 1973*, the Senate approves the Health Insurance (Extended Medicare Safety Net) Amendment Determination 2020, made under subsection 10B(1) of the Act on 24 February 2020.

Question put and passed.

**10 Advances under the annual Appropriation Acts—Report for 2018-19**

Order of the day read for the consideration of the issues from the advances.

The Minister for Finance (Senator Cormann) moved—That the Senate approves the advances provided under the annual Appropriations Acts as a final charge for the year ended 30 June 2019.

Question put and passed.

**11 Appropriation Bill (No. 3) 2019-2020  
Appropriation Bill (No. 4) 2019-2020**

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

Message no. 187, dated 5 March 2020—A Bill for an Act to appropriate additional money out of the Consolidated Revenue Fund for the ordinary annual services of the Government, and for related purposes.

Message no. 188, dated 5 March 2020—A Bill for an Act to appropriate additional money out of the Consolidated Revenue Fund for certain expenditure, and for related purposes.

The Minister for Trade, Tourism and Investment (Senator Birmingham) 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.

On the motion of Senator Birmingham the bills were debated and read a second time.

No amendments to the bills were circulated and the bills were not considered in committee.

On the motion of the Minister for Finance (Senator Cormann) the bills were read a third time.

**12 Farm Household Support Amendment (Relief Measures)  
Bill (No. 1) 2020**

Order of the day read for the adjourned debate on the motion of the Minister for Aged Care and Senior Australians (Senator Colbeck)—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.

**13 Australian Education Amendment (Direct Measure of Income) Bill 2020**

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

Message no. 185, dated 5 March 2020—A Bill for an Act to amend the *Australian Education Act 2013*, and for related purposes.

The Minister for Trade, Tourism and Investment (Senator Birmingham) moved—That this bill may proceed without formalities and be now read a first time.

Question put and passed.

Bill read a first time.

On the motion of Senator Birmingham the bill was debated and read a second time. All Australian Greens senators, by leave, recorded their votes for the noes.

*Documents:* Senator Birmingham tabled the following documents:

Letters [2] from the Minister for Education (Mr Tehan), dated 20 and 22 March 2020 to Ms Plibersek.

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

On the motion of Senator Birmingham the bill was read a third time. All Australian Greens senators, by leave, recorded their votes for the noes.

**14 Social Services and Other Legislation Amendment (Simplifying Income Reporting and Other Measures) Bill 2020**

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

Message no. 184, dated 3 March 2020—Social Services and Other Legislation Amendment (Simplifying Income Reporting and Other Measures) Bill 2020.

**15 Committee membership**

A message from the House of Representatives was reported informing the Senate of the appointment of a member of the House of Representatives to the Joint Standing Committee on the National Capital and External Territories, as follows:

Message no. 186, dated 5 March 2020—Dr Webster.

## 16 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:

26 February 2020—Messages nos—

3—

*Australian Research Council Amendment Act 2020* (Act no. 7, 2020)  
*Treasury Laws Amendment (2018 Measures No. 2) Act 2020* (Act no. 8, 2020).

4—

*Intellectual Property Laws Amendment (Productivity Commission Response Part 2 and Other Measures) Act 2020* (Act no. 9, 2020)  
*National Vocational Education and Training Regulator Amendment Act 2020* (Act no. 10, 2020).

6 March 2020—Message no. 5—

*Australian Sports Anti-Doping Authority Amendment (Sport Integrity Australia) Act 2020* (Act no. 11, 2020)  
*Export Control Act 2020* (Act no. 12, 2020)  
*Export Control (Consequential Amendments and Transitional Provisions) Act 2020* (Act no. 13, 2020)  
*Export Charges (Imposition—Customs) Amendment Act 2020* (Act no. 14, 2020)  
*Export Charges (Imposition—Excise) Amendment Act 2020* (Act no. 15, 2020)  
*Export Charges (Imposition—General) Amendment Act 2020* (Act no. 16, 2020)  
*Social Services and Other Legislation Amendment (Simplifying Income Reporting and Other Measures) Act 2020* (Act no. 17, 2020)  
*Statute Update (Regulations References) Act 2020* (Act no. 18, 2020)  
*Student Identifiers Amendment (Higher Education) Act 2020* (Act no. 19, 2020)  
*Trade Support Loans Amendment (Improving Administration) Act 2020* (Act no. 20, 2020)  
*Treasury Laws Amendment (Recovering Unpaid Superannuation) Act 2020* (Act no. 21, 2020).

