



Senate Journals

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1 Meeting of Senate

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

2 Documents

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.]

Food Standards Australia New Zealand Act 1991—

Food Standards (Application A1174 – Xylanase from *Trichoderma reesei* as a Processing Aid (Enzyme)) Variation [F2020L00568].

Food Standards (Application A1182 – Glucose Oxidase from a GM *Trichoderma reesei* as a Processing Aid (Enzyme)) Variation [F2020L00570].

Health Insurance Act 1973—Health Insurance (Quality Assurance Activity) Declaration 2020 (No. 1) [F2020L00567].

National Greenhouse and Energy Reporting Act 2007—National Greenhouse and Energy Reporting (Safeguard Mechanism) Amendment (Extended Transition) Rule 2020 [F2020L00566].

VET Student Loans Act 2016—VET Student Loans Amendment Rules (No. 1) 2020 [F2020L00569].

3 Committees—Leave to meet during sitting

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

Legal and Constitutional Affairs References Committee—from 12.45 pm.

National Disability Insurance Scheme—Joint Standing Committee—from 3.30 pm.

4 Privacy Amendment (Public Health Contact Information) Bill 2020

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

In the committee

Consideration resumed of the bill.

Debate ensued.

Senator McKim moved the following amendments together by leave:

Schedule 1, item 1, page 4 (line 6), at the end of the definition of **registration data**, add “, and includes the person’s phone number”.

Schedule 1, item 2, page 11 (line 3), before “A person”, insert “(1)”.

Schedule 1, item 2, page 11 (after line 7), at the end of section 94G, add:

- (2) A person commits an offence if:
 - (a) the person decrypts encrypted data; and
 - (b) the data is COVID app data that is stored on the National COVIDSafe Data Store;
 and

- (c) the decrypting of the data is not for the purpose of, and only to the extent required for the purpose of, undertaking contact tracing.

Penalty: Imprisonment for 5 years or 300 penalty units, or both.

Schedule 1, item 2, page 11 (after line 13), after paragraph 94H(1)(b), insert:

- (ba) show whether or not the other person has COVIDSafe downloaded or in operation on a communication device; or

Schedule 1, item 2, page 15 (before line 14), before subsection 94R(2), insert:

- (1A) An act or practice in breach of a requirement of the *Biosecurity (Human Biosecurity Emergency) (Human Coronavirus with Pandemic Potential) (Emergency Requirements—Public Health Contact Information) Determination 2020* in relation to an individual, which occurs before the commencement of this Part, constitutes an act or practice involving an interference with the privacy of the individual for the purposes of section 13.

Note: The act or practice may be the subject of a complaint under section 36.

Schedule 1, item 2, page 15 (line 15), after “subsection (1)”, insert “or (1A)”.

Schedule 1, item 2, page 15 (line 18), at the end of subsection 94R(2), add “or the determination referred to in subsection (1A)”.

Debate ensued.

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

Senator Patrick moved the following amendments together by leave:

Schedule 1, item 2, page 11 (after line 1), at the end of section 94F, add:

- (3) A person commits an offence if:
 - (a) the person copies data from the National COVIDSafe Data Store; and
 - (b) the copied data is transferred to a database outside Australia or to another person who is outside Australia.

Penalty: Imprisonment for 5 years or 300 penalty units, or both.

Schedule 1, item 2, page 17 (line 24), omit “**to cease if**”, substitute “**where**”.

Schedule 1, item 2, page 18 (line 6), omit “subsection (5)”, substitute “subsections (4) and (7)”.

Schedule 1, item 2, page 18 (lines 10 to 32), omit subsections 94U(3) to (5), substitute:

- (3) If the Commissioner of Police or the Director of Public Prosecutions:
 - (a) has been informed of the Commissioner’s opinion under paragraph (2)(a); and
 - (b) is satisfied that an investigation relating to the matter, or proceedings for an offence relating to the matter, will be jeopardised, or otherwise affected, by continuation of the Commissioner’s investigation;
 the Commissioner of Police or the Director of Public Prosecutions, as the case requires, must give a written notice to that effect to the Commissioner.
- (4) If the Commissioner has not received a notice under subsection (3) within 14 days of informing the Commissioner of Police or the Director of Public Prosecutions of the Commissioner’s opinion under paragraph (2)(a), the Commissioner may continue the investigation discontinued under paragraph (2)(c).
- (5) However, if the Commissioner receives a notice under subsection (3) after that 14 day period, the Commissioner must discontinue the investigation upon receiving the notice.
- (6) If the Commissioner of Police or the Director of Public Prosecutions:
 - (a) has given a notice under subsection (3); and

- (b) is satisfied that an investigation relating to the matter, or proceedings for an offence relating to the matter, will no longer be jeopardised, or otherwise affected, by continuation of the Commissioner's investigation;
- the Commissioner of Police or the Director of Public Prosecutions, as the case requires, must give a written notice to that effect to the Commissioner.
- (7) Upon receiving a notice under subsection (6), the Commissioner may continue the investigation discontinued under paragraph (2)(c) or subsection (5).

Debate ensued.

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

Senator McKim moved the following amendments together by leave:

Schedule 1, item 2, page 12 (after line 16), at the end of section 94H, add:

- (4) A person commits an offence if the person engages in conduct that is intended to coerce another person (including by physical intimidation or imposing a financial disadvantage) into doing any or all of the following:
 - (i) downloading COVIDSafe to a communication device;
 - (ii) having COVIDSafe in operation on a communication device;
 - (iii) consenting to uploading COVID app data from a communication device to the National COVIDSafe Data Store.

Penalty: Imprisonment for 5 years or 300 penalty units, or both.

Schedule 1, item 2, page 15 (after line 3), at the end of section 94P, add:

Commissioner to assess compliance with deletion obligations

- (4) The Commissioner must:
 - (a) conduct an assessment of the data store administrator's compliance with the obligations in this section, to verify that all COVID app data from the National COVIDSafe Data Store has been deleted; and
 - (b) as soon as practicable after completing the assessment, prepare and give to the Health Minister a written report of the assessment.
- (5) The Health Minister must table a copy of the report in each House of Parliament within 15 sitting days after the Commissioner gives a copy of the report to the Minister.
- (6) The data store administrator must provide the Commissioner with any assistance reasonably required to conduct the assessment. This section does not limit the Commissioner's other powers under this Act.

Schedule 1, item 2, page 20 (line 27), omit "subsection (2)", substitute "subsections (2) and (4)".

Schedule 1, item 2, page 21 (after line 11), at the end of section 94Y, add:

COVIDSafe data period ends if human biosecurity emergency ceases

- (4) Despite subsections (1) and (2), if:
 - (a) the *Biosecurity (Human Biosecurity Emergency) (Human Coronavirus with Pandemic Potential) Declaration 2020* ceases to be in force on a day (the **emergency declaration expiry day**); and
 - (b) the Health Minister:
 - (i) has not already determined a day under subsection (1); or
 - (ii) has determined a day under subsection (1) that is later than the emergency declaration expiry day;

the Health Minister is taken to have determined the emergency declaration expiry day as the day under subsection (1).

Note: The *Biosecurity (Human Biosecurity Emergency) (Human Coronavirus with Pandemic Potential) Declaration 2020* is made under section 475 of the *Biosecurity Act 2015*. The period for which the declaration is in force can be extended under section 476 of that Act.

Schedule 1, item 2, page 21 (line 30), omit “6 month period”, substitute “3 month period”.

Schedule 1, item 2, page 21 (line 32), omit “6 month period”, substitute “3 month period”.

Schedule 1, item 2, page 22 (lines 2 to 3), omit “6 month period”, substitute “3 month period”.

Schedule 1, item 2, page 22 (lines 7 to 8), omit “6 month period”, substitute “3 month period”.

Schedule 1, item 2, page 22 (line 10), omit “3 months”, substitute “1 month”.

Schedule 1, item 2, page 22 (line 17), omit “6 month period”, substitute “3 month period”.

Schedule 1, item 2, page 22 (line 19), omit “6 month period”, substitute “3 month period”.

Schedule 1, item 2, page 22 (lines 27 to 28), omit “6 month period”, substitute “3 month period”.

Schedule 1, item 2, page 22 (line 30), omit “3 months”, substitute “1 month”.

Debate ensued.

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

Bill agreed to and reported without amendment.

On the motion of the Minister for Foreign Affairs (Senator Payne) the report from the committee was adopted and the bill read a third time.

5 **Aged Care Legislation Amendment (Emergency Leave) Bill 2020**

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

Message no. 196, dated 13 May 2020—A Bill for an Act to amend the law in relation to leave from residential care services, and for related purposes.

The Minister for Foreign Affairs (Senator Payne) 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 Payne moved—That this bill be now read a second time.

Debate ensued.

Senator Siewert moved the following amendment:

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

(a) is of the opinion that:

(i) this bill does not address the issue of hospital leave, meaning aged care residents will still be required to pay fees and daily accommodation costs while they are on hospital leave during the coronavirus pandemic, and

(ii) the roll-out of home care packages should not be delayed by the coronavirus pandemic;

- (b) notes that the Community Affairs References Committee presented its final report on its inquiry into the effectiveness of the Aged Care Quality Assessment and accreditation framework for protecting residents from abuse and poor practices, and ensuring proper clinical and medical care standards are maintained and practised on 3 April 2019, to which the Government is yet to respond; and
- (c) calls on the Government to:
 - (i) accelerate the roll-out of home care packages to expand the number available to older Australians, and
 - (ii) urgently respond to and implement the recommendations of the final report of the Community Affairs References Committee inquiry, particularly recommendations 3, 5, 6, 8 and 14”.

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 put and passed.

Bill read a second time.

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

In the committee

Bill, taken as a whole by leave, debated, agreed to and reported without amendment.

On the motion of the Minister for Aged Care and Senior Australians (Senator Colbeck) the report from the committee was adopted and the bill read a third time.

6 Telecommunications Legislation Amendment (Competition and Consumer) Bill 2019
Telecommunications (Regional Broadband Scheme) Charge Bill 2019

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

Debate resumed.

The question was divided at the request of Senator McKim.

Question—That the Telecommunications Legislation Amendment (Competition and Consumer) Bill 2019 be read a second time—put and passed.

Question—That the Telecommunications (Regional Broadband Scheme) Charge Bill 2019 be read a second time—put and passed. All Australian Greens senators, by leave, recorded their votes for the noes.

Bills read a second time.

At 11.45 am—

7 Days of meeting—Estimates hearings—Statement by leave

The Minister for Finance (Senator Cormann), by leave, made a statement relating to the Government's intention to propose a revised 2020 sitting pattern later today.

