



Senate Journals

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1 Meeting of Senate

The Senate met at 10 am. The President (Senator the Honourable Scott Ryan) took the chair, read prayers and made an acknowledgement of country.

2 Documents

The following document was tabled pursuant to standing order 61(1)(b):

Committee reporting dates—Extension pursuant to the order of 23 March 2020

Community Affairs References Committee—Centrelink’s compliance program—from 19 August to 2 December 2020. [*Received 11 June 2020*]

The Clerk tabled the following documents pursuant to statute:

[Legislative instruments are identified by a Federal Register of Legislation (FRL) number. An explanatory statement is tabled with an instrument unless otherwise indicated by an asterisk.]

Biosecurity Act 2015—Biosecurity (Human Biosecurity Emergency) (Human Coronavirus with Pandemic Potential) (Emergency Requirements for Remote Communities) Amendment (No. 5) Determination 2020 [F2020L00683].

Christmas Island Act 1958 and *Cocos (Keeling) Islands Act 1955*—List of Acts of the Western Australian Parliament for the period 1 October 2019 to 31 March 2020.

Civil Aviation Act 1988—Civil Aviation Regulations 1988—Direction – use of ADS-B in foreign aircraft engaged in private operations Amendment Instrument 2020 (No. 1)—CASA 25/20 [F2020L00685].

Competition and Consumer Act 2010—

Consumer Goods (Aquatic Toys) Safety Standard 2020 [F2020L00686].

Consumer Goods (Projectile Toys) Safety Standard 2020 [F2020L00687].

Coronavirus Economic Response Package Omnibus Act 2020—Social Security (Coronavirus Economic Response—2020 Measures No. 10) Determination 2020 [F2020L00690].

Export Control Act 1982—Export Control (Orders) Regulations 1982—Export Control (Animals) Amendment (Australian Standards for the Export of Livestock) Order 2020 [F2020L00689].

Export Market Development Grants Act 1997—Determination of the Initial Payment Ceiling Amount for Grant Year 2019-20.

Safety, Rehabilitation and Compensation Act 1988—Safety, Rehabilitation and Compensation (Licence Eligibility—Australia and New Zealand Banking Group Limited) Declaration 2020 [F2020L00691].

Taxation Administration Act 1953—Taxation Administration (Coronavirus Economic Response Package—Ancillary Funds) Amendment Guidelines 2020 [F2020L00684].

Telecommunications Act 1997—A Code of Access to Telecommunications Transmission Towers, Sites of Towers and Underground Facilities Amendment 2020 (No. 1) [F2020L00692].

Therapeutic Goods Act 1989—Therapeutic Goods (Clinical Trial Inspections) Specification 2020 [F2020L00688].

The Clerk tabled the following document pursuant to the order of the Senate of 14 November 2019:

Department of Home Affairs—Protection visas—Statement—May 2020.

3 **Committee—Leave to meet during sitting**

The Select Committee on the Administration of Sports Grants was authorised to hold a private meeting otherwise than in accordance with standing order 33(1) today, from midday.

4 **Public Governance, Performance and Accountability Amendment (Waiver of Debt and Act of Grace Payments) Bill 2019**

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

Debate resumed.

At 12.20 pm: Debate was interrupted while Senator Watt was speaking.

5 **Migration Amendment (Regulation of Migration Agents) Bill 2019 Migration Agents Registration Application Charge Amendment (Rates of Charge) Bill 2019**

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

Debate resumed.

Main question put.

The Senate divided—

AYES, 35

Senators—

Abetz
Antic
Askew
Bilyk
Bragg
Brockman
Brown
Chandler
Davey*

Duniam
Fierravanti-Wells
Gallacher
Hanson
Hume
Lambie
Lines
McCarthy
McDonald

McGrath
McKenzie
McLachlan
McMahon
Molan
O'Sullivan
Paterson
Patrick
Payne

Rennick
Reynolds
Roberts
Scarr
Seselj
Smith, Dean
Stoker
Van

NOES, 8

Senators—

Di Natale
Faruqi

Hanson-Young
McKim

Rice
Siewert*

Waters
Whish-Wilson

* *Tellers*

Question agreed to.

Bills read a second time.

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

In the committee

Bills taken together and as a whole by leave.

Senator McKim moved the following amendments together by leave:

Migration Amendment (Regulation of Migration Agents) Bill 2019

Clause 2, page 2 (table item 1), omit “Sections 1 to 3”, substitute “Sections 1 to 4”.

Page 3 (after line 11), after clause 3, insert:

4 Independent review of operation of Schedule 1

- (1) The Minister must cause an independent review to be conducted of the operation of the amendments made by Schedule 1 to this Act.
- (2) Without limiting the matters to be covered by the review, the review must consider the performance of:
 - (a) immigration lawyers; and
 - (b) legal profession complaints handling systems and disciplinary procedures with respect to the activities of immigration lawyers.
- (3) The review must:
 - (a) start as soon as practicable after the end of 3 years after Schedule 1 commences; and
 - (b) be completed within 6 months.
- (4) The persons who conduct the review must give the Minister a written report of the review.
- (5) The Minister must cause a copy of the report to be tabled in each House of the Parliament within 15 sitting days of that House after the report is given to the Minister.
- (6) In this section:

immigration lawyer means an Australian legal practitioner who provides immigration assistance, as defined in section 276 of the *Migration Act 1958*.

Debate ensued.

Question—That the amendments be agreed to—put.

The committee divided—

AYES, 9

Senators—

Di Natale
Faruqi

Hanson-Young

McKim
Patrick

Rice
Siewert*

Waters
Whish-Wilson

NOES, 31

Senators—

Abetz
Antic
Askew
Bilyk
Bragg
Brockman
Brown
Carr

Chandler
Davey
Duniam
Gallacher
Green
Lambie
Lines
McDonald

McGrath
McKenzie
McLachlan
McMahon
Molan
O'Sullivan
Rennick
Reynolds

Scarr
Seselja
Sheldon
Smith, Dean
Stoker
Urquhart*
Van

** Tellers*

Question negatived.

Bills agreed to and reported without amendments or requests.

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

6 **Crimes Legislation Amendment (Sexual Crimes Against Children and Community Protection Measures) Bill 2019**

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

Debate resumed.

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

7 **Questions**

Questions without notice were answered.

8 **Motions to take note of answers**

Senator McAllister moved—That the Senate take note of the answers given by the Minister for Finance (Senator Cormann) to questions without notice asked by Senators Gallacher and Green today relating to the HomeBuilder scheme.