*Suspension of sitting:* On the motion of the Minister for Finance (Senator Cormann) the sitting of the Senate was suspended at 11.25 am till the ringing of the bells.

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*At 2 pm—*

## 17 Questions

Questions without notice were answered.

*Suspension of sitting:* On the motion of the Minister for Finance (Senator Cormann) the sitting of the Senate was suspended at 3 pm till the ringing of the bells.

- 18 **Coronavirus Economic Response Package Omnibus Bill 2020**  
**Boosting Cash Flow for Employers (Coronavirus Economic Response Package) Bill 2020**  
**Assistance for Severely Affected Regions (Special Appropriation) (Coronavirus Economic Response Package) Bill 2020**  
**Appropriation (Coronavirus Economic Response Package) Bill (No. 1) 2019-2020**  
**Appropriation (Coronavirus Economic Response Package) Bill (No. 2) 2019-2020**  
**Structured Finance Support (Coronavirus Economic Response Package) Bill 2020**  
**Australian Business Growth Fund (Coronavirus Economic Response Package) Bill 2020**  
**Guarantee of Lending to Small and Medium Enterprises (Coronavirus Economic Response Package) Bill 2020**

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

Message no. 189, dated 23 March 2020—

A Bill for an Act to provide an economic response, and deal with other matters, relating to the coronavirus, and for related purposes (as amended in accordance with the annexed schedule);

A Bill for an Act to provide for a cash flow boost relating to the coronavirus, and for related purposes.

A Bill for an Act to appropriate money for community, regional and industry support as part of the Coronavirus Economic Response, and for related purposes;

A Bill for an Act to appropriate additional money out of the Consolidated Revenue Fund for the ordinary annual services of the Government in relation to the Coronavirus Economic Response, and for related purposes;

A Bill for an Act to appropriate additional money out of the Consolidated Revenue Fund for certain expenditure in relation to the Coronavirus Economic Response, and for related purposes; and

A Bill for an Act to establish the Structured Finance Support (Coronavirus Economic Response) Fund, and for related purposes;

A Bill for an Act about Commonwealth investment in the Australian Business Growth Fund, and for related purposes;

A Bill for an Act about loan guarantees, and for related purposes;

The Minister for Finance (Senator Cormann) 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 Cormann moved—That these bills be now read a second time.

Debate ensued.

The following amendment moved by Senator Keneally was debated and agreed to:

At the end of the motion, add “, but the Senate calls on the Government to more quickly implement the measures it is proposing, noting that, under the current proposal:

- (a) the Coronavirus supplement will not begin until 27 April 2020;
- (b) expanded access to the JobSeeker Payment and Youth Allowance will not begin until 27 April 2020;
- (c) most people won’t receive the first payment to households until April 2020 or the second payment until July 2020;
- (d) pensioners won’t see a boost in their income due to the change in deeming rates until 1 May 2020; and
- (e) employers won’t receive a cash flow boost until 28 April 2020”.

Senator Faruqi moved the following amendment:

At the end of the motion, add “, but the Senate is of the opinion that the Government should:

- (a) seek to ensure that the economic impacts of COVID-19 do not result in homeowners losing their homes or the major banks taking a larger share of the market; and
- (b) introduce a temporary ban on mortgage foreclosures for homeowners;
- (c) provide government insurance of mortgage repayments for homeowners who have a loan with a non major bank; and
- (d) ensure that, where governments cover mortgage repayments for homeowners, the amount covered by the Government be held as a debt against the property, and that this debt have priority over all other debts held against the property”.

Question—That the amendment be agreed to—put and negatived. All Australian Greens senators, by leave, recorded their votes for the ayes.

The following amendment moved by Senator McKim was agreed to:

At the end of the motion, add “, but the Senate is of the opinion that the Government must develop and promptly present its plan to at least double the number of intensive care units, ventilators and the necessary medical equipment immediately, and then further increase these supplies in line with the advice of medical experts so the Australian people can be confident that no one will be left to die unnecessarily from this pandemic”.

The following amendment moved by Senator Urquhart, on behalf of Senator Ayres, was agreed to:

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

- (a) notes that there is no conditionality on assistance measures to business to keep workers employed; and
- (b) calls on the Government to implement measures to provide sufficient incentive for employers to keep employees in work”.