8 Consideration of legislation

The Minister for Families and Social Services (Senator Ruston), by leave, moved—That—

- (a) the provisions of paragraphs (5) to (8) of standing order 111 not apply to the following bills, allowing them to be considered during this period of sittings:
 - Defence Legislation Amendment (Miscellaneous Measures) Bill 2020
 - Health Insurance Amendment (General Practitioners and Quality Assurance) Bill 2020
 - Therapeutic Goods Amendment (2020 Measures No. 1) Bill 2020
 - Treasury Laws Amendment (2020 Measures No. 1) Bill 2020;
- (b) the following government business orders of the day be considered from 12.45 pm today:
 - Defence Legislation Amendment (Miscellaneous Measures) Bill 2020
 - Health Insurance Amendment (General Practitioners and Quality Assurance) Bill 2020
 - No. 7 Student Identifiers Amendment (Enhanced Student Permissions) Bill 2019
 - Therapeutic Goods Amendment (2020 Measures No. 1) Bill 2020
 - Treasury Laws Amendment (2020 Measures No. 1) Bill 2020; and
- (c) government business be called on after consideration of the bills listed in paragraph (b) and considered till not later than 2 pm today.

Documents: Senator Ruston tabled the following documents:

Consideration of legislation—Statements of reasons [4] for the introduction and passage of bills in the 2020 winter sittings.

Question put and passed.

9 Postponement

Business of the Senate notice of motion no. 2 standing in the name of Senator Faruqi for today, proposing the disallowance of items 5 to 7 of Schedule 1 of the Coronavirus Economic Response Package (Payments and Benefits) Amendment Rules (No. 2) 2020, postponed till the next day of sitting.

10 Order of business—Rearrangement

The Minister for Families and Social Services (Senator Ruston) moved—That general business notice of motion no. 591 standing in the name of Senator Gallagher relating to the COVID-19 economic response be considered during general business today.

Question put and passed.

11 Leave of absence

Senator Dean Smith, by leave, moved—That leave of absence be granted to Senator Seselja for 13 May 2020, for personal reasons.

Question put and passed.

12 Notices

Senator Hanson-Young: To move on the next day of sitting—That the Industry Research and Development (Water for Fodder Program) Instrument 2019, made under the *Industry Research and Development Act 1986*, be disallowed [F2019L01591].

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

- (a) notes that:
 - (i) the 2020 Australian Bravery Decorations Honours were announced on 31 March 2020, and
 - (ii) the 2020 Australian Bravery Decorations Honours List has four categories, including the Bravery Medal, which recognises acts of bravery in hazardous circumstances;
- (b) congratulates the recipient of the Bravery Medal, Mr David O'Dowd, BM of Cocos Keeling Islands, Western Australia, for displaying considerable bravery during the rescue of two people from a surf rip off Cocos Keeling Islands, Western Australia;
- (c) acknowledges that Mr Simon Werne of Kalgoorlie, Western Australia, was awarded a Commendation for Brave Conduct, for his act of bravery during the rescue of a disabled man from a house fire in Albion, Queensland; and
- (d) acknowledges the following recipients of the 2020 Group Bravery Citation, for their collective act of bravery Mr Robert Brown of Ashfield, Mr Dennis Collinson APM of Oakford, Mr Edward Trindall of Bullsbrook, and the late Mr William Matson APM of Bassendean, Western Australia, for their conduct during the capture of a violent offender near Fitzroy Crossing, Western Australia. (*general business notice of motion no. 592*)

The Chair of the Standing Committee for the Scrutiny of Delegated Legislation (Senator Fierravanti-Wells): To move 15 sitting days after today—

No. 1—That the Competition and Consumer (Industry Codes—Dairy) Regulations 2019, made under the *Competition and Consumer Act 2010*, be disallowed [F2019L01610].

No. 2—That the Higher Education Provider Amendment (Tuition Protection and Other Measures) Guidelines 2019, made under the *Higher Education Support Act 2003*, be disallowed [F2019L01699].

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

- (a) notes that:
 - (i) low-income countries will be hit hardest by the COVID-19 pandemic, with the health, social and economic impacts expected to push millions of people into poverty,
 - (ii) public health systems are desperately under-funded and ill-equipped in many low-income countries, and

- (iii) debt forgiveness from international financial institutions, including the International Monetary Fund (IMF) and World Bank, for low-income countries will assist in the recovery from COVID-19; and
- (b) calls on the Australian Government to use its leverage to lobby international financial institutions to cancel debt for low-income countries in response to the global COVID-19 crisis. (*general business notice of motion no. 593*)

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

- (a) recognises the leadership shown by First Nations community-controlled health, legal and community services, which responded to the COVID-19 crisis quickly and effectively;
- (b) acknowledges that First Nations communities bear a disproportionate burden in this crisis in terms of:
 - (i) the additional health risk posed by COVID-19 to First Nations peoples,
 - (ii) the risk that COVID-19 policies will disproportionately and unfairly affect First Nations peoples' who are already subjected to targeting by police, over-represented in the criminal justice system and experience higher rates of family and domestic violence, and
 - (iii) the impact on First Nations peoples employment; and
- (c) calls on state, territory and federal governments across Australia to implement the key asks of First Nations-led justice coalition Change the Record and work together to protect the health, safety and rights of all First Nations peoples during COVID-19 by:
 - (i) developing and implementing plans to release First Nations prisoners who are low-risk, have chronic health conditions, are on remand, are elderly, children or are for whatever reason at increased risk of COVID-19,
 - (ii) protecting the human rights of First Nations peoples in prison by ensuring access to oversight and monitoring agencies, family, legal services, mental health care, education and programs,
 - (iii) connecting First Nations peoples who experience family violence during COVID-19 with culturally appropriate services such as the Family Violence Prevention Legal Service,
 - (iv) increasing support and access to safe accommodation for First Nations families fleeing family violence to stop removals of First Nations children and ensure principles of First Nations family-led decision making are applied where ever possible,
 - (v) resisting punitive policy responses to COVID-19 and the over-policing of already targeted communities, and requiring transparency and oversight in policing,
 - (vi) ensuring that First Nations peoples, including those with disability, are given equal access to high quality and culturally-appropriate health care during COVID-19, and
 - (vii) committing to rebuilding our justice and child protection system after COVID-19 to focus on investing in families and community, not prisons, to increase community safety and prevent child removals and further black deaths in custody. (*general business notice of motion no. 594*)

13 Selection of Bills—Standing Committee—Report no. 4 of 2020

The Chair of the Selection of Bills Committee (Senator Dean Smith) tabled the following report:

SELECTION OF BILLS COMMITTEE

REPORT NO. 4 OF 2020

1. The committee met in private session on Wednesday, 13 May 2020 at 7.25 pm.
2. The committee recommends that—
 - (a) contingent upon introduction in the House of Representatives, the **provisions** of the Migration Amendment (Prohibiting Items in Immigration Detention Facilities) Bill 2020 be **referred immediately** to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 5 August 2020.
3. The committee recommends that the following bills **not** be referred to committees:
 - Aged Care Legislation Amendment (Emergency Leave) Bill 2020
 - Australian Security Intelligence Organisation Amendment Bill 2020
 - Export Control Legislation Amendment (Certification of Narcotic Exports) Bill 2020
 - Health Insurance Amendment (General Practitioners and Quality Assurance) Bill 2020
 - Privacy Amendment (Public Health Contact Information) Bill 2020
 - Telecommunications Legislation Amendment (International Production Orders) Bill 2020
 - Treasury Laws Amendment (More Flexible Superannuation) Bill 2020.
4. The committee deferred consideration of the following bills to its next meeting:
 - Aboriginal Land Rights (Northern Territory) Amendment (Jabiru) Bill 2020
 - Aged Care Legislation Amendment (Improved Home Care Payment Administration No. 1) Bill 2020
 - Air Services Amendment Bill 2018
 - Australian Education Legislation Amendment (Prohibiting the Indoctrination of Children) Bill 2020
 - Australian Prudential Regulation Authority Amendment (APRA Industry Funding) Bill 2020
 - Authorised Deposit-taking Institutions Supervisory Levy Imposition Amendment Bill 2020
 - Authorised Non-operating Holding Companies Supervisory Levy Imposition Amendment Bill 2020
 - General Insurance Supervisory Levy Imposition Amendment Bill 2020
 - Life Insurance Supervisory Levy Imposition Amendment Bill 2020
 - Retirement Savings Account Providers Supervisory Levy Imposition Amendment Bill 2020
 - Superannuation Supervisory Levy Imposition Amendment Bill 2020
 - Aviation Legislation Amendment (Liability and Insurance) Bill 2020

Banking Amendment (Deposits) Bill 2020
Constitution Alteration (Freedom of Expression and Freedom of the Press)
Bill 2019
Customs Amendment (Safer Cladding) Bill 2019
Discrimination Free Schools Bill 2018
Fair Work Amendment (COVID-19) Bill 2020
Galilee Basin (Coal Prohibition) Bill 2018
Governor-General Amendment (Cessation of Allowances in the Public Interest)
Bill 2019
Great Australian Bight Environment Protection Bill 2019
Great Barrier Reef Marine Park Amendment (Coronavirus Economic Response
Package) Bill 2020
National Skills Commissioner Bill 2020
Norfolk Island Amendment (Supreme Court) Bill 2020
Payment Times Reporting Bill 2020
Payment Times Reporting (Consequential Amendments) Bill 2020
Primary Industries (Customs) Charges Amendment (Dairy Cattle Export Charge)
Bill 2020
Product Stewardship (Oil) Amendment Bill 2020
Excise Tariff Amendment Bill 2020
Regional Forest Agreements Legislation (Repeal) Bill 2017
Services Australia Governance Amendment Bill 2020
Social Services and Other Legislation Amendment (Omnibus) Bill 2020
Social Services Legislation Amendment (Better Targeting Student Payments)
Bill 2019
Social Services Legislation Amendment (Ending the Poverty Trap) Bill 2018
Social Services Legislation Amendment (Payment Integrity) Bill 2019
Treasury Laws Amendment (2020 Measures No. 2) Bill 2020
Veterans' Affairs Legislation Amendment (Supporting the Wellbeing of Veterans
and Their Families) Bill 2020.

Dean Smith

Chair

14 May 2020.

Senator Dean Smith moved—That the report be adopted.

Question put and passed.

**14 Foreign Affairs, Defence and Trade References Committee—
Reference—Diaspora communities in Australia**

Senator Kitching, pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 5—That the following matter be referred to the Foreign Affairs, Defence and Trade References Committee for inquiry and report by 26 November 2020:

Issues facing diaspora communities in Australia, with particular reference to:

- (a) support offered to diaspora community associations and similar organisations, including government grants and other funding;
- (b) safety concerns among diaspora communities, and means for strengthening the protection and resilience of vulnerable groups;
- (c) barriers to the full participation of diaspora communities in Australia’s democratic and social institutions, and mechanisms for addressing these barriers;
- (d) opportunities to strengthen communication and partnerships between government and diaspora communities in Australia; and
- (e) any related matters.

