



46<sup>th</sup> Parliament

# Senate Journals

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## 1 Meeting of Senate

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

## 2 Documents

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

### Documents presented by the President

- 1 *Building and Construction Industry (Improving Productivity) Act 2016*—Quarterly report by the Commonwealth Ombudsman for the period 1 April to 30 June 2020.
- 2 *Fair Work Act 2009*—Quarterly report by the Commonwealth Ombudsman for the period 1 April to 30 June 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.]*

*Aged Care Act 1997*—Aged Care (Subsidy, Fees and Payments) Amendment (Cessation of Temporary Funding Increases) Determination 2020 [F2020L01077].

*Civil Aviation Act 1988*—Civil Aviation Safety Regulations 1998—Manual of Standards Part 173 Amendment Instrument 2020 (No. 1) [F2020L01078].

Commissioner of Taxation—Public Rulings—

Class Rulings CR 2020/44 and CR 2020/45.

Product Ruling PR 2020/11.

Taxation Determination TD 2020/7.

*Industry Research and Development Act 1986*—Industry Research and Development (Forestry Recovery Development Fund Program) Instrument 2020 [F2020L01081].

*National Health Act 1953*—

National Health (Highly specialised drugs program) Special Arrangement Amendment Instrument 2020 (No. 4)—PB 37 of 2020 [F2020L00538]—Replacement explanatory statement.

National Health (Highly specialised drugs program) Special Arrangement Amendment Instrument 2020 (No. 5)—PB 46 of 2020 [F2020L00646]—Replacement explanatory statement.

*Taxation Administration Act 1953*—Taxation Administration (Remedial Power – Certificate for GST-free supplies of Cars for Disabled People) Determination 2020 [F2020L01079].

*Veterans' Entitlements Act 1986*—

Statement of Principles concerning non-aneurysmal aortic atherosclerotic disease (Balance of Probabilities)—No. 53 of 2020 [F2020L01082].

Statement of Principles concerning non-aneurysmal aortic atherosclerotic disease (Reasonable Hypothesis)—No. 52 of 2020 [F2020L01080].

Statement of Principles concerning pure red cell aplasia (Balance of Probabilities)—No. 61 of 2020 [F2020L01084].

Statement of Principles concerning pure red cell aplasia (Reasonable Hypothesis)—No. 60 of 2020 [F2020L01083].

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The following documents were tabled by the Clerk pursuant to the order of the Senate of 20 June 2001, as amended:

Entity contracts for 2019-20—Letters of advice—

Department of Veterans' Affairs.

Social Services portfolio.

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

The Environment and Communications Legislation and References Committees were authorised to hold private meetings otherwise than in accordance with standing order 33(1), during the sittings of the Senate, from 1 pm, on Thursday, 3 September, 8 October, 12 November and 3 and 10 December 2020.

### **4 Pairing arrangements—Statements by leave**

The Leader of the Government in the Senate (Senator Cormann) and the Leader of the Opposition in the Senate (Senator Wong), by leave, made statements relating to pairing arrangements in the Senate, particularly in the context of senators being unable to attend the Senate as a result of the COVID-19 pandemic.

### **5 Temporary chairs of committees**

The President tabled warrants, dated 1 September 2020, revoking the warrant nominating Senator Sheldon as a temporary chair of committees, and nominating Senator O'Neill as an additional temporary chair of committees.

### **6 Coronavirus Economic Response Package (Jobkeeper Payments) Amendment Bill 2020**

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

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#### *In the committee*

Consideration resumed of the bill.

*Explanatory memorandum:* The Minister for Finance (Senator Cormann) tabled a supplementary explanatory memorandum relating to the government amendments to be moved to the bill.

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

Schedule 2, item 10, page 9 (line 6), omit paragraph (a) of the definition of *eligible financial service provider* in section 789GC.

Schedule 2, item 10, page 9 (line 7), omit “, BAS agent or tax (financial) adviser”, substitute “or BAS agent”.

Schedule 2, item 12, page 9 (after line 17), after the definition of *quarter* in section 789GC, insert:

*registered tax agent or BAS agent* has the same meaning as in the *Tax Agent Services Act 2009*.

Schedule 2, item 12, page 9 (lines 18 and 19), omit the definition of *registered company auditor* in section 789GC.

Schedule 2, item 12, page 9 (lines 20 and 21), omit the definition of *registered tax agent, BAS agent or tax (financial) adviser* in section 789GC.

Schedule 2, item 13, page 11 (lines 1 and 2), omit “states that, in the opinion of the eligible financial service provider,”, substitute “confirms that”.

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

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

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

10. Schedule 5      The day after this Act receives the Royal Assent.

Page 33 (after line 21), at the end of the bill, add:

**Schedule 5—Extension of jobkeeper scheme to casual employees**  
***Coronavirus Economic Response Package (Payments and Benefits) Act 2020***

**1 At the end of section 7**

Add:

*Requirements relating to casual employees*

- (8) In determining the entitlement of an entity to a payment for an employee of the entity, the rules must provide that the types of employee that an entity is entitled to receive a payment in respect of include an employee of the entity who satisfies the requirements in subsection (9), regardless of the period of time that the individual has been employed by the entity.
- (9) The requirements are that:
  - (a) the individual was a casual employee of the entity on 1 July 2020; and
  - (b) it is reasonable to assume that the individual would have continued to be an employee of the entity if the entity had not been directly or indirectly affected by the Coronavirus known as COVID-19.

Debate ensued.

Question—That the requests be agreed to—put.

The committee divided—

AYES, 7

Senators—

Faruqi  
Griff

Hanson-Young  
Lambie

McKim  
Patrick

Siewert\*

## NOES, 29

Senators—

Antic  
 Askew  
 Bragg  
 Brockman  
 Canavan  
 Chandler  
 Cormann  
 Davey

Duniam  
 Farrell  
 Fierravanti-Wells  
 Gallagher  
 Green  
 Henderson  
 Hughes

Hume  
 Lines  
 McCarthy\*  
 McGrath  
 McLachlan  
 McMahon  
 Molan

O'Sullivan  
 Paterson  
 Payne  
 Rennick  
 Reynolds  
 Smith, Dean  
 Stoker

\* Tellers

Question negatived.