The following amendment moved by Senator Gallagher was agreed to:

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

- (a) is of the opinion that:
  - (i) every Australian deserves a dignified retirement,
  - (ii) Australians are proud of our world class superannuation system,
  - (iii) drawing down on superannuation when the market is at historic lows will have negative implications for most Australians, and should only be an option of last resort, and
  - (iv) the administrative arrangements specified in Schedule 13 of the Coronavirus Economic Response Package Omnibus Bill 2020 will not ensure that Australians in genuine hardship receive prompt payment from their superannuation fund; and
- (b) calls on the Government to:
  - (i) ensure that ordinary Australians have access to the right information and advice in times of hardship by increasing funding for financial counselling and the Centrelink Financial Information Service,
  - (ii) closely monitor the financial advice industry to ensure that early release claimants are not provided with inaccurate advice,
  - (iii) table a letter from the Chair of the Australian Prudential Regulation Authority, certifying that the implementation of Schedule 13 will have no systemic impacts on the superannuation system, and
  - (iv) consult with industry, unions, and representatives of other political parties before the implementation of the measures in Schedule 13, noting the potentially significant, negative impact on the retirement outcomes of ordinary Australians”.

Senator Siewert moved the following amendment:

At the end of the motion, add “, but the Senate is of the opinion that:

- (a) this package does not adequately support large sections of the population who will be left behind and disproportionately affected by this health crisis and the ensuing social lockdown and economic shutdown, and the Senate calls on the government to immediately amend its package to ensure proper support is provided to at least the following groups:
  - (i) the 37 % of the Australian workforce, casual and gig economy employees with no paid leave,
  - (ii) students, carers, Disability Support Pension recipients, and age pensioners who receive Commonwealth Rent Assistance, none of whom will be eligible for the \$550 a fortnight COVID-19 supplement and will be trapped beneath the poverty line, and who face the very real threat of rental eviction,
  - (iii) First Nations peoples, who are at severe risk of harm from COVID-19,
  - (iv) those facing domestic and family violence, who are at serious risk during a period of prolonged isolation and who do not have adequately funded services to support them,

- (v) non-Australians who call Australia home, including asylum seekers on temporary protection visas, people who hold temporary work or skilled visas, international students, people who hold working holiday visas, New Zealand citizens on non-protected Special Category Visas, and new permanent residents, who do not all have access to income support and in many cases cannot return home, and
- (vi) it is critical to protect people from homelessness by placing a moratorium on evictions and the Senate calls on the Government to urgently make this happen;
- (b) to enable people to work from home and to maintain social connection the Government must ensure that no one is cut off from internet services including the National Broadband Network;
- (c) the Government must provide much needed extra financial support to those industries hardest hit, including tourism, hospitality, and the arts and entertainment sector;
- (d) to provide for workers who have no paid leave at all, the Government must pass the Greens' Fair Work Amendment (COVID-19) Bill 2020;
- (e) the Government must ensure that it reverses funding cuts and lifts the freeze on indexation imposed on the Australian Broadcasting Corporation so that it can deliver timely, accurate and reliable advice to the public during this period;
- (f) the Government must immediately suspend mutual obligation requirements to protect the health and safety of all people on income support payments and employment service providers;
- (g) the Government must permanently increase the JobSeeker Payment, Youth Allowance, AUSTUDY and ABSTUDY after the crisis is over to ensure people on income support payments are not dropped below the poverty line;
- (h) the Government must immediately cancel all robodebts and look to repay debts to robodebt victims once the crisis is over; and
- (i) the Government must consider what other forms of support should be provided to promote social cohesion and reduce the potential for discrimination against already vulnerable individuals and communities in these challenging times.

Question—That the amendment be agreed to—put and negatived. All Australian Greens senators, by leave, recorded their votes for the ayes.

Senator Hanson-Young moved the following amendment:

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

- (a) is of the opinion that the Government must ensure financial support provided to business under these bills come with conditions attached, including:
  - (i) a jobs guarantee, so that as many people as possible remain employed during the crisis,
  - (ii) a wages guarantee, so that money goes to workers who need it and to keep businesses running, not to executive pay, and

- (iii) where appropriate, a Government stake in big, essential businesses such as Qantas; and
- (b) calls on the Government to ensure that, if the Minister for Finance allocates additional amounts under the powers referred to as the Advance to the Finance Minister, the Auditor-General must complete a review into any expenditure no later than twelve months after the date of the final expenditure”.

Question—That the amendment be agreed to—put and negatived. All Australian Greens senators, by leave, recorded their votes for the ayes.

Main question, as amended, put and passed.

Bills read a second time.

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

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*In the committee*

Bills, taken together as a whole by leave, debated.