Question put and passed.

**15 Fair Work Amendment (Variation of Enterprise Agreements)
Regulations 2020—Proposed disallowance**

Senator Urquhart, also on behalf of all Opposition senators and Senators Faruqi, Lambie, Siewert and Patrick, pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 4—That the Fair Work Amendment (Variation of Enterprise Agreements) Regulations 2020, made under the *Fair Work Act 2009*, be disallowed [F2020L00432].

Statement by leave: The Minister for Families and Social Services (Senator Ruston), by leave, made a statement relating to the motion.

Question put.

The Senate divided—

AYES, 29

Senators—

Ayes	Gallagher	McCarthy	Siewert
Bilyk	Griff	McKim	Smith, Marielle
Carr	Hanson-Young	O’Neill	Urquhart*
Chisholm	Kitching	Patrick	Waters
Ciccone	Lambie	Pratt	Watt
Farrell	Lines	Rice	Whish-Wilson
Faruqi	McAllister	Sheldon	Wong
Gallacher			

NOES, 30

Senators—

Antic	Cormann	McGrath	Roberts
Askew	Davey	McMahon	Ruston
Birmingham	Fierravanti-Wells	O'Sullivan	Ryan
Bragg	Hanson	Paterson	Scarr
Brockman	Henderson	Payne	Seselja
Canavan	Hughes	Rennick	Smith, Dean*
Chandler	Hume	Reynolds	Van
Colbeck	McDonald		

* Tellers

Question negated.

16 COVID-19—Impact on the construction industry

Senator Ciccone, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 548—That the Senate—

(a) notes:

- (i) that the construction industry has reported a substantial fall in activity as a consequence of the COVID-19 pandemic,
- (ii) that homelessness has increased over the past decade, levels of housing stress have risen and that housing is less affordable and less secure than ever before,
- (iii) the role social housing plays in addressing homelessness and housing stress, and
- (iv) that housing construction can make a significant contribution to Australia's post-COVID-19 economic recovery while at the same time improve access for all Australians to more affordable and secure housing; and

(b) calls on the Morrison Government to work in partnership with state and local governments, the housing industry, social housing and homelessness organisations, and any other relevant expert to develop and co-fund a national plan that will:

- (i) provide secure employment opportunities for construction workers and tradespeople, to ensure the long-term viability of the construction industry,
- (ii) renew and refurbish existing social housing stock, to ensure current social housing tenants can stay safe and healthy in their homes, and
- (iii) invest in new social housing to help reduce levels of homelessness and housing stress in Australia

Statements by leave: The Minister for Families and Social Services (Senator Ruston) and Senators Faruqi and Roberts, by leave, made statements relating to the motion.

Question put and passed.

17 **JobKeeper program eligibility**

Senator Sheldon, also on behalf of Senators Gallacher, Bilyk, Chisholm, Sterle, Brown and Marielle Smith, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 550—That the Senate—

- (a) notes that:
 - (i) in 2018, the Government approved the sale of Qantas' catering business to Dnata, an in-flight catering company which is part of the Emirates group, owned by the Government of Dubai,
 - (ii) Dnata employs 6,000 workers every year at nine Australian airports, most of whom previously worked for Qantas' catering business,
 - (iii) workers at Dnata are Australians who have worked in the Australian aviation industry their whole working lives,
 - (iv) since the grounding of flights due to the COVID-19 pandemic most workers at Dnata have been asked to work as a skeleton crew,
 - (v) when Prime Minister Morrison, and Treasurer Frydenberg announced JobKeeper, the Treasurer said: 'Australians know that their government has their back',
 - (vi) on 1 May 2020 the Government, without consulting businesses or workers, changed the rules of the JobKeeper program to exclude companies including Dnata,
 - (vii) on 4 May 2020, 5,500 Australian workers at Dnata were told they were no longer eligible for JobKeeper payments due to the changes made by the Federal Government, and
 - (viii) every cent of the Job Keeper payment goes to the workers who need it – the money would not go to the foreign-owned company;
- (b) recognises that workers at Dnata do not choose who owns the company they work for; and
- (c) calls on the Government to:
 - (i) honour its commitment to Australian workers and demonstrate that it 'has their back', no matter who owns their company; and
 - (ii) reverse the rule that excludes the 5,500 workers at Dnata from JobKeeper payments.

Question put.

The Senate divided—

AYES, 28

Senators—

Ayres	Gallacher	McCarthy	Siewert
Bilyk	Gallagher	McKim	Smith, Marielle
Carr	Griff	O'Neill	Urquhart*
Chisholm	Hanson-Young	Patrick	Walsh
Ciccone	Kitching	Pratt	Waters
Farrell	Lambie	Rice	Watt
Faruqi	McAllister	Sheldon	Whish-Wilson

NOES, 28

Senators—

Askew
Birmingham
Bragg
Brockman
Canavan
Chandler
Colbeck

Cormann
Davey
Hanson
Henderson
Hughes
Hume
McDonald

McGrath
McMahon
O'Sullivan
Paterson
Payne
Rennick
Reynolds

Roberts
Ruston
Ryan
Scarr
Seselja
Smith, Dean*
Van

* Tellers

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

18 Superannuation—Early access

Senator Urquhart, at the request of Senator McAllister and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 565—That the Senate—

(a) notes that:

- (i) our superannuation system is a significant national achievement of which all Australians can be proud, and is the difference between poverty and a decent retirement for most people,
- (ii) the consequences of someone taking \$20,000 out of their superannuation now can be very significant at retirement, especially for young people, and for women, who already retire with around half the superannuation of men, and
- (iii) during this period, adequate government support should be provided so that accessing superannuation is a last resort, not a first port of call for people in hardship;

(b) reaffirms its commitment to Australia's world-class superannuation system;

(c) recognises that:

- (i) serious flaws in the Government's early release superannuation program have resulted in fraud, and
- (ii) despite warnings, including from Labor and the superannuation industry, the Government failed to take sufficient action to address these flaws, designing a system about speed not accuracy, costing individuals thousands of dollars; and

(d) calls on the Assistant Minister for Superannuation, Financial Services and Financial Technology (Senator Hume) to provide a full explanation of the measures the Government is taking to protect the integrity of our superannuation system and to ensure no further fraud takes place.

Statement by leave: The Minister for Families and Social Services (Senator Ruston), by leave, made a statement relating to the motion.

Question put.

The Senate divided—

AYES, 30

Senators—

Ayres	Gallagher	McKim	Siewert
Bilyk	Griff	O'Neill	Smith, Marielle
Carr	Hanson	Patrick	Urquhart*
Chisholm	Hanson-Young	Pratt	Walsh
Cicccone	Kitching	Rice	Waters
Farrell	Lambie	Roberts	Watt
Faruqi	McAllister	Sheldon	Whish-Wilson
Gallacher	McCarthy		

NOES, 26

Senators—

Askew	Davey	McMahon	Ruston
Birmingham	Henderson	O'Sullivan	Ryan
Bragg	Hughes	Paterson	Scarr
Canavan	Hume	Payne	Seselja
Chandler	McDonald	Rennick	Smith, Dean*
Colbeck	McGrath	Reynolds	Van
Cormann	McKenzie		

** Tellers*

Question agreed to.

19 Returned and Services League of Western Australia

Senator Dean Smith, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 566—That the Senate—

- (a) acknowledges the following Western Australians who received RSLWA Branch Life Membership, and 50 Year Certificates on 25 April 2020, for their devoted service to RSLWA:
 - (i) life membership: Mr Ian Brook, City of Rockingham Sub-Branch; Mr Stephen Chamarette, Highgate Sub-Branch; Mr Fred Doust, Boyup Brook Sub-Branch; Mr Daryl Ikin, Joondalup City Sub-Branch; Mr Constantine Kikeros, Three Springs Arrino Sub-Branch; Mr Oliver Lovelle, Mount Lawley-Inglewood Sub-Branch; Lieutenant Colonel John Pronk, Dawesville Sub-Branch; Mrs Donna Prytulak, OAM, Northam Sub-Branch; Mr Doug Rasmussen, Joondalup City Sub-Branch; Mr Ian Raymond, Riverton Sub-Branch; Colonel Geoff Simpson, OAM, Highgate Sub-Branch; Mr Mark Weldon, City of Rockingham Sub-Branch; and Mr David Spillman, Kwinana Sub-Branch,
 - (ii) 50 year service: Mr Rodney Hill, Capel Sub-Branch; Mr Owen McClements, Claremont Sub-Branch; Mr Terrence Healy, North Beach Sub-Branch; Mr Robert Gilmour, City of Rockingham Sub-Branch; and Mr Geoffrey Pope, North Beach Sub-Branch;
- (b) acknowledges the recipient of the ANZAC of the Year Award, Retired Army Lance Corporal Mr David Scott of Highgate Sub-Branch, for his exceptional contribution to RSL Australia, veterans in Western Australia and the broader community; and
- (c) notes that all these members of the Western Australian community have made a significant contribution to RSL Australia, RSLWA and RSL Sub-Branches.

Question put and passed.

20 **Australia and United States of America—Relationship**

Senator Dean Smith, also on behalf of Senators Askew, Seselja, Van and Keneally, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 567—That the Senate—

- (a) acknowledges that this year marks the 80th anniversary of diplomatic relations between Australia and the United States of America;
- (b) notes that:
 - (i) Australia and the United States established diplomatic relations on 8 January 1940,
 - (ii) Australia's first Ambassador to the United States, Mr Norman J O Makin, presented his credentials to the US Government on 11 September 1946, and
 - (iii) the first US Ambassador to Australia, Mr Robert Butler, presented his credentials to the Australian Government on 25 September 1946;
- (c) recognises the strong and enduring trade and investment relationship between our two nations, noting the following:
 - (i) the Australia-United States Free Trade Agreement (AUSFTA), which entered into force on 1 January 2005,
 - (ii) the United States is Australia's largest two-way investment partner, reaching \$1.6 trillion in 2017, with two-way trade worth A\$70.2 billion in 2017-18, and
 - (iii) over 10,000 Australian listed companies sell to or operate in the United States; and
- (d) recognises the strong and enduring security relationship between our two nations, noting the following:
 - (i) Australian and US forces have fought alongside each other in every significant conflict since World War I,
 - (ii) the US-Australian alliance is a key partnership for peace and stability in the Indo-Pacific region,
 - (iii) US Marines are stationed in Darwin in Australia's north, and our defence force personnel are working together in Afghanistan, Iraq and Syria,
 - (iv) Australian and US defence agencies signed a Joint Statement on Defence Cooperation in October 2015, and
 - (v) in 2017, the United States and Australia participated in the seventh Talisman Saber, a biennial joint military exercise designed to ensure our defence forces can work together with the highest levels of interoperability.