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 the Minister for Foreign Affairs (Senator Payne) to a question without notice asked by Senator Waters today relating to Mr Karm Gillespie, an Australian citizen imprisoned in China.

Question put and passed.

9 Notices

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

AIR 555 Phase 1 Airborne Intelligence Surveillance Reconnaissance Electronic Warfare Capability Facilities Works.

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

- (1) There be laid on the table by the Minister representing the Attorney-General, by no later than 9 am on 30 July 2020, a copy of each decision by the Social Services & Child Support Division of the Administrative Appeals Tribunal (AAT) dated between 1 July 2015 and 27 November 2019 (with any redactions that are necessary to protect personal privacy) in which a Member of the AAT determined that: for the purpose of sections 1222A(a) and 1223(1) of the *Social Security Act 1991*, no debt or debt component is able to be founded on the basis of extrapolations from Australian Taxation Office records (however expressed).
- (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. (*general business notice of motion no. 666*)

Senator Steele-John: To move on the next day of sitting—That the Senate—

- (a) notes that:
 - (i) the Chair of the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability (the Royal Commission), the Honourable Ronald Sackville AO QC, wrote to the Prime Minister and the Department of the Prime Minister and Cabinet on 14 February 2020 to request that changes be made to the *Royal Commissions Act 1902* to ensure that the confidentiality of submitters and those giving evidence could be protected beyond the life of the Royal Commission,
 - (ii) the Administrative Arrangements Orders were amended on 2 April 2020, transferring responsibility for the Act to the Attorney-General's portfolio,
 - (iii) this letter and the changes requested within it remain outstanding and unresolved,
 - (iv) many disabled people, families, carers, and support workers hold significant concerns about making submissions and providing evidence to the Royal Commission of instances of violence, abuse, neglect, and exploitation of disabled people, particularly in contemporaneous and ongoing instances, due to the lack of protections afforded to them in the legislation,
 - (v) this issue is prohibiting people from telling their stories and preventing the Royal Commission from being able to access the breadth of stories it should be able to, and

- (vi) without this change there are real and significant fears held by the community that the Royal Commission will miss the many stories and experiences that form the whole picture of what has happened to disabled people in this country, and to ensure that disabled people see justice and deep systemic changes needed to prevent instances of violence, abuse, neglect, and exploitation from happening in the future; and
- (b) calls on the Government to:
 - (i) give an urgent update on the progress of this change and provide a timeline for when we will expect to see legislation introduced, and
 - (ii) commit to making the required legislative changes as soon as possible. (*general business notice of motion no. 667*)

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

- (a) notes that the 2011 Gillard Government decision to suspend live exports:
 - (i) gravely affected the live export industry, and
 - (ii) was declared invalid by the Federal Court earlier in June; and
- (b) calls on the Federal Government to rule out appealing the Federal Court's decision. (*general business notice of motion no. 668*)

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

- (a) notes that the 2020 Australian Institute of Criminology report into 'Deaths in custody in Australia' revealed that:
 - (i) the 2017-18 rate of death in prison custody for:
 - (A) Indigenous persons was 0.14 per 100 prisoners, and
 - (B) non-Indigenous persons was 0.18 per 100 prisoners,
 - (ii) in the 2017-18 year 79% of Indigenous deaths in prison custody were due to natural causes,
 - (iii) the 2017-18 total deaths in police custody and custody-related operations was:
 - (A) 3 Indigenous persons, and
 - (B) 14 non-Indigenous persons, and
 - (iv) over the decade to 2018:
 - (A) non-Indigenous persons were nearly twice as likely as Indigenous persons to hang themselves in prison custody, and
 - (B) motor vehicle pursuits represented 38% of Indigenous deaths in police custody and custody-related operations;
- (b) further notes that, from 2006 to 2016, a 41% increase in Indigenous imprisonment rates corresponded with a 42% increase in people identifying as Indigenous; and
- (c) also notes that, using the 437 unconvicted Indigenous deaths in custody without reference to critical detail and context results in a distorted discussion of Indigenous issues. (*general business notice of motion no. 669*)

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

- (a) notes that:
 - (i) on 2 June 2020, the Department of Agriculture, Water and the Environment denied live exporter Rural Export and Trading (WA) Pty Ltd (RETWA) an exemption to new rules which prohibit the export of sheep by sea to the Middle East during the northern summer, and
 - (ii) on 13 June 2020, the Department back-flipped on this decision, granting an exemption to allow approximately 50,000 sheep to be exported;
- (b) recognises that the new rules, only recently introduced, were designed to protect sheep from the dangerously hot and humid conditions which will lead to inevitable suffering from heat stress, and put the animals at serious risk of death; and
- (c) calls on the Minister for Agriculture to intervene and stop the RETWA ship from departing Australia. (*general business notice of motion no. 670*)

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

- (a) notes that yesterday, 15 June 2020, was World Elder Abuse Awareness Day, which represents the one day each year when the whole world voices its opposition to the abuse and suffering inflicted on older people;
- (b) acknowledges that the sexual abuse of older women in residential aged care and home care settings is a form of elder abuse that has long been ignored; and
- (c) calls on all governments to:
 - (i) work together to better respond to all forms of elder abuse, including physical abuse, psychological or emotional abuse, social abuse, financial abuse, sexual abuse and elder neglect,
 - (ii) improve reporting requirements and data collection on elder abuse, and
 - (iii) develop national strategies informed by best practice evidence for the prevention of sexual abuse in both residential aged care and home care settings. (*general business notice of motion no. 671*)

The Leader of Pauline Hanson's One Nation (Senator Hanson): To move on the next day of sitting—That the Senate—

- (a) notes that the Government has announced it is working to fast-track several infrastructure projects they believe to be essential to Australia's long-term economic recovery; and
- (b) calls on the Government to add the development of a hybrid Bradfield Scheme to their list of essential infrastructure projects to be fast-tracked. (*general business notice of motion no. 672*)

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

- (a) notes that the first Vietnamese refugees in Western Australia were discovered drifting offshore in boats on the north-west coast on 12 May 1977;
- (b) further notes that 25 Vietnamese refugees disembarked in Perth from Broome on 17 May 1977;
- (c) acknowledges that Western Australia has become home to a vibrant Vietnamese community with almost 22,000 people declaring Vietnamese ancestry in the 2016 census; and

- (d) recognises the significant civic, economic and social contributions made by members of the Vietnamese community in Western Australia, and their part in shaping modern Australia. (*general business notice of motion no. 673*)