Senator McKim moved the following amendment:

**Guarantee of Lending to Small and Medium Enterprises (Coronavirus Economic Response Package) Bill 2020**

Clause 5, page 3 (after line 19), after subclause (3), insert:

- (3A) The legislative rules must require that the terms of any loan subject to a guarantee granted to a financial institution under subsection (1) include a requirement that a SME entity to which a loan is to be made not make any employee of the SME redundant for the duration of any guarantee granted to the financial institution under that subsection.

Debate ensued.

Question—That the amendment be agreed to—put and negatived. All Australian Greens senators, by leave, recorded their votes for the ayes.

The following amendment moved by Senator Cormann was debated and agreed to:

**Coronavirus Economic Response Package Omnibus Bill 2020**

Schedule 11, Part 1, page 66 (after line 9), at the end of the Part, add:

**40A Modifications of qualifications and payments under the social security law**

- (1) For any provision of the social security law relating to the qualification of persons for a social security payment, or to the rate of a social security payment, the Minister may by, legislative instrument, determine:
  - (a) for a provision that relates to the qualification of persons for a social security payment:
    - (i) that the provision is varied as specified in the determination; or
    - (ii) that the provision does not apply; or
    - (iii) that the provision does not apply and that another provision specified in the determination applies instead; or
  - (b) for a provision that relates to the rate of a social security payment:
    - (i) that the provision is varied as specified in the determination; or
    - (ii) that the provision does not apply and that a rate of payment specified in the determination applies instead.

- (2) The Minister must be satisfied that the determination is in response to circumstances relating to the coronavirus known as COVID-19.
- (3) A determination under this item has effect accordingly.
- (4) In this item:  
*social security law* has the same meaning as in the *Social Security Act 1991*.  
*social security payment* has the same meaning as in the *Social Security Act 1991*.
- (5) An instrument made under this item has no operation after 31 December 2020.
- (6) This item is repealed on 31 December 2020.

Senator Siewert moved the following requests for amendments together by leave:

### **Coronavirus Economic Response Package Omnibus Bill 2020**

That the House of Representatives be requested to make the following amendments:

Schedule 4, item 1, page 17 (before line 10), before the definition of *first 2020 economic support payment*, insert:

*families 2020 economic support payment* means a payment to which an individual is entitled under Division 2A of Part 9.

Schedule 4, item 2, page 19 (after line 20), after Division 2, insert:

### **Division 2A—Families 2020 economic support payment**

#### **115A When is an individual entitled to a families 2020 economic support payment?**

An individual is entitled to a families 2020 economic support payment if subsection 117(2) and subsection 117(3), (4) or (5) applies to the individual on a day in the period:

- (a) starting on 12 March 2020; and
- (b) ending on 13 April 2020.

#### **115B What is the amount of the payment?**

The amount of an individual's families 2020 economic support payment under this Division is \$750 per FTB child.

Schedule 4, item 2, page 19 (line 22) after “**for**”, insert “**first and second**”.

Schedule 4, item 2, page 20 (after line 23), after section 116, insert:

### **117 Eligibility for families 2020 economic support payment**

- (1) This section applies for the purposes of section 115A.
- (2) Subject to subsection (6) of this section, this subsection applies to an individual on a day if, in relation to that day, the person receives a social security benefit.
- (3) Subject to subsection (6) of this section, this subsection applies to an individual on a day if:
  - (a) in relation to that day, a determination under section 16 of the Family Assistance Administration Act is in force in respect of the individual as a claimant; and
  - (b) the rate of family tax benefit payable under the determination in relation to that day consists of or includes a Part A rate greater than nil.
- (4) Subject to subsection (6) of this section, this subsection applies to an individual on a day if:
  - (a) in relation to that day, a determination under section 17 of the Family Assistance Administration Act is in force in respect of the individual as a claimant; and



- (b) the rate of family tax benefit payable under the determination in relation to that day consists of or includes a Part A rate greater than nil; and
  - (c) the determination is made as a result of a claim made in:
    - (i) the income year in which that day occurs; or
    - (ii) either of the next 2 income years.
- (5) Subject to subsection (6) of this section, this subsection applies to an individual on a day if:
- (a) in relation to that day, a determination under section 18 of the Family Assistance Administration Act is in force in respect of the individual as a claimant; and
  - (b) the rate of family tax benefit payable under the determination in relation to that day consists of or includes a Part A rate greater than nil; and
  - (c) the determination is made as a result of a claim made in:
    - (i) the income year in which that day occurs; or
    - (ii) a later income year.