Statement by leave: The Leader of the Australian Greens in the Senate (Senator Waters), by leave, made a statement relating to the motion.

Question put and passed.

21 70th anniversary of the Korean War

Senator Dean Smith, also on behalf of Senator Askew, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 568—That the Senate—

- (a) notes that 25 June 1950 will mark the 70th anniversary of the start of the Korean War;
- (b) acknowledges:
 - (i) the 70th anniversary of the Korean War is a significant milestone for the 225 surviving Korean War veterans in Western Australia, the 34 brave Western Australians who perished in the Korean War, and the 1,500 Western Australians who are since deceased, and
 - (ii) the work of the Korean War Veterans Association for improving Western Australians' knowledge and understanding of the 'Forgotten War' under the stewardship of President Jinkil Lee;
- (c) notes that:
 - (i) 24 April 2021 will mark the 70th anniversary of the Battle of Kapyong, and
 - (ii) the Battle of Kapyong is known as one of the most significant and important battles for the 3rd Battalion, Royal Australian Regiment (3 RAR); and
- (d) acknowledges that the Battle of Kapyong was a decisive conflict in the Korean War, and that it is important to recognise the sacrifice of Australian soldiers, with 32 killed, 59 wounded and three imprisoned.

Question put and passed.

22 Aviation security—New South Wales

Senator Urquhart, at the request of Senators Sheldon, Keneally, McAllister, O'Neill and Ayres, amended general business notice of motion no. 569 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

- (a) notes that:
 - (i) the management of transport security is critical to our national security and to regional communities in regional New South Wales,
 - (ii) on 8 May 2018, the Morrison Government announced measures to 'further strengthen Australia's domestic and international aviation security', which included the introduction of body scanners and improved luggage screening technology at airports,
 - (iii) regional airlines servicing New South Wales have expressed concern that the cost of these upgrades will make regional airline services economically unviable,
 - (iv) the Senate Rural and Regional Affairs and Transport Legislation Committee began public hearings into this matter on 7 May 2020,
 - (v) the Committee heard evidence that:
 - (A) Armidale Regional Airport explained that the ongoing costs of airport security are 'definitely a concern' for the airport, and these costs would be passed onto passengers,

- (B) Regional Express Airlines said that the airline's profit margin is approximately \$10 per passenger, and if the airline was required to pay security costs, they would no longer make a profit,
 - (C) Corporate Air said that the costs of security screening vary from as little as 87 cents per passenger in Sydney airport, and up to \$19.80 at one of their regional locations, and
 - (D) Corporate Air also said that evenly distributing security costs across the country, as occurs in New Zealand and the USA, could be a fairer model for regional communities,
- (vi) at the hearing, Department of Home Affairs officials told Senator Rennick that the Department had not modelled Corporate Air's suggestion of evenly distributing security costs across the country because 'airport operations are for airports to manage',
- (vii) Senator Rennick stated that 'We're not talking about airports, we're talking about national security, right. And, you know, something that we've got to get sorted out here, because we just had it with the *Ruby Princess*. Okay, and I'm a member of the federal government, and it's our job to look after national security. So this sort of pushing it out on the private enterprise or rather sort of smaller, it just leads to confusion and ambiguous responsibilities as to who's responsible for what. So I think that we ought to take a good look at whether or not it's better for us to do a holistic national approach, rather than the piecemeal airport by airport, which is going to hurt a lot of airports in the region. And I think before, you know, any more changes in regulations or decisions are made, that we look at a national approach. Because if it's good enough for the US and New Zealand, I think it's something that we should also take a serious look at, I'll just leave it at that. Thanks', and
- (viii) Senator Rennick is correct in saying that:
- (A) the Morrison Government is responsible for national security at our airports and seaports,
 - (B) the Morrison Government's current approach to national security has led to 'confusion and ambiguous responsibilities as to who's responsible for what', and
 - (C) the Morrison Government's approach to regional aviation security will potentially 'hurt a lot of airports in the region';
- (b) commends the Senate Rural and Regional Affairs and Transport Legislation Committee for its ongoing work in this area, and its long-standing history of representing rural and regional Australians on important policy issues;
- (c) condemns the Morrison Government for its implementation of airport security upgrades to date, which are causing confusion and leading to the potential loss of airports, airline services, and jobs in regional New South Wales; and
- (d) calls on the Federal Government to reveal the deal that Nationals senators struck with the Government, which, according to reports in *The Guardian*, secured 'an eleventh hour change of heart about cost recovery... to ensure costs incurred by regional airports to implement improved security screening measures will not be passed on unfairly to regional travellers'.

Statement by leave: The Minister for Families and Social Services (Senator Ruston), by leave, made a statement relating to the motion.

Question put and passed.

23 **COVID-19—Impact on international students**

Senator Faruqi amended general business notice of motion no. 571 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

- (a) notes that:
 - (i) over 550,000 international students currently study in Australia, contributing immensely to our community and economy,
 - (ii) many of these students are suffering enormous financial hardship at the moment due to unemployment, wage losses and instability during COVID-19,
 - (iii) students have been forced to queue at food banks, live in cramped accommodation, and rely on the charity of others in order to eat and make ends meet,
 - (iv) the Government has excluded temporary visa holders, including international students, from federal income support, including Youth Allowance, JobSeeker, JobKeeper and the Coronavirus Supplement, and
 - (v) the Government has not provided any other form of financial relief or hardship package for international students, while almost all states and territories have; and
- (b) calls on the Government to provide a financial relief package for international students.

Statement by leave: The Minister for Families and Social Services (Senator Ruston), by leave, made a statement relating to the motion.

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

24 **Temporary visa holders**

Senator Griff, also on behalf of Senator McKim, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 573—That the Senate—

- (a) acknowledges that many thousands of temporary visa holders in Australia have lost jobs or experienced a substantial loss of income in recent weeks due to the COVID-19 crisis and have no Commonwealth safety-net to assist them;
- (b) notes that:
 - (i) according to Government figures, there are 2.17 million people presently in Australia on a temporary visa,
 - (ii) temporary visa holders contribute significantly to the Australian economy,
 - (iii) while some temporary visa holders have returned home to see out the pandemic, there are others for whom this has been impossible or unfeasible due to financial constraints and flight cancellations, or because they are asylum seekers on bridging visas, and

- (iv) temporary visa holders are an important part of our economy and society, for example, there are over 8,000 skilled medical professionals on temporary visas supporting our health system right now;
- (c) further notes that temporary skilled visa holders do not have access to the new JobKeeper and JobSeeker payments, even though employers may be anxious to retain them;
- (d) commends state and territory governments for filling in some of the gaps left by the Federal Government regarding temporary visa holders with their own initiatives including additional support for international students and emergency financial grants; and
- (e) calls on the Government to extend JobKeeper and JobSeeker to temporary migrants who are unable to return home in these extraordinary times.

Statement by leave: The Minister for Families and Social Services (Senator Ruston), by leave, made a statement relating to the motion.

Senator Urquhart, by leave, moved the following amendment:

Omit paragraph (e), substitute:

- (e) calls on the Government to extend JobKeeper or provide a financial relief package to temporary migrants who are unable to return home in these extraordinary times.

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

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

Main question put and negatived.

25 **COVID-19—Unproven therapies**

Senator Griff, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 574—That the Senate—

- (a) notes:
 - (i) that the COVID-19 pandemic sweeping the world has placed significant strain on health care systems around the world,
 - (ii) that the pandemic has also led to the promotion of a number of medically unproven therapies and in some cases dangerous medical advice,
 - (iii) the specific promotion of the use of anti-rheumatic drug hydroxychloroquine for COVID-19 by both the President of the United States of America and Mr Clive Palmer, where to date there has been little evidence of its effectiveness against the virus and significant evidence of severe side effects and increased risk of death at higher doses,
 - (iv) that the Royal Australian College of General Practitioners has warned against viewing hydroxychloroquine as a treatment for COVID-19, and
 - (v) that a recent study in the New England Journal of Medicine found the drug did not offer any protection against COVID-19, either alone or given in combination with an antibiotic;

- (b) acknowledges that Australians with rheumatoid arthritis, lupus and other painful inflammatory conditions are struggling to fill prescriptions for hydroxychloroquine because the promotion of the drug as a ‘cure’ for COVID-19 has led to supply shortages;
- (c) recognises that:
 - (i) there has been a surge in hydroxychloroquine imports since January with more than 6,000 tablets of the prescription-only drug seized, and
 - (ii) the Therapeutic Goods Administration (TGA) has warned that hydroxychloroquine poses serious risks to patients, including cardiac toxicity (potentially leading to sudden heart attacks), irreversible eye damage and severe depletion of blood sugar (potentially leading to coma); and
- (d) calls on the Federal Government to ensure that the off-label prescription of hydroxychloroquine is strictly monitored by the TGA.

Question put and passed.

26 **Postponement**

The Leader of the Australian Greens in the Senate (Senator Waters), by leave, postponed general business notice of motion no. 575 standing in her name for today, relating to the days of meeting, till the next day of sitting.

27 **Water for Fodder program—Order for production of documents**

Senator Roberts amended general business notice of motion no. 576 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

- (a) notes that the Government announced a 100 gigalitre ‘Water for Fodder’ program in November 2019 to provide 40 gigalitres of water in this water year for irrigation purposes; and
- (b) requires that there be laid on the table by the Minister representing the Minister for Resources, Water and Northern Australia on the first sitting day after 1 July 2020, a report into the outcome of the first delivery round of the Water for Fodder program – this should include, for successful applicants only:
 - (i) application identifier,
 - (ii) address or land title reference,
 - (iii) water applied for, water allocated and water delivered for each successful applicant,
 - (iv) any reductions to delivery including conveyance loss, and
 - (v) the irrigation authority responsible for delivery of each allocation.

Question put and passed.

28 LGBTIQ+ people

Senator Rice, also on behalf of Senators Pratt, Dean Smith and Wong, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 577—That the Senate—

- (a) notes that:
 - (i) on 17 May 1990 the World Health Organization removed homosexuality from the Classification of Diseases and Related Health Problems,
 - (ii) 17 May is now recognised as International Day against Homophobia, Biphobia, Intersexism and Transphobia (IDAHOBIT),
 - (iii) IDAHOBIT is an opportunity to celebrate LGBTIQ+ people, and acknowledge the ongoing discrimination that LGBTIQ+ people still face in Australia and overseas, and
 - (iv) LGBTIQ+ people around the world are facing unique challenges in the context of COVID-19; and
- (b) calls on all parliamentarians to:
 - (i) acknowledge the resilience and strength of LGBTIQ+ people, especially in these unprecedented times,
 - (ii) affirm and celebrate the many and varied contributions of LGBTIQ+ people in Australia, and
 - (iii) condemn all forms of violence and discrimination against LGBTIQ+ people.