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

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

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

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

Page 33, at the end of the bill, after proposed Schedule 5, add:

**Schedule 6—Extension of jobkeeper scheme to temporary visa holders**

***Coronavirus Economic Response Package (Payments and Benefits) Act 2020***

**1 At the end of section 7**

Add:

*Requirements relating to temporary visa holders*

- (10) In determining the entitlement of an entity to a payment for an employee of the entity, the rules must provide that the types of employee that an entity is entitled to receive a payment in respect of include an individual that on 1 July 2020 was an employee of the entity and was the holder of a temporary visa within the meaning of the *Migration Act 1958*.

Debate ensued.

Question—That the requests be agreed to—put.

The committee divided—

AYES, 6

Senators—

Faruqi  
 Griff

Hanson-Young  
 McKim

Patrick

Siewert\*

## NOES, 29

Senators—

Antic  
Askew  
Bragg  
Brockman  
Canavan  
Chandler  
Cormann  
Davey

Duniam  
Farrell  
Fawcett  
Fierravanti-Wells  
Gallagher  
Henderson  
Hughes

Hume  
Lambie  
McCarthy\*  
McGrath  
McKenzie  
McMahon  
Molan

O'Sullivan  
Paterson  
Payne  
Rennick  
Reynolds  
Smith, Dean  
Stoker

\* Tellers

Question negatived.

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

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

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

13. Schedule 8      The day after this Act receives the Royal Assent.

Page 33, at the end of the bill, after proposed Schedule 6, add:

**Schedule 8—Extension of jobkeeper scheme to higher education providers**

***Coronavirus Economic Response Package (Payments and Benefits) Act 2020***

**1 In the appropriate position**

Insert:

**7B Requirements for rules that provide for jobkeeper payments scheme—payments to higher education providers**

- (1) If the rules provide for a kind of payment that is intended to assist businesses affected by the Coronavirus to cover the cost of wages of their employees (whether known as a jobkeeper payment or otherwise), the rules relating to that kind of payment (the *jobkeeper scheme rules*) must comply with the requirements in subsection (2).
- (2) The jobkeeper scheme rules, in providing for the classes of entities to which payments in respect of employees are to be made, must comply with the following requirements in respect of entities that are higher education providers:
  - (a) the rules must not have eligibility requirements:
    - (i) that apply only to higher education providers; or
    - (ii) that apply thresholds to higher education providers that are different from the thresholds applied to other similar entities; or
    - (iii) that are substantially different in their application to higher education providers compared with other entities;
 with the effect of making it impractical or unlikely that higher education providers will be able to satisfy the eligibility requirements;
  - (b) the eligibility requirements must not have the effect, whether directly or indirectly, of excluding all or substantially all higher education providers from the jobkeeper scheme.

Debate ensued.

Question—That the requests be agreed to—put.

The committee divided—

AYES, 5

Senators—

Faruqi  
Hanson-Young

McKim

Patrick

Siewert\*

NOES, 28

Senators—

Antic  
Askew  
Bragg  
Canavan  
Chandler  
Cormann  
Davey

Duniam  
Farrell  
Fawcett  
Fierravanti-Wells  
Gallagher  
Henderson  
Hughes

Lambie  
McCarthy\*  
McGrath  
McKenzie  
McMahon  
Molan  
O'Sullivan

Paterson  
Rennick  
Reynolds  
Ruston  
Ryan  
Smith, Dean  
Stoker

\* Tellers

Question negatived.

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

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

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

14. Schedule 9      The day after this Act receives the Royal Assent.

Page 33, at the end of the bill, after proposed Schedule 8, add:

## **Schedule 9—Extension of jobkeeper scheme to child care providers**

### ***Coronavirus Economic Response Package (Payments and Benefits) Act 2020***

#### **1 In the appropriate position**

Insert:

#### **7C Requirements for rules that provide for jobkeeper payments scheme—payments to child care providers**

- (1) If the rules provide for a kind of payment that is intended to assist businesses affected by the Coronavirus to cover the cost of wages of their employees (whether known as a jobkeeper payment or otherwise), the rules relating to that kind of payment (the *jobkeeper scheme rules*) must comply with the requirements in subsection (2).
- (2) The jobkeeper scheme rules must ensure that payments are able to be made to entities that are approved providers (within the meaning of the *A New Tax System (Family Assistance) (Administration) Act 1999*) of one or more approved child care services (within the meaning of that Act), including in respect of:
  - (a) employees whose ordinary duties relate principally to the operation of one or more of those services; and
  - (b) individuals who are not employees but who are actively engaged in the business carried on by the approved provider.

Debate ensued.

Question—That the requests be agreed to—put.



The committee divided—

AYES, 5

Senators—

Faruqi  
Hanson-Young

McKim

Patrick

Siewert\*

NOES, 26

Senators—

Antic  
Askew  
Bragg  
Canavan  
Chandler  
Cormann  
Davey

Farrell  
Fawcett  
Fierravanti-Wells  
Gallagher  
Henderson  
Hughes  
McCarthy\*

McGrath  
McKenzie  
McMahon  
Molan  
O'Sullivan  
Paterson

Rennick  
Reynolds  
Ruston  
Ryan  
Smith, Dean  
Stoker

\* Tellers

Question negatived.

Senator Faruqi moved the following amendments together by leave:

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

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

Page 33 (after line 21), at the end of the bill, add:

### **Schedule 7—Preventing tiered jobkeeper payments**

#### ***Coronavirus Economic Response Package (Payments and Benefits) Act 2020***

##### **1 After section 7**

Insert:

##### **7A Requirement for rules that provide for jobkeeper payments scheme—no tiered jobkeeper payments**

- (1) If the rules provide for a kind of payment that is intended to assist businesses affected by the Coronavirus to cover the cost of wages of their employees (whether known as a jobkeeper payment or otherwise), the rules relating to that kind of payment (the *jobkeeper scheme rules*) must comply with the requirement in subsection (2).
- (2) The jobkeeper scheme rules, in providing for the amount of the payment under the jobkeeper scheme, must not provide for there to be different amounts payable in relation to employees.