*Residence requirement*

- (6) Subsection (2), (3), (4) or (5) does not apply to an individual on a day if the individual does not reside in Australia on that day.

Schedule 4, item 3, page 21 (after line 22), after section 65JB, insert:

**65JC Payment of families 2020 economic support payment**

- (1) If an individual is entitled to a families 2020 economic support payment, the Secretary must, subject to subsection (2), pay the payment to the individual in a single lump sum:
- (a) on the date that the Secretary considers the earliest date on which it is reasonably practicable for the payment to be paid; and
  - (b) in such manner as the Secretary considers appropriate.

Note: The individual does not have to make a claim for the payment.

- (2) The Secretary must not pay the payment on or after 1 July 2022 if the individual is entitled to the payment because subsection 117(3) or (5) of the Family Assistance Act applies to the individual on a day.

Schedule 4, item 6, page 22 (lines 2 to 5), omit subsection 72(1), substitute:

- (1) This section applies in relation to an individual who has been paid a 2020 economic support payment because the following subsections of the Family Assistance Act applied to the individual on a day:
- (a) subsection 116(2), (3) or (4);
  - (b) subsection 117(2) and subsection 117(3), (4) or (5).

Schedule 4, item 12, page 23 (line 8), after “payment,”, insert “families,”.

Schedule 4, item 22, page 25 (lines 7 and 8), omit the item, substitute:

Omit “or ETR payment”, substitute “, ETR payment, families 2020 economic support payment, first 2020 economic support payment or second 2020 economic support payment”.

Debate ensued.

Question—That the requests be agreed to—put and negatived. All Australian Greens senators, by leave, recorded their votes for the ayes.

Senator Siewert moved the following requests for amendments together by leave:

**Coronavirus Economic Response Package Omnibus Bill 2020**

That the House of Representatives be requested to make the following amendments:

Schedule 4, item 26, page 26 (line 6), omit “or (4)”, substitute “, (4) or (4A)”.

Schedule 4, item 26, page 27 (line 6), omit “or (4)”, substitute “, (4) or (4A)”.

Schedule 4, item 26, page 29 (after line 4), after subsection 308(4), insert:

*Qualified for low income health care card*

(4A) Subject to subsection (5) of this section, this subsection applies to a person on a day if the person is qualified for a health care card on that day under section 1061ZO.

Schedule 4, item 26, page 29 (line 6), omit “or (4)”, substitute “, (4) or (4A)”.

Debate ensued.

Question—That the requests be agreed to—put and negatived. All Australian Greens senators, by leave, recorded their votes for the ayes.

Senator Hanson-Young moved the following amendment:

**Coronavirus Economic Response Package Omnibus Bill 2020**

Schedule 7, page 48 (after line 9), at the end of the Schedule, add:

**Part 3—Conditions on assistance to aviation sector**

***Financial Framework (Supplementary Powers) Act 1997***

**3 At the end of section 2A**

Add:

This Act also imposes conditions on the provision of financial assistance to Australian airlines to assist with the impact of the coronavirus known as COVID-19.

**4 After Part 2**

Insert:

**Part 2A—Providing financial assistance to Australian airlines during the COVID-19 crisis**

**42 Application of this Part**

This Part applies if:

- (a) the Commonwealth proposes to make, vary or administer (whether under a power provided for by this Act or otherwise):
  - (i) an arrangement under which relevant money or other CRF money is, or may become, payable by the Commonwealth to an Australian airline; or
  - (ii) a grant of financial assistance to an Australian airline; and
- (b) the arrangement or grant is for the purposes of assisting the Australian airline with the impact of the coronavirus known as COVID-19.

**43 Terms and conditions for financial assistance to Australian airlines**

- (1) The terms and conditions on which an arrangement or grant of financial assistance referred to in section 42 is made or granted must:
  - (a) be set out in a written agreement between the Commonwealth and the recipient; and
  - (b) include the terms and conditions in subsections (2), (3), (4) and (5) of this section.

*Equity stake*

- (2) The provision of the financial assistance by the Commonwealth is subject to the Australian airline giving to the Commonwealth an equity stake in the Australian airline.
- (3) The following apply in relation to the equity stake referred to in subsection (2):
  - (a) the equity stake must be proportional to the amount of financial assistance provided by the Commonwealth;
  - (b) the equity stake must be given by the issue to the Commonwealth of shares in the Australian airline;
  - (c) the shares must be priced at no higher than the most recent share price transacted on the Australian Stock Exchange or another relevant market (however the shares may be priced lower than that price by agreement between the Minister and the Australian airline).