Question put and passed.

29 Australian Sports Commission Amendment (Ensuring a Level Playing Field) Bill 2020

Senator Rice, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 578—That the following bill be introduced:

A Bill for an Act to amend the *Australian Sports Commission Act 1989*, and for related purposes.

Question put and passed.

Senator Rice presented the bill and moved—That this bill may proceed without formalities and be now read a first time.

Question put and passed.

Bill read a first time.

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

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

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

30 COVID-19 supplement and Disability Support Pension and Carer Payment recipients

Senator Siewert, also on behalf of Senator Steele-John, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 579—That the Senate—

- (a) notes that Disability Support Pension and Carer Payment recipients did not receive the Coronavirus Supplement;
- (b) acknowledges that people receiving the Disability Support Pension and Carer Payment receive up to \$255.10 a fortnight less than someone on JobSeeker Payment with the coronavirus supplement;
- (c) acknowledges that people on the Disability Support Pension and Carer Payment are also facing additional costs due to coronavirus that are not adequately met by the \$750 economic stimulus payments; and
- (d) calls on the Government to provide a top-up payment to Disability Support Pension and Carer Payment recipients so that these payments are equal to the new rate of JobSeeker Payment.

Statement by leave: The Minister for Families and Social Services (Senator Ruston), by leave, made a statement relating to the motion.

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

31 Australia's thalidomide survivors

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. 580—That the Senate—

- (a) notes that:
 - (i) it has now been more than a year since the Senate Community Affairs References Committee handed down its final report into *Support for Australia's thalidomide survivors* on 21 March 2019,
 - (ii) the Government has still not provided a formal response to this report, despite assuring survivors they would have clarity before the end of the 2019-20 financial year,
 - (iii) the parents of a number of thalidomide survivors have passed away since the report was tabled on 21 March 2019, and
 - (iv) many of Australia's thalidomide survivors are suffering as a result of accelerated ageing associated with their condition; and
- (b) calls on the Government to table its response to the *Support for Australia's thalidomide survivors* report before the end of the 2019-2020 financial year, giving clarity and hope to survivors and their families.

Question put and passed.

32 COVID-19—Vessels entering Australian waters

Senator Urquhart, at the request of Senator Keneally and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 582—That the Senate—

(a) notes that:

- (i) since 1901, the Federal Government has been responsible for our borders,
- (ii) on 15 March 2020, the Prime Minister announced a ban preventing international cruise ships from arriving in Australia for 30 days, but said that, ‘In specific cases where we have Australians on cruise ships then there will be some bespoke arrangements that will be put in place directly under the command of the Australian Border Force to ensure the relevant protections are put in place’, paving the way for the *Ruby Princess* to continue sailing to Sydney,
- (iii) on 19 March 2020, the *Ruby Princess* was cleared to dock in Circular Quay, and passengers were allowed to disembark without being appropriately screened for COVID-19, nor provided with appropriate personal protective equipment to reduce the ability for the virus to transmit through the community as passengers returned home,
- (iv) to date, the *Ruby Princess* has been responsible for 850 cases of COVID-19 across Australia, and more than 30 deaths,
- (v) this represents more than 10% of the total number of COVID-19 cases across Australia, and the boat has been linked to an ongoing outbreak in North-West Tasmania, and
- (vi) the Federal Government has failed to take responsibility for this debacle, and refuses to recognise the four distinct opportunities the Government had to stop the way the *Ruby Princess* docked in Sydney:
 - (A) when creating the regulation that executed the Prime Minister’s cruise ship ban, the Minister for Health failed to use his extraordinary powers under the Biosecurity Act to ‘give any direction, to any person’ and ‘determine any requirement’ to include the ‘requirements and directions’ and ‘enhanced controls’ that were requested by the Department of Home Affairs to prevent the spread of COVID-19 through returning cruise ships,
 - (B) despite all vessels entering Australian waters being required to issue a human health report to the Federal Government a minimum of 12 hours prior to arrival, and the Department of Agriculture expressing concerns that ‘people on board [the *Ruby Princess*] had symptoms that may be consistent with a listed human disease,’ the Government did not act after receiving four human health reports from the *Ruby Princess* that showed an alarming increase in the number of passengers falling ill or with high-level fevers,
 - (C) the concerns of frontline Australian Border Force (ABF) officers about the COVID-19 risks of the *Ruby Princess* were overruled by senior officers and the boat was cleared to dock, and

- (D) ABF officers did not use regulation 3.15 of the Migration Regulations 1994 that allows officers to seek out a certificate from an incoming vessel that states no passengers are suffering from a disease that may threaten public health;
- (b) thanks all frontline officers for their continued efforts during this global pandemic;
- (c) condemns the Morrison Government for its failure to protect the Australian community by stopping the one boat that mattered; and
- (d) seeks concurrence for this motion in the House of Representatives.

Statements by leave: The Minister for Families and Social Services (Senator Ruston) and the Leader of Pauline Hanson's One Nation (Senator Hanson), by leave, made statements relating to the motion.

Question put.

The Senate divided—

AYES, 26

Senators—

Ayres	Gallacher	McKim	Smith, Marielle
Bilyk	Gallagher	O'Neill	Urquhart*
Carr	Hanson-Young	Pratt	Walsh
Chisholm	Kitching	Rice	Waters
Ciccone	Lines	Sheldon	Watt
Farrell	McAllister	Siewert	Whish-Wilson
Faruqi	McCarthy		

NOES, 32

Senators—

Antic	Cormann	McDonald	Reynolds
Askew	Davey	McGrath	Roberts
Birmingham	Griff	McKenzie	Ruston
Bragg	Hanson	McMahon	Ryan
Brockman	Henderson	O'Sullivan	Scarr
Canavan	Hughes	Paterson	Seselja
Chandler	Hume	Patrick	Smith, Dean*
Colbeck	Lambie	Rennick	Van

* Tellers

Question negatived.

33 Aviation security—Queensland

Senator Urquhart, at the request of Senators Watt, Chisholm and Green, amended general business notice of motion no. 583 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That the Senate—

- (a) notes that:
- (i) the management of transport security is critical to our national security and to regional communities in Queensland,
- (ii) on 8 May 2018, the Morrison Government announced measures to 'further strengthen Australia's domestic and international aviation security', which included the introduction of body scanners and improved luggage screening technology at airports,

- (iii) regional airlines servicing Queensland have expressed concern that the cost of these upgrades will make regional airline services economically unviable,
- (iv) the Senate Rural and Regional Affairs and Transport Legislation Committee began public hearings into this matter on 7 May 2020,
- (v) the Committee heard evidence that:
 - (A) Regional Express Airlines said that the airline's profit margin is approximately \$10 per passenger, and if the airline was required to pay security costs, they would no longer make a profit,
 - (B) Corporate Air said that the costs of security screening vary from as little as 87 cents per passenger in Sydney airport, up to \$19.80 at one of their regional locations, and
 - (C) Corporate Air also said that evenly distributing security costs across the country, as occurs in New Zealand and the USA, could be a fairer model for regional communities,
- (vi) at the hearing, Department of Home Affairs officials told Senator Rennick that the Department had not modelled Corporate Air's suggestion of evenly distributing security costs across the country because, 'airport operations are for airports to manage',
- (vii) Senator Rennick stated that 'We're not talking about airports, we're talking about national security, right. And, you know, something that we've got to get sorted out here, because we just had it with the *Ruby Princess*. Okay, and I'm a member of the federal government, and it's our job to look after national security. So this sort of pushing it out on the private enterprise or rather sort of smaller, it just leads to confusion and ambiguous responsibilities as to who's responsible for what. So I think that we ought to take a good look at whether or not it's better for us to do a holistic national approach, rather than the piecemeal airport by airport, which is going to hurt a lot of airports in the region. And I think before, you know, any more changes in regulations or decisions are made, that we look at a national approach. Because if it's good enough for the US and New Zealand, I think it's something that we should also take a serious look at, I'll just leave it at that. Thanks', and
- (viii) Senator Rennick is correct in saying that:
 - (A) the Morrison Government is responsible for national security at our airports and seaports,
 - (B) the Morrison Government's current approach to national security has led to 'confusion and ambiguous responsibilities as to who's responsible for what', and
 - (C) the Morrison Government's approach to regional aviation security will potentially 'hurt a lot of airports in the region';
- (b) commends the Senate Rural and Regional Affairs and Transport Legislation Committee for its ongoing work in this area, and its long-standing history of representing rural and regional Australians on important policy issues;

- (c) condemns the Morrison Government for its implementation of airport security upgrades to date, which are causing confusion and leading to the potential loss of airports, airline services, and jobs in regional Queensland; and
- (d) calls on the Federal Government to reveal the deal that Nationals senators struck with the Government, which, according to reports in *The Guardian*, secured ‘an eleventh hour change of heart about cost recovery... to ensure costs incurred by regional airports to implement improved security screening measures will not be passed on unfairly to regional travellers’.

Statement by leave: The Minister for Families and Social Services (Senator Ruston), by leave, made a statement relating to the motion.

Question put and passed.

34 **Hunters and shooters**

Senator McKenzie, also on behalf of Senators McMahon, Canavan, McDonald, Stoker and Davey, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 584—That the Senate—

- (a) notes that:
 - (i) Australia’s hunters and shooters contributed \$2.4 billion to our economy in 2018, while recreational hunting made a net contribution of \$335 million, adding 3,300 jobs,
 - (ii) game hunting expenditure has created 2,383 jobs in the State of Victoria, 1,115 as a direct result of hunting expenditure and 1,268 of which were a result of flow-on effects (2013),
 - (iii) the economic impact of all hunting by game licence holders in Victoria is \$177 million, with a flow-on impact of \$262 million and a total impact of \$439 million,
 - (iv) regional communities have missed out on considerable revenue from hunting as a result of the summer bushfires and COVID-19 pandemic, and
 - (v) hunters and shooters are more likely to meet sufficient physical activity requirements than the average Australian adult; and
- (b) condemns state Labor governments for:
 - (i) failing to recognise and respect the considerable social, economic and environmental benefits of hunting and shooting to communities across regional Australia, and
 - (ii) their bias and discriminatory decision to restrict firearm and ammunition sales using the COVID-19 pandemic as an excuse.