Debate ensued.

Question—That the amendments be agreed to—put.

The committee divided—

AYES, 4

Senators—

Faruqi

Hanson-Young

McKim

Siewert\*

## NOES, 30

Senators—

Antic	Duniam	McCarthy*	Patrick
Askew	Farrell	McGrath	Rennick
Bragg	Fawcett	McKenzie	Reynolds
Brockman	Fierravanti-Wells	McMahon	Ruston
Canavan	Gallagher	Molan	Ryan
Chandler	Henderson	O'Sullivan	Smith, Dean
Cormann	Hughes	Paterson	Stoker
Davey	Lambie		

\* Tellers

Question negatived.

Senator Patrick moved the following amendments together by leave:

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

8. Schedule 3      The day after this Act receives the Royal Assent.

Page 33 (after line 21), at the end of the bill, add:

**Schedule 3—Repaying jobkeeper payments*****Coronavirus Economic Response Package (Payments and Benefits) Act 2020*****1 After section 7**

Insert:

**7A Requirements for rules that provide for jobkeeper payments scheme—conduct by entities that indicates jobkeeper financial support not necessary**

- (1) If the rules provide for a kind of payment that is intended to assist businesses affected by the Coronavirus to cover the cost of wages of their employees (whether known as a jobkeeper payment or otherwise), the rules relating to that kind of payment (the *jobkeeper scheme rules*) must comply with the requirements in subsections (2) and (3).
- (2) The jobkeeper scheme rules must provide that an entity is taken not to be, or not to have been, entitled to a payment under the jobkeeper scheme rules if:
  - (a) during the prescribed period the entity:
    - (i) pays dividends to shareholders of the entity; or
    - (ii) pays a bonus to an executive or other officer of the entity; or
    - (iii) makes other payments of a similar nature that relate to distributing profits of the entity; and
  - (b) the Commissioner is satisfied, having regard to:
    - (i) the amount of the dividend, bonus or other similar payment and the extent to which it exceeds the amount of the last such payment made by the entity; or
    - (ii) any other matters the Commissioner considers relevant;
 that the entity's conduct in making those payments indicates that the entity was not affected directly or indirectly by the Coronavirus known as COVID-19 to the extent that the entity required financial support under this Act.

Note: Under section 9 of this Act, if an entity was not entitled to a payment, the entity is liable to repay the amount to the Commonwealth.

- (3) To avoid doubt, rules made for the purposes of subsection (2) must be able to apply to an entity that has already received a payment before the commencement of this section.

Debate ensued.

Question—That the amendments be agreed to—put and negatived. Senators Patrick and Lambie and the Leader of Pauline Hanson's One Nation (Senator Hanson), by leave, recorded their votes for the ayes.

Bill agreed to and reported with amendments.

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

## 7 **Payment Times Reporting Bill 2020**

### **Payment Times Reporting (Consequential Amendments) Bill 2020**

Order of the day read for the adjourned debate on the motion of the Minister for Trade, Tourism and Investment (Senator Birmingham)—That these bills be now read a second time.

Debate resumed.

*At 2 pm:* Debate was interrupted while Senator Stoker was speaking.

## 8 **Questions**

Questions without notice were answered.

*Leave refused:* The Leader of the Opposition in the Senate (Senator Wong) sought leave to move a motion of censure of the Minister for Aged Care and Senior Australians (Senator Colbeck). An objection was raised and leave was not granted.

*Proposed suspension of standing orders:* Senator Wong, pursuant to contingent notice, moved—That so much of the standing orders be suspended as would prevent her moving a motion to provide for the consideration of a matter, namely a motion to give precedence to a motion of censure of the Minister for Aged Care and Senior Australians (Senator Colbeck).

Debate ensued.

Question put.

The Senate divided—

AYES, 24

Senators—

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

## NOES, 26

Senators—

Askew  
Birmingham  
Bragg  
Brockman  
Canavan  
Cash  
Colbeck

Cormann  
Davey  
Duniam  
Fawcett  
Henderson  
Hume  
McGrath

McKenzie  
McLachlan  
McMahon  
O'Sullivan  
Paterson  
Payne

Reynolds  
Ruston  
Ryan  
Seselja  
Smith, Dean\*  
Van

\* Tellers

Question negatived.

## 9 Motions to take note of answers

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

Debate ensued.

Question put and passed.

Senator Hanson-Young moved—That the Senate take note of the answer given by the Minister for Finance (Senator Cormann) to a question without notice asked by Senator Hanson-Young today relating to environment protection legislation.

Question put and passed.

## 10 Notices

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

- (a) pays tribute to former Australian Prime Minister John Howard for having delivered on his 1998 election commitment to preserve the cultural and historical significance of the Sydney Harbour foreshore;
- (b) acknowledges the final report of the independent review of the Sydney Harbour Federation Trust and thanks the reviewers along with the Trust board, chair and chief executive officer for their work;
- (c) welcomes the recommendation, consistent with Senator Bragg's submission, that the historic former defence sites remain under Commonwealth protection in perpetuity;
- (d) recognises recommendations 17, 18 and 19 with respect to the need for a refreshed vision and long-term plan for North Head Sanctuary;
- (e) notes recommendation 15 and the importance of recognising and celebrating the Indigenous heritage of the Harbour Trust sites; and
- (f) commends the Minister for the Environment for having commissioned the independent review and sought the twenty-one recommendations. (*general business notice of motion no. 769*)

The Chair of the Standing Committee for the Scrutiny of Delegated Legislation (Senator Fierravanti-Wells): To move 15 sitting days after today—That the Foreign Acquisitions and Takeovers Amendment (Threshold Test) Regulations 2020, made under the *Foreign Acquisitions and Takeovers Act 1975*, be disallowed [F2020L00435].