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

- (1) The Senate notes that—
 - (a) in its commentary on standing order 66, the *Annotated Standing Orders of the Australian Senate* notes that common complaints about formal motions include:
 - (i) that it forces senators to take positions on certain matters without the opportunity to explain those positions or move amendments to reflect them,
 - (ii) that there are too many notices of motion on complex matters for sufficient consideration by senators whose votes may be instrumental in determining the result,
 - (iii) that there is insufficient time to consider the large quantity of complex notices of motion given, and
 - (iv) that the procedure is particularly unsuitable for foreign policy motions;
 - (b) the commentary on standing order 66 includes the following statement: ‘The majority of notices of motion are dealt with as formal business and denials of formality for general business notices are at present relatively rare’; and
 - (c) there is an increasing practice of denying formality to motions from the cross bench.
- (2) The operation of standing order 66 be referred to the Procedure Committee, with the intention of:
 - (a) providing guidelines for the granting of formality; and
 - (b) allowing senators to make submission(s) regarding other changes to standing order 66 as would improve the functioning of the Senate.
- (3) The Procedure Committee present its report by 30 November 2020.
- (4) The Senate calls on all senators to refrain from denying formality for motions until the Procedure Committee has presented its report.

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

- (1) There be laid on the table by 7.20 pm on 17 June 2020:
 - (a) by the Minister representing the Minister for Education: any documents created, sent or received by the office of the Minister for Education, and by the Department of Education, between and inclusive of 1 March 2020 and 1 May 2020, relating to a national hardship fund, or similar program, for supporting international students; and
 - (b) by the Minister representing the Treasurer: any documents created, sent or received by the office of the Treasurer, and by the Department of the Treasury, between and inclusive of 1 March 2020 and 1 May 2020, relating to a national hardship fund, or similar program, for supporting international students.

- (2) If either or both of the Ministers fail to table the documents required by paragraph (1), the Minister representing the Minister for Education is required to attend the Senate on 18 June 2020, prior to government business being called on, to provide an explanation of no more than 10 minutes, also on behalf of the Minister representing the Treasurer, of the Government's failure to table the documents.
- (3) Any senator may move to take note of the explanation required by paragraph (2).
- (4) Any such motion shall have precedence over all business until determined, and senators may speak to the motion for no more than 10 minutes each. (*general business notice of motion no. 674*)

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

- (a) notes that:
 - (i) June is Migraine Awareness Month,
 - (ii) migraine severely impacts an individual's capacity to work, their mental wellbeing, quality of life and relationships,
 - (iii) approximately 4.9 million people in Australia suffer from migraine, of which 400,000 are chronic migraine sufferers,
 - (iv) migraine affects more women than men, with approximately 3 women sufferers for every male sufferer, a ratio of 3 to 1, and
 - (v) there are currently two drugs recommended for listing on the Pharmaceutical Benefits Scheme (PBS) to treat migraine, Emgality and AJOVY, with Emgality having been recommended by the Pharmaceutical Benefits Advisory Committee in July 2019; and
- (b) calls on the Government to list these drugs on the PBS immediately to provide relief to those suffering from migraine. (*general business notice of motion no. 675*)

Senator Faruqi: To move on the next day of sitting—That the following bill be introduced: A Bill for an Act to amend the *Fair Work Act 2009*, and for related purposes. ***Fair Work Amendment (One in, All in) Bill 2020 [No. 2]***. (*general business notice of motion no. 676*)

Senator Hanson-Young: To move—That the provisions of the Broadcasting Services Amendment (Regional Commercial Radio and Other Measures) Bill 2020 be referred to the Environment and Communications Legislation Committee for inquiry and report by 5 August 2020.

Senator Patrick: To move on the next day of sitting—That the time for the presentation of the report of the Economics Legislation Committee on the provisions of the National Radioactive Waste Management Amendment (Site Specification, Community Fund and Other Measures) Bill 2020 be extended from 31 July 2020 to 16 December 2020. (*general business notice of motion no. 677*)

Senator Kitching: To move on the next day of sitting—That the following matter be referred to the Environment and Communications References Committee for inquiry and interim report by Tuesday, 11 August 2020 with the final report due by the first sitting Tuesday of March 2021:

The future of Australia Post's service delivery, with particular reference to:

- (a) the Australian Postal Corporation (Performance Standards) Amendment Regulations 2020 and their impact on services, the Australia Post workforce and affected businesses;
- (b) the impact of COVID-19 on the financial position of Australia Post and its future;
- (c) a sustainable plan for Australia Post to provide:
 - (i) services that meet community needs and expectations,
 - (ii) job security for its workforce, and
 - (iii) support for regional and metropolitan licensed post offices;
- (d) international and domestic trends with parcels, letters and pricing; and
- (e) any related matters.

10 **Leave of absence**

Senator Dean Smith, by leave, moved—That leave of absence be granted to Senator Griff for 15 to 18 June 2020, for personal reasons.

Question put and passed.

Senator Siewert, by leave, moved—That leave of absence be granted to Senator Rice on 12 June 2020, for personal reasons.

Question put and passed.

11 **Postponements**

Business was postponed as follows:

Business of the Senate notice of motion no. 1 standing in the names of Senators Hanson-Young, Kitching and Carr for today, proposing the disallowance of the Australian Postal Corporation (Performance Standards) Amendment (2020 Measures No. 1) Regulations 2020, postponed till the next day of sitting.

General business notice of motion no. 650 standing in the name of the Leader of the Australian Greens in the Senate (Senator Waters) for today, relating to the Adani Carmichael coal mine, postponed till the next day of sitting.

General business notice of motion no. 659 standing in the name of Senator Siewert for today, relating to the income compliance program, postponed till the next day of sitting.

12 Committees—Extensions of time to report

The following committees were granted extensions of time to report:

Economics Legislation Committee—Performance of the Inspector-General of Taxation—from 15 June to 17 June 2020.

Economics References Committee—

Australia’s oil and gas reserves—from 16 September to 16 December 2020.

Unlawful underpayment of employees’ remuneration—from 3 December 2020 to the last sitting day in June 2021.