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

35 **National COVID-19 Coordination Commission and Manufacturing Working Group—Order for production of documents**

The Leader of the Australian Greens in the Senate (Senator Waters), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 585—That:

- (1) There be laid on the table by the Minister representing the Prime Minister by no later than 5 pm on 25 May 2020, the following documents relating to the National COVID-19 Coordination Commission and the associated Manufacturing Working Group:
 - (a) all agendas and minutes of meetings, including:
 - (i) evidence noting recusal of members from discussions,
 - (ii) any advice provided by members or special advisors, or sought by the Commission, regarding a conflict of interest or perceived conflict of interest of any member or special advisor, and
 - (iii) any person attending the meetings;
 - (b) all documents outlining processes relating to the appointment of members by the Government, including a list of any persons invited to be a member who declined the invitation;
 - (c) details of any special advisors or other person appended to the Commission or working group appointed by the Government or the Commission;
 - (d) details of any payments made to members or special advisors by the Government in relation to their involvement in the Commission or working group;
 - (e) all documents outlining shareholdings and financial interests of the members or special advisors, including declarations made by members;
 - (f) all documents outlining the process for managing conflicts of interest or perceived conflicts of interest for members;
 - (g) all documents outlining the process for managing conflicts of interest or perceived conflicts of interest for special advisors or other persons appended to the Commission or working group;
 - (h) a list of all stakeholders that the Commission, working group or special advisors have met with; and
 - (i) all documents relating to projects currently under consideration by the Commission, the working group or any special advisor.
- (2) If the Senate is not sitting when the documents are ready for presentation, the documents are to be presented to the President under standing order 166.
- (3) In the event the Minister fails to table the reports and correspondence, the Senate requires the Minister representing the Prime Minister to attend the Senate on the following sitting day, by no later than 10.15 am, to provide an explanation, of no more than 10 minutes, of the Government's failure to table the documents.
- (4) Any senator may move to take note of the explanation required by paragraph (3).
- (5) Any motion under paragraph (4) may be debated for no longer than 60 minutes, shall have precedence over all government business until determined, and senators may speak to the motion for not more than 10 minutes each.

Statements by leave: The Minister for Families and Social Services (Senator Ruston) and the Leader of Pauline Hanson's One Nation (Senator Hanson), by leave, made statements relating to the motion.

Question put and negatived. All Australian Greens, Opposition and Centre Alliance senators and Senator Lambie, by leave, recorded their votes for the ayes.

36 **Palestine**

Motion determined as not formal: The Leader of the Australian Greens in the Senate (Senator Waters) requested that general business notice of motion no. 586 standing in her name for today, relating to Palestine, be taken as formal. An objection was raised and the motion was not proceeded with as a formal motion.

Statements by leave: Senator Waters, the Leader of the Opposition in the Senate (Senator Wong) and the Minister for Families and Social Services (Senator Ruston), by leave, made statements relating to the motion.

37 **Wildlife**

Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 587—That the Senate—

- (a) notes that:
 - (i) the science is well established on the link between wildlife consumption and the transfer of zoonotic diseases, such as coronavirus, to humans,
 - (ii) closing wildlife markets will not be enough to prevent future pandemics like COVID-19; it must be accompanied by an end to the trade of wildlife for consumption and other purposes,
 - (iii) ending the trade of wildlife would not only help keep the global community safe from future pandemics but also help protect the world's precious wildlife for future generations,
 - (iv) wildlife trade impacts biodiversity, can cause diseases to be transferred between other wildlife species putting them at risk, drives poaching and trafficking and ultimately fuels the extinction crisis around the world, and
 - (v) the G20 meets in November and will focus on the global response to the pandemic; and
- (b) calls on the Federal Government to advocate for a global ban on the trade of wildlife.

Statement by leave: The Minister for Families and Social Services (Senator Ruston), by leave, made a statement relating to the motion.

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

At 12.45 pm—

38 Defence Legislation Amendment (Miscellaneous Measures) Bill 2020

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

Message no. 198, dated 14 May 2020—A Bill for an Act to amend the law relating to defence, and for related purposes.

The Minister for Defence (Senator Reynolds) 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 Reynolds the bill was debated and read a second time.

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

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

39 Student Identifiers Amendment (Enhanced Student Permissions) Bill 2019

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

Debate resumed.

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 Defence (Senator Reynolds) the bill was read a third time.

40 Treasury Laws Amendment (2020 Measures No. 1) Bill 2020

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

Message no. 197, dated 14 May 2020—A Bill for an Act to amend the law relating to taxation and superannuation, and for related purposes.

The Minister for Defence (Senator Reynolds) 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 Reynolds the bill was debated and read a second time.

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

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

41 **Corporations and Financial Services—Joint Statutory Committee—Reference**

A message from the House of Representatives was reported informing the Senate of a Resolution of that House:

Message no. 195, dated 13 May 2020—relating to a reference to the Parliamentary Joint Committee on Corporations and Financial Services on litigation funding and the regulation of the class action industry for inquiry and report by 7 December 2020.

42 **Telecommunications Legislation Amendment (Competition and Consumer) Bill 2019**

Telecommunications (Regional Broadband Scheme) Charge Bill 2019

Order of the day read for the consideration of the bills in committee of the whole.

In the committee

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

Senator Kitching moved the following amendments together by leave:

Telecommunications Legislation Amendment (Competition and Consumer) Bill 2019

Clause 2, page 2 (table item 1), omit “Sections 1 to 4”, substitute “Sections 1 to 5”.

Page 3 (after line 23), after clause 4, insert:

5 Modelling of Regional Broadband Scheme

Report

- (1) The Australian Competition and Consumer Commission (ACCC) must prepare a report in relation to the Regional Broadband Scheme that includes:
 - (a) the estimates referred to in subsection (3); and
 - (b) such other matters (if any) as the ACCC considers relevant.
- (2) The purpose of the report is to provide updated costings in relation to the amount of the base component specified in paragraph 12(1)(a) of the Regional Broadband Scheme Charge Act, using the same model and methodology that was previously used to determine that amount but taking into account changes to inputs and assumptions that have occurred since that amount was first determined.
- (3) The report must include an estimate of each of the following:
 - (a) the total losses that have been incurred by NBN Co in relation to fixed wireless broadband and satellite broadband matters during the period beginning on 1 July 2009 and ending on 30 June 2020;
 - (b) the total of the reasonable losses likely to be incurred by NBN Co in relation to fixed wireless broadband and satellite broadband matters during the period beginning on 1 July 2009 and ending on 30 June 2040 (the *total expected net losses*);
 - (c) the amount that the base component for a month (within the meaning of the Regional Broadband Scheme Charge Act) would be required to be in order for the Commonwealth to receive a total amount by way of charge imposed by that Act that would offset the total expected net losses, if it were assumed that paragraph 9(1)(b) of that Act had not been enacted;

- (d) the total of the reasonable losses likely to be incurred by NBN Co in relation to fixed wireless broadband and satellite broadband matters during the period beginning on 1 July 2020 and ending on 30 June 2040 (the *total expected net forward facing losses*);
- (e) the amount that the base component for a month (within the meaning of the Regional Broadband Scheme Charge Act) would be required to be in order for the Commonwealth to receive a total amount by way of charge imposed by that Act that would offset the total expected net forward facing losses, if it were assumed that paragraph 9(1)(b) of that Act had not been enacted;
- (f) the total expected number of chargeable premises by reference to which charge is to be calculated under the Regional Broadband Scheme Charge Act during the financial year beginning on 1 July 2025;
- (g) such other matters (if any) as the ACCC considers relevant.

Note: For paragraph (f), see section 11 of the Regional Broadband Scheme Charge Act in relation to how numbers of chargeable premises are used in calculating charge under that Act.

- (4) The report must specify the aggregated data inputs and the modelling assumptions upon which the estimates referred to in subsection (3) were determined.
- (5) In preparing the report, the ACCC:
 - (a) must use the methodology and model that was used by the Department of Communications and the Arts' Bureau of Communications Research for the report entitled *NBN non-commercial services funding options—Final report March 2016*; but
 - (b) must, in doing so, update the inputs and assumptions of the methodology and model to reflect changes that have occurred since the publication of that report.
- (6) Without limiting paragraph (5)(b), the following are changes that must be taken into account in updating the inputs and assumptions:
 - (a) changes in the inputs for estimating the total number of chargeable premises by reference to which charge is imposed by the Regional Broadband Scheme Charge Act;
 - (b) changes in the inputs for build costs in relation to fixed wireless broadband and satellite broadband matters;
 - (c) changes in the inputs for estimating future capital expenditure requirements in relation to fixed wireless broadband and satellite broadband matters.
- (7) In preparing the report, the ACCC must assume that Division 6 of Part 3 of the *Telecommunications (Consumer Protection and Service Standards) Act 1999* had not been enacted.

Note: That Division deals with charge offset certificates.

- (8) Before the end of the 150-day period beginning when this section commences, the ACCC must:
 - (a) give the Minister the report; and
 - (b) make the report available on the ACCC's website.
- (9) The Minister must cause a copy of the report to be tabled in each House of the Parliament within 5 sitting days of receiving it.

Use of the word "Regional"

- (10) To avoid doubt, the use of the word "Regional" in this section does not limit:
 - (a) subsection 80(1) of the *Telecommunications (Consumer Protection and Service Standards) Act 1999*; or
 - (b) subsection 13(3) of the Regional Broadband Scheme Charge Act.

Definitions

(11) In this section:

fixed wireless broadband and satellite broadband matters means the matters referred to in paragraphs 13(3)(a) to (d) of the Regional Broadband Scheme Charge Act.

Minister means the Minister administering the *Telecommunications Act 1997*.

NBN Co has the same meaning as in the *National Broadband Network Companies Act 2011*.

Regional Broadband Scheme means the scheme embodied in:

- (a) Part 3 of the *Telecommunications (Consumer Protection and Service Standards) Act 1999*; and
- (b) the Regional Broadband Scheme Charge Act.

Regional Broadband Scheme Charge Act means the *Telecommunications (Regional Broadband Scheme) Charge Act 2020*.

Schedule 5, item 1, page 197 (after line 17), after subsection 98B(1), insert:

(1A) NBN Co must:

- (a) provide to the Secretary the following mapping data about each national broadband network serving area module:
 - (i) the boundaries and identification code for the national broadband network serving area module;
 - (ii) the dominant technology type of connections to the national broadband network within the national broadband network serving area module;
 - (iii) the date on which the majority of premises within the national broadband network serving area module were declared ready for service by NBN Co; and
- (b) do so within 150 days after the Secretary gives a direction to NBN Co under subsection (4).