Senator O'Neill: To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the law in relation to franchising, and for related purposes.

***Franchising Laws Amendment (Fairness in Franchising) Bill 2020.*** (*general business notice of motion no. 770*)

The Assistant Minister for Superannuation, Financial Services and Financial Technology (Senator Hume): To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the law relating to taxation and superannuation, and for related purposes. ***Treasury Laws Amendment (Self Managed Superannuation Funds) Bill 2020.***

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

- (a) acknowledges that:
  - (i) Northern Territory (NT) farmers are at crisis point, facing a shortage of mango pickers for the imminent mango season,
  - (ii) the NT mango harvest is worth \$125 million to the NT economy and plant-based industries combined are worth \$355 million,
  - (iii) the NT is the country's largest grower of mangoes, producing around 52% of the national mango crop,
  - (iv) between 2,200 and 2,500 workers are required for the mango picking season in the NT,
  - (v) worker shortages of seasonal workers have been exacerbated as a result of the COVID-19 pandemic limiting national and international travel, and
  - (vi) the National Farmers' Federation warned the Morrison Government, pre-COVID, that 'agriculture's workforce deficit is one of the largest constraints to our sector's productivity growth and we need solutions for agriculture to reach its potential of being a \$100 billion industry by 2030'; and
- (b) calls on the Government to urgently act to come up with creative and innovative solutions to support farmers facing this seasonal worker crisis. (*general business notice of motion no. 771*)

Senator Lambie: To move on the next day of sitting—That the provisions of the National Commissioner for Defence and Veteran Suicide Prevention Bill 2020 be referred to the Foreign Affairs, Defence and Trade Legislation Committee for inquiry and report by 27 August 2021.

Senator Hanson-Young: To move on the next day of sitting—That the Senate—

- (a) notes that:
  - (i) the interim report of the Royal Commission into National Natural Disaster Arrangements stated that the Australian Broadcasting Corporation (ABC) is a trusted broadcaster of emergency messages and warnings during bushfires and that ABC managers should be embedded in all state and territory emergency management centres to ensure delivery of critical information to the public,
  - (ii) emergency reporting during the bushfires cost the ABC an additional \$3 million,
  - (iii) the ABC has been an essential source of news during the COVID-19 pandemic with digital, television and radio broadcasts all seeing a dramatic increase in ratings, and
  - (iv) the Abbott-Turnbull-Morrison Government has cut more than \$783 million in funding from the ABC, and the ABC is currently operating with its smallest budget since 1996;
- (b) expresses gratitude for the essential role that the ABC has played in keeping Australians informed and safe throughout the bushfire season and the COVID-19 pandemic; and
- (c) calls on the Morrison Government to restore every dollar cut from the ABC budget since 2013. (*general business notice of motion no. 772*)

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

- (a) notes that:
  - (i) in April 2018, the Australian Competition and Consumer Commission (ACCC) dairy inquiry produced a report to government which concluded that:
    - (A) farmers lack of bargaining power means that they are unlikely to benefit from an increase in the retail (or wholesale) prices, and
    - (B) even if processors were to receive higher wholesale prices from sales to supermarkets, this does not mean the processors will pay farmers any more than they have to, to secure milk,
  - (ii) on 26 August 2020, the Treasurer and the Minister for Agriculture, Drought and Emergency Management announced an ACCC inquiry into:
    - (A) harmful imbalances of bargaining power between farmers, intermediaries, including processors, and retailers in the domestic supply chains of perishable agricultural goods in Australia, and
    - (B) the effectiveness of the new Dairy Code of Conduct;
- (b) recognises that the ACCC Agricultural Commissioner, Mr Mick Keogh, has confirmed that the current dairy code ‘doesn’t make any requirements in relation to notions of fairness about the price that’s received by the farmer’; and
- (c) calls on the Government to expand its ACCC inquiry to investigate how it can regulate the price of milk per litre paid by processors to dairy farmers to ensure a viable dairy industry. (*general business notice of motion no. 773*)

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

- (a) if the notice of motion proposing the disallowance of the Competition and Consumer (Industry Codes—Dairy) Regulations 2019 standing in the name of the Chair of the Standing Committee for the Scrutiny of Delegated Legislation (Senator Fierravanti-Wells) for 2 sitting days after today (3 September 2020) has not been finally resolved by 12.45 pm on 3 September 2020, the notice of motion shall be called on and considered at 3.30 pm that day; and
- (b) if consideration of the motion is not concluded by 4 pm, the question on the unresolved motion shall then be put.

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

- (a) recognises that aged care workers provide essential care and support to older Australians every day;
- (b) notes that aged care workers are working on the front lines of the COVID-19 pandemic;
- (c) agrees that saying thank you to aged care workers for their hard work and dedication is not enough;
- (d) acknowledges that our aged care system is in crisis with:
  - (i) not enough aged care workers,
  - (ii) inadequate training, and
  - (iii) low pay and insecure jobs for the workforce; and
- (e) calls on the Government to urgently address the aged care crisis by introducing:
  - (i) minimum staffing levels,
  - (ii) better staff training, and
  - (iii) enhanced job security for the aged care workforce. (*general business notice of motion no. 774*)

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

- (a) acknowledges:
  - (i) that superannuation is money which ultimately belongs to the fund members who make contributions,
  - (ii) the importance of the strict application of the sole purpose test for superannuation, and
  - (iii) that the *New Daily* is an online news service funded by industry superannuation funds; and
- (b) calls on the *New Daily* to disclose:
  - (i) disclose their financial records, and
  - (ii) disclose payments to related and third parties, including journalists who are public figures. (*general business notice of motion no. 775*)

The Leader of the Opposition in the Senate (Senator Wong): To move on 3 September 2020—That the Senate—

- (a) notes that:
  - (i) the Australian Government funds and regulates residential aged care,