13 Queen’s Birthday Honours

Senator Dean Smith, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 655—That the Senate—

(a) notes the following West Australians who received Queen’s Birthday Honours on 8 June 2020, for exceptional service to our community:

(i) in the General Division:

- (A) Officer of the Order of Australia (AO): Mr Colin Beckett, Ms Denise Goldsworthy, Mr Ronald Manners, and Professor Bryant Stokes RFD,
- (B) Member of the Order of Australia (AM): Mr David Airey, Dr John Byrne, Mr Michael Dillon, Professor Neil Drew, Mr Kevin Edwards, Ms Margaret Halsmith, Mr Ian Kaye-Eddie ASM, Professor Cheryl Kickett-Tucker, Ms Marie Joan Kormendy, Ms Kate Lamont, Mr Ross Ledger, Professor Rhonda Marriott, Mr Abe Schneider, Mr Ross Shardlow, Ms Donna Shepherd, Dr Bryan Smith, Reverend Dr Elizabeth Smith, Dr Alastair Tulloch, and Mr Mike Wood, and
- (C) Medal of the Order of Australia (OAM): Dr Edmond Adler, Ms Fay Alford, Mrs Jillian Barton, Mrs Kristine Carter, Mr Neville Clark, Mr John Coles, Ms Robyn Devenish, Mrs Robin Dunham, Dr Barry Fatovich, Ms Tammy Flett, Mrs Gloria Grocott, Mr Michael Gusterson, Mr Christopher Hammond, Mr Noel Hoffman, Mrs June Hutchison, Mrs Helen James, Mr Donald McClements, Ms Janice McGlinn, Ms Helen McIntyre, Mr Ian Miffling, Mr James Mumme, Mr Noel Nancarrow, Mrs Phyllis Proud, Colonel Michael Romalis (Retd), Mr Malcolm Seymour, and Mr Muuki Taylor,

(ii) Meritorious Awards:

- (A) Public Service Medal (PSM): Mr Michael Barnes, Ms Heather Brayford and Mr John Fischer,
- (B) Australian Police Medal (APM): Detective Sergeant Alan Millar, Sergeant Siobhan O’Loughlin, Inspector Shane Sadler, and Superintendent Valdo Sorgiovanni,
- (C) Australian Fire Service Medal (AFSM): Mr James Armanasco, Mr Warren Day, and Mr Peter Sutton, and

- (D) Emergency Services Medal (ESM): Mr Danny Goodlad and Mr David Price,
- (iii) in the Military Division, Member of the Order of Australia (AM): Colonel Steven Gaunt, and
- (iv) Distinguished and Conspicuous Awards:
 - (A) Conspicuous Service Cross (CSC): Commander Barry Carmichael Ran and Captain Paul Johnson RAN, and
 - (B) Conspicuous Service Medal (CSM): Lieutenant Commander Siobhan Sturdy RAN; and
- (b) recognises the distinguished service that all Western Australian Queen's Birthday Honours recipients have made to the Australian community.

Question put and passed.

14 **Australian census—Auslan**

Senator Urquhart, at the request of Senators Brown and Bilyk and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 656—That the Senate—

- (a) congratulates the Australian Bureau of Statistics (ABS) on its decision to include Auslan as a language option in the 2021 Australian census; and
- (b) acknowledges:
 - (i) the advocacy of Deaf Australia and other deaf and hard-of-hearing organisations that has led to this decision by the ABS, and
 - (ii) that recognition of Auslan and access to Auslan interpreters and interpretation is vital if deaf and hard-of-hearing Australians are to live full and included lives in our community, and an important part of that inclusion is recognition in the Australian census.

Question put and passed.

15 **International Day of Justice for Cleaners**

Senator Walsh, also on behalf of Senators Faruqi, Lines, O'Neill, Sheldon, Watt and Wong, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 657—That the Senate—

- (a) notes that Monday, 15 June 2020 is International Day of Justice for Cleaners;
- (b) acknowledges and sincerely thanks:
 - (i) cleaners all over the world for their vitally important work at the frontline of the COVID-19 pandemic,
 - (ii) Australian cleaners, who have contributed to significantly flattening the curve of COVID-19 cases across the country whilst putting their own health at risk,
 - (iii) hospital cleaners, who have been particularly important during the COVID-19 pandemic where they have risked their lives on a daily basis ensuring that our hospitals remain free from COVID-19 outbreaks, and
 - (iv) cleaners at Parliament House, for keeping us safe; and

- (c) recognises the hard work and steadfast advocacy of the United Workers Union and Health Services Union in representing cleaners across Australia.

Question put and passed.

16 Centrelink Service Centre—Abbotsford—Order for production of documents

Senator Siewert amended general business notice of motion no. 660 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That there be laid on the table by the Minister for Families and Social Services, by 2 pm on 18 June 2020, all documents relating to:

- (a) negotiations between the Australian Government and the lessor of the Abbotsford (Yarra) Service Centre, including ongoing lease negotiations;
- (b) consideration of other locations for the Yarra Service Centre; and
- (c) any planned Service Centre closures across Australia.

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

Question put and passed.

17 Notice of motion withdrawn

Senator Urquhart, at the request of Senator Dodson, withdrew general business notice of motion no. 633 standing in his name for today, relating to Juukan Gorge.

18 COVID-19—Healthcare professionals

Senator Di Natale, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 653—That the Senate—

- (a) pays tribute to Australia's world-class healthcare professionals for their incredible, life-saving work during the unprecedented COVID-19 pandemic;
- (b) recognises that healthcare workers have placed themselves at personal peril while at work in order to save the lives of others during the pandemic, including in the face of shortages of personal protective equipment (PPE);
- (c) further recognises the role of our exceptional public health experts who have led Australia's response to the pandemic;
- (d) notes with gratitude the professionalism and dedication of our doctors, nurses, allied health professionals and all those working in our public health system, during the pandemic and throughout their careers;
- (e) acknowledges the significant mental health burden on health professionals during this challenging time; and
- (f) calls on the Federal Government to:
 - (i) support and appropriately fund Australia's world-class public health system and all those delivering essential health care within it, and
 - (ii) ensure that no healthcare worker is put at greater risk through lack of access to PPE or other essential equipment.

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

Question put and passed.