Schedule 5, item 1, page 197 (after line 29), after subsection 98B(2), insert:

(2A) The Secretary may, by written notice given to NBN Co, direct NBN Co to:

- (a) provide to the Secretary the following mapping data about each national broadband network serving area module:
 - (i) the boundaries and identification code for the national broadband network serving area module;
 - (ii) the dominant technology type of connections to the national broadband network within the national broadband network serving area module;
 - (iii) the date on which the majority of premises within the national broadband network serving area module were declared ready for service by NBN Co; and
- (b) do so within 90 days after the Secretary gives the direction to NBN Co.

Schedule 5, item 1, page 198 (line 2), omit “subsection (1) or (2)”, substitute “subsection (1), (1A), (2) or (2A)”.

Schedule 5, item 1, page 198 (line 8), omit “subsection (1)”, substitute “subsection (1) or (1A)”.

Schedule 5, item 1, page 198 (line 15), omit “subsection (2)”, substitute “subsection (2) or (2A)”.

Schedule 5, item 1, page 198 (line 22), omit “subsection (2), (4) or (5)”, substitute “subsection (2), (2A), (4) or (5)”.

Schedule 5, item 1, page 198 (after line 27), after subsection 98B(7), insert:

- (7A) Before the end of the 30-day period beginning on the day on which the Secretary is provided the mapping data under subsection (1A), the Secretary must arrange for the mapping data to be made available on the National Map website (<https://nationalmap.gov.au>) in colour-coded format.

Schedule 5, item 1, page 198 (after line 29), insert:

national broadband network serving area module means a geographical region within NBN Co's fixed-line footprint which includes premises that are:

- (a) connected to the national broadband network; and
- (b) served by any of the following technology types of connection to the national broadband network:
 - (i) fibre to the building;
 - (ii) fibre to the premises;
 - (iii) fibre to the node;
 - (iv) fibre to the curb;
 - (v) HFC.

Debate ensued.

Question—That the amendments be agreed to—put and passed.

Documents: The Minister for Defence (Senator Reynolds) tabled the following documents:

Supplementary explanatory memoranda [3] relating to the government amendments to be moved to the Telecommunications Legislation Amendment (Competition and Consumer) Bill 2019 and the government request for an amendment to be moved to the Telecommunications (Regional Broadband Scheme) Charge Bill 2019.

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

Telecommunications Legislation Amendment (Competition and Consumer) Bill 2019

Schedule 3, item 1, page 99 (lines 23 and 24), omit “made after the commencement of this section”.

Schedule 3, item 2, page 100 (lines 6 and 7), omit “made after the commencement of this section”.

Schedule 4, item 13, page 142 (lines 29 and 30), omit the definition of ***designated start date*** in section 76, substitute:

designated start date means 1 January 2021.

Schedule 4, item 13, page 143 (after line 2), after the definition of ***exempt premises*** in section 76, insert:

financial year has a meaning affected by section 78A.

Schedule 4, item 13, page 147 (after line 27), after section 78, insert:

78A Financial year

For the purposes of this Part (other than section 85), the 6-month period beginning on the designated start date is taken to be a financial year.

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

Telecommunications Legislation Amendment (Competition and Consumer) Bill 2019

Schedule 4, item 13, page 192 (lines 5 and 6), omit “one month after the end of the applicable reporting period”, substitute “60 days after the commencement of this section”.

Schedule 4, item 13, page 193 (lines 3 and 4), omit “the second month that began after the commencement of this section”, substitute “the month immediately preceding the month in which this section commenced”.

On the motion of Senator Reynolds the following request for an amendment was debated and agreed to:

Telecommunications (Regional Broadband Scheme) Charge Bill 2019

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

Clause 3, page 4 (lines 1 and 2), omit the definition of *fixed wireless broadband service*, substitute:

fixed wireless broadband service has the same meaning as in Part 3 of the *Telecommunications (Consumer Protection and Service Standards) Act 1999*.

Question—That the Telecommunications Legislation Amendment (Competition and Consumer) Bill 2019, as amended, be agreed to—divided at the request of Senator McKim in respect of Schedule 4, as amended.

Schedule debated.

Question—That Schedule 4, as amended, be agreed to—put and passed.

Senator McKim moved the following amendment:

Telecommunications Legislation Amendment (Competition and Consumer) Bill 2019

Clause 2, page 2 (table item 7), omit “Schedules 4 and 5”, substitute “Schedule 5”.

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

The Telecommunications Legislation Amendment (Competition and Consumer) Bill 2019 was agreed to and reported with amendments and the Telecommunications (Regional Broadband Scheme) Charge Bill 2019 was agreed to and reported subject to a request.

On the motion of the Minister for Defence (Senator Reynolds) the report from the committee was adopted and the Telecommunications Legislation Amendment (Competition and Consumer) Bill 2019 read a third time.

43 Official Development Assistance Multilateral Replenishment Obligations (Special Appropriation) Bill 2019

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.

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

44 Questions

Questions without notice were answered.

45 **Motions to take note of answers**

Senator Gallagher 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 Gallagher today relating to impacts of COVID-19 on the economy.

Debate ensued.

Question put and passed.

The Leader of the Australian Greens in the Senate (Senator Waters) moved—That the Senate take note of the answer given by Senator Cormann to a question without notice asked by Senator Waters today relating to the National COVID-19 Coordination Commission.

Question put and passed.

46 **Days of meeting—Estimates hearings—Variation**

The Minister for Finance (Senator Cormann), by leave, moved—

- (1) That the days of meeting of the Senate for the remainder of 2020 be as follows:

Winter sittings:

Wednesday, 10 June to Friday, 12 June

Monday, 15 June to Thursday, 18 June

Spring sittings:

Tuesday, 4 August to Thursday, 6 August

Monday, 10 August to Thursday, 13 August

Monday, 24 August to Thursday, 27 August

Monday, 31 August to Thursday, 3 September

Tuesday, 6 October to Thursday, 8 October

Monday, 9 November to Thursday, 12 November

Monday, 30 November to Thursday, 3 December

Monday, 7 December to Thursday, 10 December.

- (2) That estimates hearings by legislation committees for the remainder of 2020 be scheduled as follows:

2020-21 Budget estimates:

Monday, 19 October to Thursday, 22 October, and, if required, Friday, 23 October (*Group A*)

Monday, 26 October to Thursday, 29 October, and, if required, Friday 30 October (*Group B*)

- (3) That cross portfolio estimates hearings on Indigenous matters and on Murray-Darling Basin Plan matters be scheduled for Friday, 23 and 30 October, respectively, but not restricted to these days.
- (4) That the committees consider the proposed expenditure in accordance with the allocation of departments and agencies to committees agreed to by the Senate.

- (5) That committees meet in the following groups:

Group A:

Environment and Communications
 Finance and Public Administration
 Legal and Constitutional Affairs
 Rural and Regional Affairs and Transport

Group B:

Community Affairs
 Economics
 Education and Employment
 Foreign Affairs, Defence and Trade.

- (6) That the committees report to the Senate on Tuesday, 17 November 2020 in respect of the 2020-21 Budget estimates.

Debated ensued.

Question put and passed.

47 **Documents—Orders of the day—Consideration**

The following orders of the day relating to documents were considered:

Aged Care Act 1997—Report for 2018-19 on the operation of the Act. Motion of Senator Polley to take note of document called on. Debate adjourned till Thursday.

Education and Employment References Committee—Report—The people behind 000: mental health of our first responders—Order of 4 December 2019—Letter to the President of the Senate from the Minister for Employment, Skills, Small and Family Business (Senator Cash) responding to the order, and attachment. Motion of Senator McCarthy to take note of documents called on. Debate adjourned till Thursday.

President's report to the Senate on the status of government responses to parliamentary committee reports as at 31 December 2019. Motion of Senator Urquhart to take note of document called on. Debate adjourned till Thursday.

Australian Building and Construction Commission—Performance of the functions and the exercise of powers of the Australian Building and Construction Commissioner—Quarterly report for the period 1 July to 30 September 2019. Motion of Senator Ciccone to take note of document agreed to.

Climate change reports—Order of 12 February 2020—Letter to the President of the Senate from the Minister for Finance (Senator Cormann), responding to the order. Motion of Senator Roberts to take note of document called on. Debate adjourned till Thursday.

Female Facilities and Water Safety program—Order of 11 February 2020 (430)—Letter to the President of the Senate from the Minister for Youth and Sport (Senator Colbeck), responding to the order and raising public interest immunity claims, and attachments. Motion of Senator Di Natale to take note of document called on. Debate adjourned till Thursday.

Aboriginal Land Commissioner—Report for 2018-19. Motion of Senator Urquhart to take note of document called on. Debate adjourned till Thursday.

Inspector-General of the Australian Defence Force—Report for 2018-19. Motion of Senator Urquhart to take note of document agreed to.

Independent National Security Legislation Monitor (INSLM)—Report for 2018-19. Motion of Senator Urquhart to take note of document agreed to.

PFAS testing—Blood and genetic testing on humans and livestock—Order of 12 February 2020—Letter to the President of the Senate from the Minister for Defence (Senator Reynolds) responding to the order. Motion of Senator Roberts to take note of document called on. Debate adjourned till Thursday.

Disaster risk reduction—Ministerial statement by the Minister for Agriculture, Drought and Emergency Management (Mr Littleproud). Motion of Senator Watt to take note of document called on. Debate adjourned till Thursday.

Department of Defence—Special purpose flights—Order of 11 February 2020—Letter to the President of the Senate from the Minister for Defence (Senator Reynolds), dated 27 February 2020, responding to the order; Election supplement—Schedule for the period 11 April to 18 May 2019; Schedule for the period 1 January to 30 June 2019. Motion of Senator Pratt to take note of documents agreed to.

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) providing information concerning a question without notice asked by Senator Roberts on 27 February 2020. Motion to take note of document moved by Senator Urquhart. Debate adjourned till Thursday.

Australian Human Rights Commission—Respect@Work—National inquiry into sexual harassment in Australian workplaces 2020. Motion to take note of document moved by Senator Urquhart. Debate adjourned till Thursday.

Migration Act 1958—Section 486O—Assessment of detention arrangements—Commonwealth Ombudsman's reports—Reports 4 to 8 of 2020 and government responses. Motion to take note of documents moved by Senator Urquhart. Debate adjourned till Thursday.

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). Motion to take note of document moved by Senator Urquhart. Debate adjourned till Thursday.

Building and Construction Industry (Improving Productivity) Act 2016—Reports by the Commonwealth Ombudsman for the periods—1 January to 31 March 2019; 1 April to 30 June 2019; 1 July to 30 September 2019. Motion to take note of documents moved by Senator Urquhart. Debate adjourned till Thursday.

Australian Building and Construction Commission—Performance of the functions and the exercise of powers of the Australian Building and Construction Commissioner—Quarterly report for the period 1 October to 31 December 2019. Motion of Senator McCarthy to take note of document agreed to.