- (ii) the Morrison Government failed to protect aged care residents from COVID-19 by ignoring:
  - (A) the interim report of the Aged Care Royal Commission,
  - (B) the warnings from experts and unions, and
  - (C) the warnings of Dorothy Henderson Lodge and Newmarch House,
- (iii) the Australian Government has not produced a COVID-19 plan for aged care,
- (iv) more than 450 aged care residents have died from COVID-19, and
- (v) the Aged Care Royal Commission has said that if the Australian Government had acted upon previous reviews of aged care the suffering of many people could have been avoided; and
- (b) censures the Minister for Aged Care and Senior Australians for:
  - (i) failing to recall the most basic and tragic facts about aged care residents,
  - (ii) describing his management of aged care as a ‘high water mark’,
  - (iii) dismissing deaths as a ‘function’ of aged care, and
  - (iv) failing to take responsibility for the devastating crisis in the aged care sector, which has caused death, grief and untold trauma for vulnerable Australians and their families. (*general business notice of motion no. 776*)

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

- (a) notes that this is the last sitting week before the Federal Budget will be handed down on 6 October 2020;
- (b) recognises that the poverty rate for people on JobSeeker Payment dropped from 67% to 6.8% after the introduction of the \$550 Coronavirus Supplement;
- (c) acknowledges that, when the Coronavirus Supplement is cut by \$300 a fortnight on 25 September 2020:
  - (i) the number of people in poverty will increase by 740,000,
  - (ii) people in our community will be in mortgage stress and rental affordability will plummet to 0.2% for people on JobSeeker Payment, and
  - (iii) more than 1.1 million children will be living in households that have their incomes cut;
- (d) recognises the importance of leaders showing support for unemployed workers during these times; and
- (e) calls on the Government to:
  - (i) maintain the rate of the Coronavirus Supplement of \$550 a fortnight to ensure people on income support do not slip into poverty during this pandemic and recovery; and
  - (ii) include adequate increases to income support in the October Budget that ensure that people on income support can live above the poverty line. (*general business notice of motion no. 777*)



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

- (a) acknowledges the significant fiscal interventions in response to COVID-19, which have been supported by the entire Parliament;
- (b) notes that the National Accounts confirm Australia is in a recession;
- (c) further notes that:
  - (i) unemployment is at 7.5%, with over a million Australians out of work for the first time in history,
  - (ii) the Treasurer has acknowledged that the unemployment rate is expected to increase to 10% in the December quarter,
  - (iii) the Government announced it would reduce the rate of JobKeeper and the Coronavirus Supplement on 21 July 2020,
  - (iv) the Government announced that the Coronavirus Supplement will end on 31 December 2020 and JobKeeper will end on 28 March 2021, and
  - (v) a further 400,000 Australians are expected to lose their jobs by the end of this year; and
- (d) calls on the Morrison Government to immediately outline a comprehensive jobs plan for Australian workers, including the 400,000 Australians the Treasurer has acknowledged are expected to lose their jobs by Christmas amidst the first recession in Australia in 29 years. (*general business notice of motion no. 778*)

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

- (a) notes the importance of the Northern Territory onshore gas industry and in particular the development of the Beetaloo Basin, which has the potential to generate billions of dollars for the Northern Territory economy and create over 6,000 jobs for Territorians;
- (b) acknowledges the Northern Territory's Economic Reconstruction Commission's first report, which notes that the 'Beetaloo sub-basin shows significant potential to provide gas and liquids for energy use and to underpin a petrochemical manufacturing industry in the territory – driving significant economic benefit';
- (c) welcomes Territorians' resounding rejection of Territory Alliance's anti-gas policies, which would have further devastated the Northern Territory's economy, undermined the creation of new jobs for all Territorians and prevented the Northern Territory from realising its potential to build a petrochemical manufacturing industry;
- (d) congratulates the Country Liberal Party (CLP), led by Lia Finocchiaro, for their clear and positive economic and resources policies, which assisted the CLP to regain significant public support; and
- (e) calls on the re-elected Northern Territory Labor Government to urgently work with the Federal Government and industry to ensure that the potential benefits of developing the Beetaloo Basin are fully realised. (*general business notice of motion no. 779*)

*Intention to withdraw:* Senator Smith, at the request of the Chair of the Standing Committee for the Scrutiny of Delegated Legislation (Senator Fierravanti-Wells), pursuant to standing order 78, gave notice of Senator Fierravanti-Wells' intention, at the giving of notices on the next day of sitting, to withdraw business of the Senate notice of motion no. 1 standing in her name for two sitting days after today for the disallowance of the Competition and Consumer (Industry Codes—Dairy) Regulations 2019 [F2019L01610].

## 11 Postponement

Business of the Senate notice of motion no. 2 standing in the name of the Chair of the Standing Committee for the Scrutiny of Delegated Legislation (Senator Fierravanti-Wells) for two sitting days after today, proposing the disallowance of the Coronavirus Economic Response Package (Deferral of Sunsetting—Income Management and Cashless Welfare Arrangements) Determination 2020, postponed till 8 October 2020.

## 12 Education and Employment Legislation Committee—Proposed reference—Higher Education Support Amendment (Job-Ready Graduates and Supporting Regional and Remote Students) Bill 2020

Senator Faruqi, pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 3—That the provisions of the Higher Education Support Amendment (Job-Ready Graduates and Supporting Regional and Remote Students) Bill 2020 be referred to the Education and Employment Legislation Committee for inquiry and report by 30 November 2020.

The Senate divided—

### AYES, 24

Senators—

Ayres	Gallagher	McAllister	Pratt
Bilyk	Green	McCarthy	Sheldon
Carr	Griff	McKim	Siewert
Chisholm	Hanson-Young	O'Neill	Urquhart*
Farrell	Lambie	Patrick	Walsh
Faruqi	Lines	Polley	Watt

### NOES, 24

Senators—

Askew	Duniam	McMahon	Ruston
Bragg	Fawcett	Molan	Ryan
Brockman	Henderson	Paterson	Scarr
Cash	Hughes	Payne	Seselja
Colbeck	Hume	Rennick	Smith, Dean*
Davey	McKenzie	Reynolds	Van

\* Tellers

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

### 13 **Public Works—Joint Statutory Committee—Reference of work**

The Assistant Minister for Forestry and Fisheries (Senator Duniam), at the request of the Assistant Minister for Finance, Charities and Electoral Matters (Senator Seselja) and pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 1—That, in accordance with the provisions of the *Public Works Committee Act 1969*, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report as expeditiously as is practicable:

Department of Health – Proposed fit-out of new leased premises at Fairbairn Business Park, Canberra Airport.