19 **Brisbane Sikh Temple**

Senator Urquhart, at the request of Senators Watt, Chisholm and Green and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 648—That the Senate—

- (a) notes that:
 - (i) the Brisbane Sikh Temple (Gurdwara) Inc (Brisbane Sikh Gurdwara) has provided approximately 20,000 free cooked meals and 2,000 free grocery hampers to people in need during the coronavirus pandemic,
 - (ii) assistance has been provided by the Brisbane Sikh Gurdwara to Australians and visitors to Australia irrespective of race, religion or nationality,
 - (iii) in providing the assistance, members of the Brisbane Sikh Gurdwara have volunteered their time continually over the last three months, including by cooking food, organising groceries, packing hampers, delivering hampers and doing all the other activities needed to undertake such a large project,
 - (iv) prior to the coronavirus pandemic, the Brisbane Sikh Gurdwara has previously helped members of the Australian community during their time of need, including (most recently) through the delivery of water and other essential supplies to those impacted by drought and bush fires,
 - (v) the actions of the members of the Brisbane Sikh Gurdwara represent the best of Australian values — reaching out to help people in need, and
 - (vi) Senator Paul Scarr told INDOZ TV that ‘It doesn’t matter what the background is of the needy people, they’re there to support them, and that is all that is good about Australia — is summarised in what the Brisbane Sikh Temple is doing here...’;
- (b) acknowledges and deeply appreciates the outstanding contribution of all those members of the Brisbane Sikh Gurdwara who stepped up to help people who have been left behind by the Morrison Government during this pandemic — particularly the international students and temporary migrants who have lost their jobs, cannot return home, and are unable to support themselves;
- (c) thanks Senator Scarr for bringing this matter to the attention of the Senate; and
- (d) expresses its sorrow that so many people in Australia — including those people supported by the Brisbane Sikh Gurdwara and many other faith and community organisations — have been left behind by the Morrison Government’s response to the coronavirus pandemic.

Statement by leave: Senator Scarr, by leave, made a statement relating to the motion.

Question put and passed.

20 **Australian content obligations—Online streaming services**

Senator Hanson-Young, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 665—That the Senate—

- (a) notes that:
 - (i) streaming ‘video on demand’ services have no Australian content obligations requiring them to produce or show Australian-made TV shows, documentaries or films, despite having an increasing market share,
 - (ii) research shows two thirds of Australians support laws requiring streaming services to show and fund locally made shows and films, and
 - (iii) Australian stories are vital for our culture and social fabric and the sustainability of our arts and entertainment industry; and
- (b) calls on the Federal Government to require tech giants like Netflix, Amazon Prime, Apple TV and Stan to back and fund Australian-made stories.

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

Question put and passed.

21 **Defence Honours and Awards Appeals Tribunal—Order for production of documents**

Senator Patrick, also on behalf of Senator Urquhart, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 649—That—

- (1) The Senate notes that:
 - (a) in July 2019, the Defence Honours and Awards Appeals Tribunal recommended to the Minister for Defence Personnel that the Minister recommend to the Sovereign that Ordinary Seaman Edward ‘Teddy’ Sheean be posthumously awarded the Victoria Cross for Australia for the most conspicuous gallantry and a pre-eminent act of valour in the presence of the enemy during a Japanese aerial attack on the HMAS *Armidale* in the Timor Sea on 1 December 1942;
 - (b) it is understood that the Minister for Defence Personnel subsequently communicated to the Minister for Defence that he was supportive of the Tribunal’s recommendation for the award to be granted; and
 - (c) the independent, unanimous and expert recommendation was overruled.
- (2) There be laid on the table by the Minister representing the Minister for Veterans’ Affairs, by 2 pm on 17 June 2020, all documented correspondence between the Minister for Veterans’ Affairs and the Minister for Defence relating to the Defence Honours and Awards Appeals Tribunal’s consideration of the matter of posthumous awarding of a Victoria Cross for Australia to Edward Sheean, created between 22 July 2019 and 11 June 2020.

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

Question put and passed.

22 First Nations peoples

Senator Siewert, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 658—That the Senate—

- (a) notes that on Thursday, 11 June 2020 the Prime Minister said in a radio interview that ‘there was no slavery in Australia’;
- (b) acknowledges that:
 - (i) First Nations peoples worked on farms and pastoral stations for rations instead of wages; they were traded amongst settlers, with children being taken from their families and moved across the country to work,
 - (ii) First Nations peoples’ wages were stolen,
 - (iii) First Nations peoples had restrictions placed on them, such as restrictions on movement and choice – for example people had to apply for permission to travel and what they could purchase and where they could live,
 - (iv) First Nations peoples were subject to forced labour,
 - (v) at least 60,000 South Sea islanders were taken to Australia from 1857 to 1908, where they worked largely in cotton, sugar and pastoral industries in a process named ‘blackbirding’, and
 - (vi) there are many other examples of such abuse; and
- (c) calls on the Prime Minister to withdraw these comments, apologise and engage in a genuine process of truth-telling about Australia’s history.

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

Question put and passed.

23 Scrutiny of Bills—Standing Committee—Proposed temporary order

Senator Urquhart, at the request of the Chair of the Standing Committee for the Scrutiny of Bills (Senator Polley) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 581—

- (1) That the Senate notes that:
 - (a) the Standing Committee for the Scrutiny of Bills plays an essential role in the Senate’s legislative function by drawing the attention of the Senate to bills that:
 - (i) trespass unduly on personal rights and liberties;
 - (ii) make rights, liberties or obligations unduly dependent upon insufficiently defined administrative powers;
 - (iii) make rights, liberties or obligations unduly dependent upon non-reviewable decisions;
 - (iv) inappropriately delegate legislative powers; or
 - (v) insufficiently subject the exercise of legislative power to parliamentary scrutiny;
 - (b) this role is undermined when a bill is passed before the committee has had an opportunity to table its initial report on the bill; and

- (c) except in circumstances where a bill needs to be considered and passed urgently, the Standing Committee for the Scrutiny of Bills should have an opportunity to report on a bill before it is passed by the Senate.
- (2) The following operate as a temporary order from the first sitting day in August 2020 to the last sitting day of June 2021:
- (a) When a motion for the second reading of a bill is moved by a minister – if the Standing Committee for the Scrutiny of Bills has not yet presented its initial report on the bill, debate on the motion be adjourned at the conclusion of the speech of the minister moving the motion and resumption of the debate be made an order of the day for the Wednesday of the first sitting week following the introduction of the bill in either House.

Question put.

The Senate divided—

AYES, 29

Senators—

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

NOES, 33

Senators—

Abetz	Davey	McKenzie	Reynolds
Antic	Duniam	McLachlan	Roberts
Askew	Fawcett	McMahon	Ruston
Birmingham	Hanson	Molan	Scarr
Bragg	Hughes	Paterson	Seselja
Brockman	Hume	Patrick	Smith, Dean*
Canavan	McDonald	Payne	Stoker
Cash	McGrath	Rennick	Van
Colbeck			

* Tellers

Question negatived.