*Board representation*

- (4) The provision of the financial assistance by the Commonwealth is subject to the Australian airline providing for the following representation on the Board of the Australian airline:
  - (a) one member of the Board representing the workers of the Australian airline;
  - (b) at least one member of the Board representing the Commonwealth, with additional members of the Board as appropriate to reflect the proportion of the Commonwealth's equity stake in the Australian airline.

*Retention of existing workers*

- (5) The provision of the financial assistance by the Commonwealth is subject to the Australian airline retaining until at least 30 June 2021 all workers employed by the Australian airline at the start of 2020.

**44 Definitions**

In this Part:

***Australian airline*** means:

- (a) an Australian international airline; or
- (b) Qantas; or
- (c) an air transport enterprise offering or operating an air service solely within Australian territory.

***Australian international airline*** means an international airline (other than Qantas) that may be permitted to carry passengers or freight, or both passengers and freight, under a bilateral arrangement as an airline designated by Australia to operate a scheduled international air service.

***international airline*** means an air transport enterprise offering or operating an international air service.

***Qantas*** means Qantas Airways Limited, as the company exists from time to time (even if its name is later changed).

Debate ensued.

Question—That the amendment be agreed to—put and negatived. All Australian Greens senators, by leave, recorded their votes for the ayes.

Question—That the Coronavirus Economic Response Package Omnibus Bill 2020, as amended, be agreed to—divided at the request of Senator Siewert in respect of items 34 and 35 of Schedule 4.

Question—That items 34 and 35 of Schedule 4 stand as printed—put and passed. All Australian Greens senators, by leave, recorded their votes for the noes.

Senator Siewert moved the following request for an amendment:

**Coronavirus Economic Response Package Omnibus Bill 2020**

That the House of Representatives be requested to make the following amendment:

Schedule 11, page 55 (after line 23), after item 6, insert:

**6A At the end of Division 4 of Part 2.2**

Add:

**56 COVID-19 supplement**

(1) If a person is receiving:

- (a) an age pension; and
- (b) rent assistance;

the rate of the person's age pension is increased by the amount of the COVID-19 supplement. The increase begins on 27 April 2020.

(2) In this section:

*rent assistance* means an amount paid or payable under this Act to help cover the cost of rent.

*Cessation of supplement*

(3) This section ceases to apply at the end of:

- (a) the period (the *initial period*) of 6 months beginning on the day on which this section commences, unless paragraph (b) applies; or
- (b) if a period is extended under subsection (4)—the extended period.

(4) The Minister may, by legislative instrument, extend the initial period (or that period as extended one or more times under this subsection) by a period not exceeding 3 months. The Minister must be satisfied that the extension is in response to circumstances relating to the coronavirus known as COVID-19.

*Amount of supplement*

(5) For the period beginning on 27 April 2020 and ending at the end of the initial period, the amount of the COVID-19 supplement per fortnight is:

- (a) \$550, unless paragraph (b) applies; or
- (b) if an amount is determined under subsection (6)—that amount.

(6) The Minister may, by legislative instrument, determine an amount for the purposes of paragraph (5)(b).

(7) For any extension period, the amount of the COVID-19 supplement is to be worked out in accordance with a determination under subsection (8).

(8) The Minister may, by legislative instrument, make a determination for the purposes of subsection (7).

(9) Without limiting subsection (8), the determination may provide that the amount of COVID-19 supplement per fortnight is nil for specified persons.

**6B At the end of Division 5 of Part 2.3**

Add:

**121 COVID-19 supplement**

- (1) If a person is receiving a disability support pension, the rate of the person's disability support pension is increased by the amount of the COVID-19 supplement. The increase begins on 27 April 2020.

*Cessation of supplement*

- (2) This section ceases to apply at the end of:
  - (a) the period (the **initial period**) of 6 months beginning on the day on which this section commences, unless paragraph (b) applies; or
  - (b) if a period is extended under subsection (3)—the extended period.
- (3) The Minister may, by legislative instrument, extend the initial period (or that period as extended one or more times under this subsection) by a period not exceeding 3 months. The Minister must be satisfied that the extension is in response to circumstances relating to the coronavirus known as COVID-19.