*Document:* Senator Duniam tabled a statement relating to the proposed works.

Question put and passed.

### 14 **Industry Research and Development (Water for Fodder Program) Instrument 2019—Consideration**

The Assistant Minister for Forestry and Fisheries (Senator Duniam), at the request of the Minister for Families and Social Services (Senator Ruston) and pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 2—That—

- (a) if the notice of motion proposing the disallowance of the Industry Research and Development (Water for Fodder Program) Instrument 2019 standing in the name of Senator Hanson-Young for 1 September 2020 has not been finally resolved by 12.45 pm on Wednesday, 2 September 2020, the notice of motion shall be called on and considered at 5 pm that day; and
- (b) if consideration of the motion is not concluded by 5.30 pm, the question on the unresolved motion shall then be put.

Question put and passed.

### 15 **Hours of meeting and routine of business—Variation**

The Assistant Minister for Forestry and Fisheries (Senator Duniam), at the request of the Minister for Families and Social Services (Senator Ruston) and pursuant to notice of motion not objected to as a formal motion, moved government business notice of motion no. 3—That the hours of meeting for Tuesday, 6 October 2020 be from midday to 6.30 pm and 8.30 pm to adjournment, and for Thursday, 8 October 2020 be from 9.30 am to 5.30 pm and 8 pm to adjournment, and that:

- (a) the routine of business from 8.30 pm on Tuesday, 6 October 2020 shall be:
  - (i) Budget statement and documents 2020-21, and
  - (ii) adjournment; and
- (b) the routine of business from 8 pm on Thursday, 8 October 2020 shall be:
  - (i) Budget statement and documents – party leaders and independent senators to make responses to the statement and documents for not more than 30 minutes each, and
  - (ii) adjournment.

Question put and passed.

## 16 Aged care

Senator Griff, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 760—That the Senate—

- (a) acknowledges that:
  - (i) the Federal Government is entirely responsible for aged care funding and regulation,
  - (ii) the many weaknesses in our aged care system have not been caused by COVID-19 – they have been exposed in glaring focus by the pandemic,
  - (iii) the aged care system has long been broken, evidenced by the need for the Royal Commission into Aged Care Quality and Safety to examine the systemic issues facing the sector including chronic underfunding, under-skilling and underpayment of staff, no minimum staffing requirements, no minimum training qualifications and no transparency with how \$21 billion paid to the sector is spent, and
  - (iv) it should not have taken the pandemic to make aged care a political priority;
- (b) notes that:
  - (i) on 21 February 2020, Counsel Assisting, Mr Peter Rozen QC, recommended to the Royal Commission into Aged Care Quality and Safety that minimum staffing levels should be implemented urgently to protect senior Australians in care, and
  - (ii) minimum staffing levels in residential aged care, on every shift, with the right mix of skills and qualifications, is a critical part of providing quality care; and
- (c) calls on the Government to legislate for minimum staffing levels pursuant to recommendations made by Mr Peter Rozen QC.

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

Question put and passed.

## 17 Northern Australia—Joint Standing Committee—Extension of time to report

Senator Urquhart, at the request of Senators Chisholm, Dean Smith and Siewert and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 761—That the time for the presentation of the report of the Joint Standing Committee on Northern Australia on its inquiry into the destruction of caves at the Juukan Gorge be extended to 9 December 2020.

Question put and passed.

## 18 TAFE funding

Senator Urquhart, at the request of Senators Polley and O'Neill and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 762—That the Senate—

- (a) notes that:
  - (i) the Technical and Further Education (TAFE) system in Australia derives \$92.5 billion per year in economic benefits associated with direct operation of TAFE establishments, higher incomes and productivity generated by the TAFE-qualified workforce and reduced social welfare costs,
  - (ii) the costs of investment in TAFE are modest, at \$5.7 billion per year, representing only 0.3% of GDP; despite this, the direct tax revenue which is generated as a result of an increase in productivity and incomes is worth \$25 billion per year and represents 4.4 times the return on the investment in the TAFE system, and
  - (iii) the Liberals have cut more than \$3 billion from TAFE and training, 140,000 apprentices and trainees have been lost, and Australia has had widespread shortages of critical workers including plumbers, carpenters, metalworkers, hairdressers, and aged care staff; and
- (b) calls on the Government to stop the cuts to the TAFE system and to support our apprentices and trainees – we need to boost our skills at this pivotal point, where we can rebuild our economy with an appropriately skilled work force.

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

Question put and passed.

## 19 Special Air Service Regiment

Senator Dean Smith, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 763—That the Senate—

- (a) acknowledges all those who paid the ultimate sacrifice while serving in the Australian Army's elite Special Air Service Regiment (SASR) since its formation on 25 July 1957;
- (b) recognises that 5 August 2020 marked the 60th anniversary of the first death recorded on 'The Rock', when Private Anthony Frank Smith (5410311) lost his life during a platoon patrol training exercise in the Avon Valley, on 5 August 1960; and
- (c) notes that:
  - (i) 'The Rock' is located at the centre of the Garden of Reflection at Campbell Barracks, Swanbourne, Western Australia, and
  - (ii) is inscribed with the name of every Australian SASR soldier who has died while on active service or during training exercises.

Question put and passed.

## 20 Energy—Development of gas fields

Senator Siewert, at the request of Senator Steele-John and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 764—That the Senate opposes the development of any new gas fields 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.