24 **Community development grants—Order for production of documents**

The Leader of the Australian Greens in the Senate (Senator Waters), also on behalf of Senator Rice, amended general business notice of motion no. 652 by leave and, pursuant to notice of motion not objected to as a formal motion, moved—That—

- (1) There be laid on the table by the Minister representing the Minister for Infrastructure, Regional Development and Cities, by no later than Tuesday, 16 June 2020:
- (a) any evaluation against Community Development Grant program criteria prepared by the Department in relation to any successful recipients identified during or after the 2019 election; and

- (b) a list of all projects that have been identified by government as potential recipients prior to the 2019 election campaign, but have not yet been contracted or commenced.
- (2) In the event the Minister fails to table the documents requested in paragraph (1), the Senate requires the Minister to attend the Senate by 10 am on 18 June 2020 to provide an explanation, of no more than 10 minutes, of the Government's failure to table the documents requested.
- (3) Any senator may move to take note of the explanation required by paragraph (2).
- (4) Any motion under paragraph (3) shall have precedence over all business until determined, and senators may speak to the motion for not more than 10 minutes each.

The question was divided at the request of Senator Patrick.

Question—That the motion be agreed to in respect of paragraph (1)—put and passed.

Question—That the motion be agreed to in respect of paragraphs (2) to (4)—put.

The Senate divided—

AYES, 26

Senators—

Bilyk	Farrell	McAllister	Siewert
Brown	Faruqi	McCarthy	Urquhart*
Carr	Gallacher	McKim	Walsh
Chisholm	Gallagher	O'Neill	Waters
Ciccione	Green	Rice	Watt
Di Natale	Hanson-Young	Sheldon	Whish-Wilson
Dodson	Kitching		

NOES, 31

Senators—

Abetz	Davey	McKenzie	Roberts
Antic	Duniam	McLachlan	Ruston
Askew	Fawcett	McMahon	Scarr
Birmingham	Hughes	Molan	Seselja
Bragg	Hume	Paterson	Smith, Dean*
Brockman	Lambie	Patrick	Stoker
Canavan	McDonald	Payne	Van
Colbeck	McGrath	Rennick	

* Tellers

Question negated.

25 JobKeeper—Universities

Senator Faruqi, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 662—That the Senate—

- (a) notes that:
 - (i) Australian universities are facing massive losses in revenue as a result of falling enrolments during the COVID-19 crisis, and
 - (ii) universities across the country have begun to announce job cuts, with up to 30,000 jobs expected to be lost;

- (b) calls on vice-chancellors to prioritise retaining staff, including those on casual and fixed-term contracts, in their responses to revenue losses; and
- (c) calls on the Government to include all universities in the JobKeeper scheme.

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

Question put.

The Senate divided—

AYES, 27

Senators—

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

NOES, 28

Senators—

Abetz	Davey	McGrath	Rennick
Askew	Duniam	McKenzie	Roberts
Birmingham	Fawcett	McLachlan	Ruston
Bragg	Hughes	McMahon	Scarr
Brockman	Hume	Molan	Seselja
Canavan	Lambie	Paterson	Smith, Dean*
Colbeck	McDonald	Payne	Van

* Tellers

Question negated.

26 National Integrity Commission Bill 2018 (No. 2)—Consideration

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. 663—That the Senate—

- (a) notes that:
 - (i) the Senate passed the Australian Greens' National Integrity Commission Bill 2018 (No. 2) on 9 September 2019, to establish a Federal corruption watchdog with broad remit to investigate allegations of corruption and misconduct, and to ensure strong, independent oversight of the actions of parliamentarians,
 - (ii) the National Integrity Commission Bill 2018 (No. 2) was sent to the House of Representatives for debate on 10 September 2019, but has yet to be debated,
 - (iii) on 10 February 2020, the Senate resolved to call on the House to vote on the National Integrity Commission Bill 2018 (No. 2),
 - (iv) the Government ignored this call and has prevented all attempts to debate and vote on the National Integrity Commission Bill 2018 (No. 2) in the House,

- (v) public consultation on the Commonwealth Integrity Commission model proposed by the Government ended nearly eighteen months ago, but the Government has yet to introduce legislation to establish an integrity commission,
- (vi) in May 2020, the Attorney-General said that legislation to establish a Commonwealth Integrity Commission would be further delayed due to the COVID-19 pandemic, despite an exposure draft being ‘ready for release’, and
- (vii) polls consistently show that the majority of Australians support the establishment of a strong national integrity body;
- (b) calls on the Federal Government to bring on the National Integrity Commission Bill 2018 (No. 2) in the House of Representatives for a vote in the June 2020 sittings; and
- (c) transmits this resolution to the House of Representatives for concurrence.

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

Question put.

The Senate divided—

AYES, 30

Senators—

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

NOES, 27

Senators—

Abetz	Colbeck	McGrath	Rennick
Antic	Davey	McKenzie	Ruston
Askew	Duniam	McLachlan	Scarr
Birmingham	Fawcett	McMahon	Seselja
Bragg	Hughes	Molan	Smith, Dean*
Brockman	Hume	Paterson	Van
Canavan	McDonald	Payne	

* Tellers

Question agreed to.

27 COVID-19—Economic impact on women

The Leader of the Australian Greens in the Senate (Senator Waters), also on behalf of Senator Faruqi, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 664—That the Senate—

- (a) notes that the Government:
 - (i) continues to exclude over 1 million casual workers from the JobKeeper Payment,

- (ii) has announced it will axe the JobKeeper Payment for childcare sector workers on 20 July 2020, and
- (iii) has agreed to consider Labor's call to reduce the JobKeeper Payment for low income earners;
- (b) further notes that the above issues negatively impact women as:
 - (i) women have been hit hardest by the impacts of the COVID-19 pandemic,
 - (ii) women account for a disproportionate share of the casual workforce,
 - (iii) in February 2020, the full-time average weekly earnings of women was \$1,508, so reducing the JobKeeper Payment for low income workers will have a significant impact on women,
 - (iv) women's underemployment ratio now sits at an unprecedented 16%, compared to 14% for men, and
 - (v) the last census indicates that over 90% of childcare sector workers are women;
- (c) also notes that the Government's stimulus response disproportionately benefits men, fails to support low-paid and female-dominated industries, and undervalues unpaid labour activities, which are largely performed by women; and
- (d) calls on the Government to support women in work instead of continuing to prioritise measures that will see women lose hours, lose jobs and lose income.

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

Question put.