*Amount of supplement*

- (4) For the period beginning on 27 April 2020 and ending at the end of the initial period, the amount of the COVID-19 supplement per fortnight is:
  - (a) \$550, unless paragraph (b) applies; or
  - (b) if an amount is determined under subsection (5)—that amount.
- (5) The Minister may, by legislative instrument, determine an amount for the purposes of paragraph (4)(b).
- (6) For any extension period, the amount of the COVID-19 supplement is to be worked out in accordance with a determination under subsection (7).
- (7) The Minister may, by legislative instrument, make a determination for the purposes of subsection (6).
- (8) Without limiting subsection (7), the determination may provide that the amount of COVID-19 supplement per fortnight is nil for specified persons.

**6C At the end of Division 4 of Part 2.5**

Add:

**211 COVID-19 supplement**

- (1) If a person is receiving carer payment, the rate of the person's carer payment is increased by the amount of the COVID-19 supplement. The increase begins on 27 April 2020.

*Cessation of supplement*

- (2) This section ceases to apply at the end of:
  - (a) the period (the **initial period**) of 6 months beginning on the day on which this section commences, unless paragraph (b) applies; or
  - (b) if a period is extended under subsection (3)—the extended period.
- (3) The Minister may, by legislative instrument, extend the initial period (or that period as extended one or more times under this subsection) by a period not exceeding 3 months. The Minister must be satisfied that the extension is in response to circumstances relating to the coronavirus known as COVID-19.

*Amount of supplement*

- (4) For the period beginning on 27 April 2020 and ending at the end of the initial period, the amount of the COVID-19 supplement per fortnight is:
  - (a) \$550, unless paragraph (b) applies; or
  - (b) if an amount is determined under subsection (5)—that amount.
- (5) The Minister may, by legislative instrument, determine an amount for the purposes of paragraph (4)(b).
- (6) For any extension period, the amount of the COVID-19 supplement is to be worked out in accordance with a determination under subsection (7).
- (7) The Minister may, by legislative instrument, make a determination for the purposes of subsection (6).
- (8) Without limiting subsection (7), the determination may provide that the amount of COVID-19 supplement per fortnight is nil for specified persons.

Debate ensued.

Question—That the request be agreed to—put and negatived. All Australian Greens senators, by leave, recorded their votes for the ayes.

Senator Faruqi moved the following amendments together by leave:

**Assistance for Severely Affected Regions (Special Appropriation)  
(Coronavirus Economic Response Package) Bill 2020**

Clause 4, page 3 (line 21), omit “State or Territory”, substitute “State, Territory or local government authority”.

Heading to subclause 5(1), page 3 (line 24), omit “*States and Territories*”, substitute “*States, Territories and local government authorities*”.

Clause 5, page 3 (lines 25 to 30), omit “State or Territory” (wherever occurring), substitute “State, Territory or local government authority”.

Clause 5, page 4 (line 10), after “State, Territory”, insert “, local government authority”.

Page 4 (after line 20), after clause 5, insert:

**5A Transparency of payments**

- (1) Within 14 days after an agreement is entered into for the purposes of section 5, the Minister must:
  - (a) publish on the internet the full text of the agreement; or
  - (b) if the Minister is of the opinion that it is not in the public interest for the agreement to be published, the Minister must write to the Joint Parliamentary Committee of Public Accounts and Audit outlining the reasons why he or she is of that opinion in relation to the specific agreement.
- (2) Within 14 days after each 1 January, 1 April, 1 July and 1 October, the Minister must publish on the internet:
  - (a) a list of all agreements entered into for the purposes of section 5 in the preceding quarter; and
  - (b) a statement outlining the total amount of payments made under the appropriation in this Act in the preceding quarter.
- (3) Each list published pursuant to paragraph 5A(2)(a) must, for each listed agreement, include:
  - (a) the name of the recipient of the payment;
  - (b) the amount of the payment;

- (c) the date or dates on which the payment was made or is to be made; and
- (d) details of the nature of the agreement.

Note: Details of the nature of the agreement for the purposes of paragraph 5A(3)(d) may include whether the agreement relates to a grant, a loan, an investment, or some other arrangement.

- (4) Each statement published pursuant to paragraph 5A(2)(b) must include:
  - (a) the total amount of payments made to recipients in each State and Territory; and
  - (b) the total amount of payments made to:
    - (i) State and Territory governments;
    - (ii) constitutional corporations; and
    - (iii) other persons.
- (5) Before making an agreement for the purposes of section 5, the Minister must:
  - (a) conduct an open and transparent process in relation to the proposed payment; or
  - (b) if the Minister is of the opinion that it is not feasible to conduct an open and transparent process due to the urgent nature of the payment, the Minister must write to the Joint Parliamentary Committee of Public Accounts and Audit outlining the reasons why it was not in the public interest that an open and transparent process be used.