The Senate divided—

AYES, 4

Senators—  
Faruqi

Hanson-Young

McKim

Siewert\*

NOES, 34

Senators—

Antic

Askew

Bragg

Brockman

Cash

Colbeck

Davey

Duniam

Farrell

Fawcett

Gallagher

Green

Henderson

Hughes

Hume

Lambie

McAllister

McKenzie

McMahon

Molan

O'Sullivan

Paterson

Patrick

Payne

Rennick

Reynolds

Ruston

Ryan

Scarr

Seselja

Smith, Dean

Urquhart\*

Van

Watt

\* Tellers

Question negatived.

## 21 Temporary visa holders—Travel exemptions

Senator McKim, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 765—That the Senate—

(a) notes that:

- (i) since Australia's borders closed on 20 March 2020 many thousands of temporary visa holders have been separated from their families, jobs, and homes,
- (ii) temporary visa holders contribute significantly to the Australian economy, having invested their time, energy, skills, and passion into Australia – they are part of our communities, our schools, and our businesses,
- (iii) many temporary visa holders were invited to Australia under our skilled migration program, and
- (iv) temporary visa holders returning to their families, jobs and homes in Australia will be subject to the same mandatory quarantine arrangements as Australian citizens and permanent residents returning to Australia; and

(b) calls on the Government to grant 'inwards' travel exemptions for all temporary visa holders who are separated from either their immediate family (including children, partners, and spouses), their established homes, or their jobs in Australia, in line with available daily travel caps set by states and territories.

*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, 6

Senators—

Faruqi  
Griff

Hanson-Young  
McKim

Patrick

Siewert\*

NOES, 32

Senators—

Antic  
Askew  
Bragg  
Brockman  
Cash  
Colbeck  
Davey  
Duniam

Farrell  
Fawcett  
Gallagher  
Henderson  
Hughes  
Hume  
Lambie  
McAllister

McKenzie  
McMahon  
Molan  
O'Sullivan  
Paterson  
Payne  
Rennick  
Reynolds

Ruston  
Ryan  
Scarr  
Seselja  
Smith, Dean  
Urquhart\*  
Van  
Watt

\* Tellers

Question negatived.

## 22 Carbon emissions

Senator Siewert, at the request of Senator Rice and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 766—That the Senate—

(a) notes that:

- (i) transport accounts for almost 20% of Australia's carbon emissions,
- (ii) preliminary estimates suggest that, due to the pandemic, emissions from the consumption of petrol, diesel and jet fuel as at June 2020 have fallen 17.9% relative to June 2019,
- (iii) Australia must reduce its greenhouse gas emissions by 75% on 2005 levels by 2030 and to net zero by 2035 in order to meet its Paris Agreement targets, and
- (iv) the use of bicycles and other forms of active transport has surged as Australians respond to the challenges of the pandemic; and

(b) calls on the Government to act to permanently reduce our transport carbon pollution by:

- (i) investing in active transport infrastructure, public transport, and high speed rail, and
- (ii) supporting the uptake of electric vehicles, including through investment in renewable energy to power them.

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

Question put and negatived.

## 23 Forestry industry

Senator Duniam, also on behalf of Senators Brockman, Askew, Van, Chandler, McKenzie, Canavan, McMahon, Davey and McDonald, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 767—That the Senate—

- (a) notes that a report used by the Australian Greens to assert that forestry operations cause bushfires has been retracted and withdrawn after insistence from the academic community;
- (b) further notes that the withdrawal of this paper was required because of the number of significant errors and wrong conclusions and that it did not meet the standard for 'high-quality scientific works' as required by the Multidisciplinary Digital Publishing Institute;
- (c) condemns the Australian Greens and the Bob Brown Foundation for consistent use of bodgy science to attempt to back-up their falsehoods about forestry; and
- (d) calls on the Bob Brown Foundation and the Australian Greens to apologise to the hardworking men and women of the forestry industry that they use misinformation to demonise.

*Statement by leave:* Senator Whish-Wilson, by leave, made a statement relating to the motion.

Question put.

The Senate divided—

AYES, 35

Senators—

Antic	Duniam	McKenzie	Ruston
Askew	Farrell	McMahon	Ryan
Bilyk	Fawcett	Molan	Scarr
Bragg	Gallagher	O'Sullivan	Seselja
Brockman	Griff	Paterson	Smith, Dean*
Carr	Henderson	Payne	Urquhart
Cash	Hughes	Polley	Van
Colbeck	Hume	Rennick	Watt
Davey	Lambie	Reynolds	

NOES, 4

Senators—

Faruqi	Hanson-Young	McKim	Siewert*
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\* *Tellers*

Question agreed to.

## 24 Drought support programs

Senator Davey, also on behalf of Senators McKenzie, Canavan and McMahon, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 768—That the Senate—

- (a) notes:
  - (i) that many drought-affected communities in the eastern states have recently seen much needed rainfall, and many farmers are reporting good winter crops,



- (ii) that severe drought remains in many parts of western New South Wales and southern Queensland, and Western Australia is coming into drought,
  - (iii) that farmers and their communities will continue to need support, both during drought and in the recovery, and
  - (iv) the importance of developing programs that contribute to boosting community leadership, connectedness and collaboration, which build drought resilience;
- (b) commends the Liberal and National Government for committing more than \$10.8 billion to farmers and communities in drought, including more than \$300 million through the Drought Communities Program, more than \$460 million through the Farm Household Allowance, and \$180 million through the Drought Communities Support Initiative; and
- (c) also commends the Liberal and National Government for further support in helping communities build drought resilience through the:
- (i) Networks to build Drought Resilience Program, which will increase the presence and reach of community networks working together to build drought resilience, and
  - (ii) Drought Resilience Leaders Program, which will provide drought resilience leadership courses to young and emerging leaders in rural, regional and remote communities.

*Statements by leave:* Senators Gallagher, Rice and Roberts, by leave, made statements relating to the motion.