Institutional Responses to Child Sexual Abuse—Royal Commission—Report of case study no. 28—Catholic Church authorities in Ballarat—Unredacted; Report of case study no. 35—Catholic Archdiocese of Melbourne—Unredacted; Volume 16: Book 2—Religious Institutions—Final report—Unredacted. Motion of Senator McCarthy to take note of documents called on. Debate adjourned till Thursday.

Regional forest agreements between the Commonwealth of Australia and Victoria—Deed of variation in relation to Central Highlands—Amendment no. 2; Deed of variation in relation to Gippsland—Amendment no. 1; Deed of variation in relation to North East—Amendment no. 2; Deed of variation in relation to West Victoria—Amendment no. 1; East Gippsland—Amendment no. 3, dated 30 March 2020. Motion of Senator Rice to take note of documents agreed to.

Children's Rights Report 2019—Resolution of 12 February 2020—Letters to the President of the Senate from—Queensland Minister for Child Safety, Youth and Women (Ms Farmer); Western Australian Minister for Child Protection (Ms McGurk). Motion of Senator Siewert to take note of documents called on. Debate adjourned till Thursday.

Department of Home Affairs—Protection visas—Statement pursuant to the order of the Senate of 14 November 2019—March 2020. Motion of Senator McKim to take note of document called on. Debate adjourned till Thursday.

Australia's COVID-19 health response—Ministerial statement by the Minister for Health (Mr Hunt). Motion of Senator Watt to take note of documents called on. Debate adjourned till Thursday.

Orders of the day nos 13, 14, 16 to 19, 21 to 25, 28 to 34, 36 and 37 relating to documents were called on but no motion was moved.

48 Committee reports and government responses—Orders of the day—Consideration

The following orders of the day relating to committee reports and government responses were considered:

Economics References Committee—Report—Non-conforming building products: The need for a coherent and robust regulatory regime—Government response. Motion of Senator Ciccone to take note of document called on. Debate adjourned till the next day of sitting.

Intelligence and Security—Joint Statutory Committee—Review of Administration and Expenditure No. 17 (2017-2018): Australian Intelligence Agencies—Government response. Motion of Senator Ciccone to take note of document agreed to.

Community Affairs References Committee—Adequacy of Newstart and related payments and alternative mechanisms to determine the level of income support payments in Australia—Report. Motion of Senator Siewert to take note of report called on. Debate adjourned till the next day of sitting.

Implementation of the National Redress Scheme—Joint Select Committee—First interim report. Motion of Senator Dean Smith to take note of report called on. Debate adjourned till the next day of sitting.

Law Enforcement—Joint Statutory Committee—Examination of the Australian Criminal Intelligence Commission annual report 2017-18—Report. Motion of Senator Ciccone to take note of report agreed to.

Law Enforcement—Joint Statutory Committee—Examination of the Australian Federal Police annual report 2017-18—Report. Motion of Senator Ciccone to take note of report agreed to.

National Disability Insurance Scheme—Joint Standing Committee—Supported independent living—Report. Motion of Senator Ciccone to take note of report called on. Debate adjourned till the next day of sitting.

National Disability Insurance Scheme—Joint Standing Committee—Report—Market readiness for provision of services under the NDIS—Government response. Motion to take note of document moved by Senator Siewert. Debate adjourned till the next day of sitting.

National Disability Insurance Scheme—Joint Standing Committee—Report—NDIS planning interim report—Government response. Motion to take note of document moved by Senator Siewert. Debate adjourned till the next day of sitting.

National Disability Insurance Scheme—Joint Standing Committee—Report—Progress report 2019—Government response. Motion to take note of document moved by Senator Siewert. Debate adjourned till the next day of sitting.

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. Motion to take note of document moved by Senator Urquhart. Debate adjourned till the next day of sitting.

Legal and Constitutional Affairs References Committee—Impact of changes to service delivery models on the administration and running of Government programs—Report. Motion of Senator Urquhart to take note of report agreed to.

Corporations and Financial Services—Joint Statutory Committee—Regulation of auditing in Australia—Interim report. Motion of the chair of the committee (Senator Paterson) to take note of report agreed to.

Foreign Affairs, Defence and Trade References Committee—Australia's declarations made under certain international laws—Report. Motion of Senator Urquhart to take note of report agreed to.

Australian Commission for Law Enforcement Integrity—Joint Statutory Committee—Examination of the annual report of the Integrity Commissioner for 2017-18—Report. Motion of the chair of the committee (Senator Scarr) to take note of report agreed to.

Education and Employment References Committee—Report—The people behind 000: mental health of our first responders—Government response. Motion of Senator Watt to take note of document called on. Debate adjourned till the next day of sitting.

Oversight of the implementation of redress related recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse—Joint Select Committee—Report—Getting the National Redress Scheme right: An overdue step towards justice—Government response. Motion of Senator Siewert to take note of document called on. Debate adjourned till the next day of sitting.

Foreign Affairs, Defence and Trade—Joint Standing Committee—Inquiry into PFAS contamination in and around Defence bases—First report. Motion of Senator Urquhart to take note of report agreed to.

Jobs for the Future in Regional Areas—Select Committee—Report. Motion of Senator McDonald to take note of report called on. Debate adjourned till the next day of sitting.

National Disability Insurance Scheme—Joint Standing Committee—NDIS planning—Interim report. Motion of Senator Brown to take note of report called on. Debate adjourned till the next day of sitting.

Orders of the day nos 8 to 14 and 18 to 26 relating to committee reports and government responses were called on but no motion was moved.

49 Auditor-General's reports—Orders of the day—Consideration

The following orders of the day relating to reports of the Auditor-General were considered:

Auditor-General—Audit report no. 23 of 2019-20—Performance audit—Award of funding under the Community Sport Infrastructure Program—Australian Sports Commission. Motion of Senator Urquhart to take note of document called on. Debate adjourned till the next day of sitting.

Auditor-General—Audit report no. 25 of 2019-20—Performance audit—Aboriginal and Torres Strait Islander participation targets in major procurements—Across entities. Motion of Senator Siewert to take note of document called on. Debate adjourned till the next day of sitting.

Auditor-General—Audit report no. 29 of 2019-20—Performance audit—Regulation of charities by the Australian Charities and Not-for-profits Commission: Australian Charities and Not-for-profits Commission; Australian Taxation Office. Motion to take note of document moved by Senator Siewert. Debate adjourned till the next day of sitting.

Auditor-General—Audit report no. 30 of 2019-20—Performance audit—Bilateral agreement arrangements between Services Australia and other entities: Across entities. Motion to take note of document moved by Senator Siewert. Debate adjourned till the next day of sitting.

Auditor-General—Audit report no. 32 of 2019-20—Performance audit—Value for money in the delivery of Official Development Assistance through facility arrangements: Department of Foreign Affairs and Trade. Motion of Senator McCarthy to take note of document agreed to.

Auditor-General—Audit report no. 34 of 2019-20—Performance audit—Aboriginal and Torres Strait Islander participation targets in intergovernmental agreements: Department of Infrastructure, Transport, Regional Development and Communications; National Indigenous Australians Agency. Motion of Senator McCarthy to take note of document called on. Debate adjourned till the next day of sitting.

Auditor-General—Audit report no. 35 of 2019-20—Performance audit—Grant program management by the Australian Renewable Energy Agency: Australian Renewable Energy Agency. Motion of Senator McCarthy to take note of document called on. Debate adjourned till the next day of sitting.

Orders of the day nos 3 to 5 relating to reports of the Auditor-General were called on but no motion was moved.

50 Building Landcare Community and Capacity Grants program—Order for production of documents—Documents

The Minister for Trade, Tourism and Investment (Senator Birmingham) tabled the following documents:

Building Landcare Community and Capacity Grants program—Order of 13 May 2020—Letter to the President of the Senate from the Minister for Families and Social Services (Senator Ruston) responding to the order, and attachments.

51 Update on bushfire recovery and drought response—Ministerial statement—Document

The Minister for Trade, Tourism and Investment (Senator Birmingham) tabled the following document:

Update on bushfire recovery and drought response—Ministerial statement by the Minister for Agriculture, Drought and Emergency Management (Mr Littleproud), dated 14 May 2020.

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

Debate ensued.

Question put and passed.

General business was called on.

52 COVID-19—Economic response

Senator McCarthy, at the request of Senator Gallagher, pursuant to notice of motion, moved general business notice of motion no. 591—That the Senate—

(a) notes that:

- (i) the Government said that the economy would ‘snap back’ after the end of the COVID-19 crisis,
- (ii) the Reserve Bank and Deloitte have forecast unemployment to remain at elevated levels for years,
- (iii) members of the Government are calling for the early end of the JobKeeper payment, and
- (iv) Government ministers have confirmed that JobSeeker will revert back to \$40 per day in September this year; and

(b) calls on the Government to:

- (i) table Treasury’s review into JobKeeper in the Senate as soon as it is finalised,
- (ii) as soon as possible, provide certainty to people on the JobSeeker Payment that they won’t be ‘snap-backed’ to living on \$40 per day; and
- (iii) outline a plan for jobs and for reducing unemployment in the Government’s economic update when it is delivered in June.

Debate ensued.

At 5.30 pm: Debate was interrupted while Senator Siewert was speaking.

53 Committee membership

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

The Assistant Minister for Finance, Charities and Electoral Matters (Senator Seselja), by leave, moved—That Senator O'Neill replace Senator Kitching on the Economics References Committee on 15 May 2020 for committee's inquiry into the review of foreign investment proposals.

Question put and passed.

54 Health Insurance Amendment (General Practitioners and Quality Assurance) Bill 2020

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

Message no. 199, dated 14 May 2020—A Bill for an Act to amend the *Health Insurance Act 1973*, and for other 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.

55 Telecommunications (Regional Broadband Scheme) Charge Bill 2019

A message from the House of Representatives was reported indicating that the House had made the amendments to the following bill that the Senate requested:

Message no. 200, dated 14 May 2020—Telecommunications (Regional Broadband Scheme) Charge Bill 2019.

On the motion of the Assistant Minister for Finance, Charities and Electoral Matters (Senator Seselja) the bill was read a third time.

56 Telecommunications Legislation Amendment (Competition and Consumer) Bill 2019

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

Message no. 201, dated 14 May 2020—Telecommunications Legislation Amendment (Competition and Consumer) Bill 2019.

57 Adjournment

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

Debate ensued.

The Senate adjourned at 6 pm till Wednesday, 10 June 2020 at 9.30 am.

58 Attendance

Present, all senators except Senators Brown*, Dodson*, Duniam*, Green*, McLachlan*, Molan*, Polley*, Steele-John* and Sterle* (*on leave).

RICHARD PYE
Clerk of the Senate