Note: An example of an open and transparent process for the purposes of paragraph 5A(5)(a) is an open tender assessed against published criteria.

- (6) Where applicable, payments made under the appropriation in this Act must comply with the Commonwealth Grants Rules and Guidelines.
- (7) In this section:

*Commonwealth Grants Rules and Guidelines* means the legislative instrument made by the Finance Minister under section 105C of the *Public Governance, Performance and Accountability Act 2013*.

Debate ensued.

Question—That the amendments be agreed to—put and negatived. All Australian Greens senators, by leave, recorded their votes for the ayes.

The Coronavirus Economic Response Package Omnibus Bill 2020 agreed to and reported with an amendment, and the remaining bills agreed to and reported without amendments.

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On the motion of Senator Cormann the report of the committee was adopted and the bills read a third time.

## 19 Supply Bill (No. 1) 2020-2021

### Supply Bill (No. 2) 2020-2021

### Supply (Parliamentary Departments) Bill (No. 1) 2020-2021

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

Message no. 190, dated 23 March 2020—

A Bill for an Act to appropriate money out of the Consolidated Revenue Fund for the ordinary annual services of the Government, and for related purposes;

A Bill for an Act to appropriate money out of the Consolidated Revenue Fund for certain expenditure, and for related purposes; and

A Bill for an Act to appropriate money out of the Consolidated Revenue Fund for expenditure in relation to the Parliamentary Departments, and for related purposes.

The Minister for Finance (Senator Cormann) 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.

On the motion of Senator Cormann the bills were debated and read a second time.

No amendments to the bills were circulated and the bills were not considered in committee.

On the motion of Senator Cormann the bills were read a third time.

## **20 Committee membership**

A message from the House of Representatives was reported informing the Senate of a change in the membership of the Joint Committee of Public Accounts and Audit, as follows:

Message no. 191, dated 23 March 2020—Mr Conroy in place of Ms Thwaites.

## **21 Next meeting of Senate and leave of absence**

The Minister for Finance (Senator Cormann) moved—That—

- (a) the orders of the Senate of 14 November 2019 relating to the days of meeting for 2020 and estimates hearings be suspended until 11 August 2020;
- (b) the President shall alter the day and time of the next meeting of the Senate at the request of, or the agreement of, the Leader of the Government in the Senate and the Leader of the Opposition in the Senate, and the time of meeting shall be notified to each senator;
- (c) the Senate may meet in a manner and form not otherwise provided for in the standing orders with the agreement of the Leader of the Government in the Senate and the Leader of the Opposition in the Senate, and the rules and orders necessary to constitute such a meeting may be determined by the Procedure Committee; and
- (d) leave of absence be granted to every member of the Senate from the end of the sitting today, to the day on which the Senate next meets.

Debate ensued.

The question was divided at the request of Senator McKim.

Question—That paragraph (a) of the motion be agreed to—put and passed. All Australian Greens senators, by leave, recorded their votes for the noes.

Senator McKim moved—That paragraphs (b) and (c) of the motion be amended to include “the Leader of the Australian Greens in the Senate” after “the Leader of the Opposition in the Senate”.

Question—That the amendment be agreed to—put and negatived. All Australian Greens senators and Senator Roberts, by leave, recorded their votes for the ayes.

Question—That the remainder of the motion be agreed to—put and passed.



**22 Adjournment**

On the motion of the Minister for Finance (Senator Cormann), the Senate adjourned at 10.16 pm till Tuesday, 11 August 2020 at midday.

**23 Attendance**

Present, all senators except Senators Abetz\*, Askew\*, Bilyk\*, Bragg\*, Brockman\*, Brown\*, Canavan\*, Carr\*, Chandler\*, Di Natale\*, Dodson\*, Farrell\*, Fawcett\*, Gallacher\*, Hanson\*, Hughes\*, Hume\*, Lambie\*, McAllister\*, McCarthy\*, McDonald\*, McLachlan\*, McMahon\*, Paterson\*, Patrick\*, Payne\*, Polley\*, Pratt\*, Rennick\*, Rice\*, Sheldon\*, Marielle Smith\*, Steele-John\*, Sterle\*, Stoker\*, Van\*, Waters\*, Whish-Wilson\* and Wong\* (\*on leave).

**RICHARD PYE**  
Clerk of the Senate