The Senate divided—

AYES, 9

Senators—

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

NOES, 38

Senators—

Abetz	Davey	McDonald	Rennick
Antic	Duniam	McGrath	Roberts
Askew	Farrell	McKenzie	Ruston
Birmingham	Fawcett	McLachlan	Scarr
Bragg	Gallagher	McMahon	Seselja
Brockman	Hughes	Molan	Smith, Dean
Brown	Hume	O'Neill	Stoker
Canavan	Kitching	Paterson	Urquhart*
Carr	Lambie	Payne	Van
Colbeck	McCarthy		

* Tellers

Question negatived.

28 New South Wales—Residential development proposal

Senator Faruqi, pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 661—That the Senate—

(a) notes:

- (i) that the New South Wales (NSW) Government has included the former IBM site at 55 Coonara Avenue, West Pennant Hills in its planning acceleration program, despite the proposal for rezoning from business to residential and environmental use being opposed by the Hills Shire Council and Hornsby Shire Council,
- (ii) that the proposal for high-density residential development on the site requires the removal of 2,000 trees, including Blue Gum High Forest and Sydney Turpentine-Ironbark Forest in the Sydney Basin Bioregion, both of which are listed as a critically endangered ecological communities under the *Environment Protection and Biodiversity Conservation Act 1999*,
- (iii) the sustained opposition of local residents, civic associations, environmentalists and elected councillors to the development,
- (iv) that the NSW Natural Resource Commission has identified the Sydney Basin Bioregion as being at ‘high biodiversity risk’, and
- (v) that land clearing has turned Australia into a global deforestation hot-spot and is exacerbating the climate emergency;

- (b) opposes the destruction of ecological communities listed as critically endangered under the *Environment Protection and Biodiversity Conservation Act 1999*; and
- (c) calls on the NSW Government to reject Mirvac’s rezoning application and instead convert the Cumberland State Forest and adjacent forest at 55 Coonara Ave, West Pennant Hills into national park.

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

Question put.

The Senate divided—

AYES, 8

Senators—

Di Natale
Faruqi

Hanson-Young
McKim

Rice
Siewert*

Waters
Whish-Wilson

NOES, 38

Senators—

Abetz	Davey	McCarthy	Rennick
Antic	Duniam	McDonald	Roberts
Askew	Farrell	McKenzie	Ruston
Birmingham	Fawcett	McLachlan	Scarr
Bragg	Gallacher	McMahon	Seselja
Brockman	Gallagher	Molan	Smith, Dean
Brown	Hughes	O'Neill	Stoker
Canavan	Hume	Paterson	Urquhart*
Carr	Kitching	Payne	Van
Colbeck	Lambie		

* Tellers

Question negatived.

29 Mining—Coal seam gas

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. 651—That the Senate—

- (a) notes that:
- (i) the Morrison Government is pushing for a ‘gas led recovery’, which is expected to increase gas extraction across Australia,
 - (ii) Australia’s largest insurance company, Insurance Australia Group, has announced that it will no longer provide liability cover for farmers with coal seam gas (CSG) infrastructure on their property,
 - (iii) landholders, including farmers and First Nations peoples, have consistently raised concerns regarding the risks that unconventional gas poses to land, water and the climate, and farmers are concerned that loss of insurance cover exposes them to additional liability for those risks,
 - (iv) on Q&A on 1 June 2020, Senator Canavan said in relation to gas and farmers’ rights: ‘I think we’ve got the balance wrong in this country. We don’t give farmers enough rights ... I’ve been to some of those landowners and I’ve sat with them, having cups of tea. And there was not a lot of voluntary participation in lots of the [gas access] agreements’, and
 - (v) the Greens have proposed a number of bills since 2011 to give landholders, including farmers and First Nations peoples, the right to say no to unconventional gas and coal mining on their land, which the Liberal, Labor and National parties have consistently voted against; and
- (b) calls on the Federal Government to require gas companies to hold:
- (i) public liability insurance coverage over any land where they have CSG infrastructure, and
 - (ii) comprehensive insurance coverage for environmental damage on that land.

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

Question put.

The Senate divided—

AYES, 9

Senators—

Di Natale
Faruqi
Hanson-Young

McKim
Patrick

Rice
Siewert*

Waters
Whish-Wilson

NOES, 33

Senators—

Antic
Askew
Ayres
Bragg
Brown
Carr
Colbeck
Davey
Duniam

Farrell
Fawcett
Gallacher
Gallagher
Hughes
Hume
Kitching
Lambie

McDonald
McKenzie
McLachlan
McMahon
Molan
O'Neill
Paterson
Rennick

Roberts
Ruston
Scarr
Seselja
Smith, Dean
Stoker
Urquhart*
Van

** Tellers*

Question negatived.

30 **Discussion of matter of public importance—Bushfire recovery**

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

The Morrison Government's failure to deliver for bushfire victims, who were promised immediate support but months later only 4% have received any help.

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

31 **Building Landcare Community and Capacity grants programme—Order for production of documents—Documents**

The Assistant Minister for Finance, Charities and Electoral Matters (Senator Seselja) tabled the following documents:

Building Landcare Community and Capacity grants programme—Order of 11 June 2020—Letter to the President of the Senate from the Minister for Families and Social Services (Senator Ruston), dated 15 June 2020, responding to the order, and attachments.

32 **Commonwealth Integrity Commission—Order for production of documents—Documents**

The Assistant Minister for Finance, Charities and Electoral Matters (Senator Seselja) tabled the following documents:

Commonwealth Integrity Commission—Order of 11 June 2020—Letter to the President of the Senate from the Minister for Foreign Affairs (Senator Payne) responding to the order, and attachment.

33 **National Radioactive Waste Management Amendment (Site Specification, Community Fund and Other Measures) Bill 2020**

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

Message no. 209, dated 12 June 2020—A Bill for an Act to amend the *National Radioactive Waste Management Act 2012*, and for related purposes.

The Assistant Minister for Finance, Charities and Electoral Matters (Senator Seselja) moved—That this bill may proceed without formalities and be now read a first time.

Question put and passed.

Bill read a first time.

Explanatory memorandum: Senator Seselja tabled a revised explanatory memorandum relating to the bill.

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

Consideration of legislation: Pursuant to order, the debate was adjourned till the day fixed for the Economics Legislation Committee to report on the bill, 31 July 2020.

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

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

Message no. 218, dated 15 June 2020—Treasury Laws Amendment (2019 Measures No. 3) Bill 2019.

The Assistant Minister for Finance, Charities and Electoral Matters (Senator Seselja) moved—That consideration of the message in committee of the whole be made an order of the day for the next day of sitting.