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

## 25 **Discussion of matter of public importance—COVID-19—Aged care**

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

The crisis in aged care caused by Minister Colbeck's failure to listen to warning after warning and to have a COVID-19 plan for aged care, instead responding to the pandemic with self-congratulation and hubris, turning his back on scrutiny and dismissing deaths by neglect as a 'function' of aged care.

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

*Leave refused:* Senator Van sought leave to table a document. An objection was raised and leave was not granted.

Discussion concluded.

## 26 **Documents—Consideration**

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

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

Senator Davey, on behalf of the Parliamentary Joint Committee on Corporations and Financial Services, tabled the following report:

Corporations and Financial Services—Joint Statutory Committee—2018-19 annual reports of bodies established under the ASIC Act—Report, dated September 2020.

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Senator Davey, on behalf of the Joint Standing Committee on Foreign Affairs, Defence and Trade, tabled the following report:

Foreign Affairs, Defence and Trade—Joint Standing Committee—Inquiry into PFAS remediation in and around Defence bases—Second progress report, dated August 2020.

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

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

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

Community Affairs References Committee—Centrelink's compliance program—Second interim report, dated September 2020.

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

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

## **28 Committee membership**

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

The Assistant Minister for Finance, Charities and Electoral Matters (Senator Seselja), by leave, moved—That, contingent upon Ms Lidia Thorpe being chosen as a senator to fill the vacancy in the representation of Victoria, she be appointed as a participating member to all legislation and references committees, the Select Committee on the Administration of Sport Grants, the Select Committee on COVID-19, the Select Committee on Foreign Interference through Social Media and the Select Committee on Multi-Jurisdictional Management and Execution of the Murray Darling Basin Plan.

Question put and passed.

## **29 Aboriginal Land Rights (Northern Territory) Amendment (Jabiru) Bill 2020**

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

Message no. 241, dated 31 August 2020—A Bill for an Act to amend the law relating to the town of Jabiru, 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.

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

### 30 **Notice**

Senator Hanson-Young: To move on the next day of sitting—That the following matter be referred to the Environment and Communications References Committee for inquiry and report by the second sitting Tuesday of 2021:

The Government's proposed reduction in the assessment and decision time frames for 15 major projects under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), including:

- (a) the process by which the need for a major projects list was decided upon;
- (b) the process for determining the criteria for the major projects list and by which the 15 major projects were identified;
- (c) any proposed or realised actions by the Government for the reduction in assessment and decision time frame, including the impact of that reduction on the integrity of the assessment process, the impact on protection of the environment, biodiversity and heritage values and on expected assessment and the impact on decision time frames for other projects undergoing EPBC Act assessment;
- (d) any interactions of the major projects process with the 10-year review of the EPBC Act and other proposed reforms to the EPBC Act already identified by the Government;
- (e) potential conflicts of interest that may have arisen through the major projects process; and
- (f) any other related matters.

### 31 **Industry Research and Development (Water for Fodder Program) Instrument 2019—Proposed disallowance**

Senator Hanson-Young, pursuant to notice, moved business of the Senate notice of motion no. 1—That the Industry Research and Development (Water for Fodder Program) Instrument 2019, made under the *Industry Research and Development Act 1986*, be disallowed [F2019L01591].

Debate ensued.

Question put and negatived.

### 32 **Australia's Family Law System—Joint Select Committee—Extension of time to report**

A message from the House of Representatives was reported as follows:

Message no. 242, dated 1 September 2020—Agreeing to the Senate resolution relating to an extension of time, to last sitting day in February 2021, for the Joint Select Committee on Australia's Family Law System to present its report.

### 33 **Foreign Affairs, Defence and Trade References Committee—Proposed reference—Australia-Hong Kong Free Trade Agreement**

Senator Siewert, at the request of Senator Steele-John and pursuant to notice, moved business of the Senate notice of motion no. 2—That the following matter be referred to the Foreign Affairs, Defence and Trade References Committee for inquiry and report by 30 November 2020:

The reassessment of the Australia-Hong Kong Free Trade Agreement (A-HKFTA), with particular reference to:

- (a) the appropriateness of the A-HKFTA given the passage and imposition of China's national security law in Hong Kong;
- (b) whether Hong Kong still enjoys the high degree of autonomy valued by Australia through the 'One Country, Two Systems' framework;
- (c) ongoing human rights abuses and repression in Hong Kong; and
- (d) any other related matters.

Debate ensued.

Question put and negatived.

### 34 **Environment and Communications Legislation Committee—Proposed reference—Environment Protection and Biodiversity Conservation Amendment (Streamlining Environmental Approvals) Bill 2020**

Senator Hanson-Young, pursuant to notice, moved business of the Senate notice of motion no. 4—That the provisions of the Environment Protection and Biodiversity Conservation Amendment (Streamlining Environmental Approvals) Bill 2020 be referred to the Environment and Communications Legislation Committee for inquiry and report by 11 November 2020.

Debate ensued.

Question put.

The Senate divided—

AYES, 23

Senators—

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

## NOES, 23

Senators—

Antic	Colbeck	McKenzie	Ruston
Askew	Davey	McLachlan	Ryan
Birmingham	Fawcett	McMahon	Scarr
Canavan	Fierravanti-Wells	Molan	Seselja
Cash	Hughes	Paterson	Smith, Dean
Chandler	McGrath*	Reynolds	

\* Tellers

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

### 35 **Coronavirus Economic Response Package (Jobkeeper Payments) Amendment 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. 243, dated 1 September 2020—Coronavirus Economic Response Package (Jobkeeper Payments) Amendment Bill 2020.

### 36 **Payment Times Reporting Bill 2020** **Payment Times Reporting (Consequential Amendments) Bill 2020**

Order of the day read for the adjourned debate on the motion of the Minister for Trade, Tourism and Investment (Senator Birmingham)—That these bills be now read a second time.

Debate resumed.

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

### 37 **Adjournment**

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

Debate ensued.

The Senate adjourned at 10.30 pm till Wednesday, 2 September 2020 at 9.30 am.

### 38 **Attendance**

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

**RICHARD PYE**  
Clerk of the Senate