Senator Patrick moved the following amendment:

Omit all words after “That”, substitute “the message be considered in committee of the whole immediately”.

Question—That the amendment be agreed to—put.

The Senate divided—

AYES, 30

Senators—

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

NOES, 26

Senators—

Abetz	Colbeck	McKenzie	Ruston
Antic	Davey	McLachlan	Ryan
Askew	Fawcett	McMahon	Scarr
Birmingham	Hughes	Molan	Seselja
Bragg	Hume	Payne	Smith, Dean
Brockman	McDonald	Rennick	Van
Canavan	McGrath*		

* Tellers

Question agreed to.

Main question, as amended, put and passed.

In the committee

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

Debate ensued.

Closure: Senator Patrick moved—That the question be now put.

Question—That the question be now put—put.

The committee divided—

AYES, 31

Senators—

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

NOES, 31

Senators—

Abetz	Cormann	McDonald	Roberts
Antic	Davey	McGrath	Ruston
Askew	Duniam	McKenzie	Ryan
Birmingham	Fawcett	McLachlan	Scarr
Bragg	Fierravanti-Wells	McMahon	Seselja
Brockman	Hanson	Molan	Smith, Dean*
Canavan	Hughes	Paterson	Van
Colbeck	Hume	Payne	

* Tellers

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

Debate continued.

On the motion of the Minister for Finance (Senator Cormann) the committee reported progress.

Ordered, on the motion of Senator Cormann, that the committee have leave to sit again on the next day of sitting.

35 **Crimes Legislation Amendment (Sexual Crimes Against Children and Community Protection Measures) Bill 2019**

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

Debate resumed.

Question put 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.

Document: The Assistant Minister for Superannuation, Financial Services and Financial Technology (Senator Hume) tabled a supplementary explanatory memorandum relating to the government amendments to be moved to the bill.

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

Clause 2, page 3 (table item 16), omit “Schedule 14”, substitute “Schedules 14 and 15”.

Page 53 (after line 30), at the end of the Bill, add:

Schedule 15—Review of sentencing for Commonwealth child sex offences

1 Review of sentencing for Commonwealth child sex offences

- (1) The Attorney-General must cause a review to be undertaken of the first 3 years of the operation of the following provisions of Part IB (sentencing, imprisonment and release of federal offenders) of the *Crimes Act 1914*, as amended by this Act, in relation to Commonwealth child sex offences (within the meaning of that Act):
 - (a) Divisions 2 to 4;
 - (b) Subdivision D of Division 5;
 - (c) Divisions 6 to 9;
 - (d) Division 1, to the extent that it relates to a provision covered by paragraph (a), (b) or (c) of this subitem.
- (2) The review must be undertaken by one or more persons who, in the Attorney-General’s opinion, possess appropriate qualifications to undertake the review.
- (3) The person or persons undertaking the review must give the Attorney-General a written report of the review within 12 months after the end of the 3-year period.
- (4) The Attorney-General must cause a copy of the report of the review to be laid before each House of the Parliament within 15 sitting days of that House after its receipt by the Attorney-General.

Bill, as amended, debated.

Senator McKim moved the following amendments together by leave:

Clause 2, pages 2 and 3 (table items 7 to 9), omit the table items.

Schedule 7, item 4, page 34 (lines 9 and 10), omit “described in column 1 of an item in the table in section 16AAA”, substitute “covered by subsection (9)”.

Schedule 7, item 4, page 34 (lines 11 and 12), omit “described in column 1 of an item in the table in subsection 16AAB(2)”, substitute “covered by subsection (10)”.

Schedule 7, item 4, page 36 (after line 16), at the end of section 15AAA, add:

- (9) This subsection covers offences against provisions of the *Criminal Code* listed in the following table:

Covered offences for the purposes of paragraph (1)(a) of this section	
Item	Provisions of the <i>Criminal Code</i>
1	subsection 272.8(1)
2	subsection 272.8(2)
3	subsection 272.9(1)
4	subsection 272.9(2)
5	section 272.10
6	section 272.11
7	section 272.18
8	section 272.19
9	section 273.7
10	section 471.22
11	section 474.23A
12	section 474.24A
13	subsection 474.25A(1)
14	subsection 474.25A(2)
15	section 474.25B

- (10) This subsection covers offences against provisions of the *Criminal Code* listed in the following table:

Covered offences for the purposes of paragraph (1)(b) of this section	
Item	Provisions of the <i>Criminal Code</i>
1	subsection 272.12(1)
2	subsection 272.12(2)
3	subsection 272.13(1)
4	subsection 272.13(2)
5	subsection 272.14(1)
6	subsection 272.15(1)
7	subsection 272.15A(1)
8	subsection 272.20(1)
9	subsection 272.20(2)
10	subsection 273.6(1)
11	subsection 471.19(1)
12	subsection 471.19(2)
13	subsection 471.20(1)

14	subsection 471.24(1)
15	subsection 471.24(2)
16	subsection 471.24(3)
17	subsection 471.25(1)
18	subsection 471.25(2)
19	subsection 471.25(3)
20	subsection 471.25A(1)
21	subsection 471.25A(2)
22	subsection 471.25A(3)
23	subsection 471.26(1)
24	subsection 474.22(1)
25	subsection 474.23(1)
26	subsection 474.26(1)
27	subsection 474.26(2)
28	subsection 474.26(3)
29	subsection 474.27(1)
30	subsection 474.27(2)
31	subsection 474.27(3)
32	subsection 474.27AA(1)
33	subsection 474.27AA(2)
34	subsection 474.27AA(3)
35	subsection 474.27A(1)

Question—That the amendments be agreed to—put.

The committee divided—

AYES, 31

Senators—

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

NOES, 31

Senators—

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

* Tellers

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

Question—That the bill, as amended, be agreed to—divided at the request of Senator Watt in respect of Schedule 6.

Schedule debated.

Question—That Schedule 6 stand as printed—put.

The committee divided—

AYES, 31

Senators—

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

NOES, 31

Senators—

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

* *Tellers*

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

Bill agreed to and reported with amendments.

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

36 **National Skills Commissioner Bill 2020**

Order of the day read for the adjourned debate on the motion of the Minister for Aged Care and Senior Australians (Senator Colbeck)—That this bill be now read a second time.

Debate resumed.

At 9.50 pm: Debate was interrupted while Senator Green was speaking.

37 **Adjournment**

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

Debate ensued.

The Senate adjourned at 10.16 pm till Tuesday, 16 June 2020 at midday.

38 Attendance

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

RICHARD PYE
Clerk of the Senate