

Orders for the production of documents [46th Parliament]

[Last updated 7 December 2022, 3:00 PM]

2019	6
▶ No. 21—Department of Home Affairs—Paladin contracts	6
▶ No. 22—Independent Health Advice Panel.....	6
▶ No. 26—Statement of Ministerial Standards	7
▶ No. 43—Rural Doctors Workforce Agency	8
▶ No. 54—Strategic Review of Home Affairs Portfolio	8
▶ No. 55—Department of Industry, Innovation and Science—Report by Cadence Economics	8
▶ No. 59—Ministerial correspondence—Listing of SE Highlands grassland	9
▶ No. 63—Department of the Environment and Energy	9
▶ No. 91—Foreign Affairs, Defence and Trade—Joint Standing Committee—Management of PFAS contamination—Government response	10
▶ No. 100—Disclosure by a whistleblower	10
▶ No. 121—Paladin contract relating to Manus Island and the Independent Health Advice Panel report	11
▶ No. 135—Drought reports	11
▶ No. 138—Job seeker compliance data	12
▶ No. 139—Jobactive program	12
▶ No. 148—Environment and Communications References Committee—Great Barrier Reef 2050 Partnership Program—Government response	12
▶ No. 173—Australia’s integration, employment and settlement outcomes for refugees and humanitarian entrants	13
▶ No. 215—Regional Jobs and Investment Packages—Business Grants Hub	13
▶ No. 216—Regional Jobs and Investment Packages—Ministerial Panels.....	13
▶ No. 219—Gender and sexuality census questions.....	14
▶ No. 220—Independent Health Advice Panel	15
▶ No. 231—Rural and Regional Affairs and Transport References Committee—Aspects of road safety in Australia—Government response	15
▶ No. 236—Draft dairy code of conduct	16
▶ No. 254—Franchising taskforce.....	16
▶ No. 255—New South Wales water access licences	17
▶ No. 258—Water allocation agreements.....	17
▶ No. 269—Charity Fundraising in the 21st Century—Select Committee—Government response—Explanation by minister	18
▶ No. 276—Consultation on religious discrimination bill	19

▶ No. 284—Income compliance program—Legal advice.....	19
▶ No. 290—Income compliance program—Legal advice.....	20
▶ No. 304—Conduct of a minister—Communications between the Prime Minister and the New South Wales Police Force Commissioner	20
▶ No. 309—Corporate emissions and energy data.....	20
▶ No. 321—City of Sydney—Emissions	21
▶ No. 328—Education and Employment References Committee—Government response—Mental health of first responders, emergency workers and volunteers ...	21
▶ No. 332—Misconduct in the Banking, Superannuation and Financial Services Industry—Royal Commission—Government response	21
▶ No. 333—PFAS testing	22
▶ No. 338—Census questions—Sexual orientation and gender identity	22
▶ No. 349—Australia’s emissions projections	23
▶ No. 356—End of financial year visa reports.....	23

2020 23

▶ No. 370—Unanswered questions on notice	23
▶ No. 378—Community Sport Infrastructure Grant Program—Communications and list of applications	24
▶ No. 379—Community Sport Infrastructure Grant Program—Communications and advice	24
▶ No. 385—Report on ministerial standards and sports grants—Order for production of documents—Attendance by minister	25
▶ No. 387—Community Sport Infrastructure Program—Spreadsheet	25
▶ No. 388—Community Sport Infrastructure Program—Legal authority of minister.	26
▶ No. 389—Community Sport Infrastructure Program—Communication between offices.....	26
▶ No. 390—Recreational hunting and shooting—Report.....	27
▶ No. 430—Female Facilities and Water Safety program—Minister for Youth and Sports.....	27
▶ No. 431—Female Facilities and Water Safety program—Minister for Infrastructure, Transport, and Regional Development.....	28
▶ No. 432—Special purpose flights	29
▶ Centrelink’s compliance program—Legal advice	29
▶ No. 433—PFAS testing	30
▶ No. 434—Banking code	31
▶ No. 441—Climate change reports.....	31
▶ No. 469—Education and Employment References Committee—Mental health of first responders, emergency workers and volunteers—Government response.....	32
▶ No. 472—Coast Track Huts Walk—Grant agreement.....	32
▶ No. 478—Ministerial standards and sports grants—Gaetjens report	33
▶ No. 546—Building Landcare Community and Capacity Grants program	33
▶ No. 576—Water for Fodder program.....	33
▶ No. 590—Water for Fodder program—Review	34
▶ No. 595—Defence Honours and Awards Appeals Tribunal	34

▶ No. 601—Warning labels on packaged alcohol	35
▶ No. 603—Ms Ann Marie Smith.....	36
▶ No. 614—Building Landcare Community and Capacity grants programme	37
▶ No. 615—Commonwealth Integrity Commission.....	37
▶ No. 627—JobKeeper recipient data	38
▶ No. 649—Defence Honours and Awards Appeals Tribunal	38
▶ No. 652—Community development grants	39
▶ No. 660—Centrelink Service Centre—Abbotsford	39
▶ No. 666—Administrative Appeals Tribunal—Social Services and Child Support Division	40
▶ No. 674—Supporting international students	40
▶ No. 680—COVID-19—Government modelling	41
▶ No. 692—Statutory review of the Environment Protection and Biodiversity Conservation Act.....	42
▶ No. 695—Environment Protection and Biodiversity Conservation Act	42
▶ No. 702—Regions at the Ready: Investing in Australia’s Future—Expert panel report.....	42
▶ No. 728—MV <i>Al Kuwait</i> —Independent Observer report.....	43
▶ No. 730—COVID-19—Aged care.....	43
▶ No. 758—MV <i>Al Kuwait</i>	44
▶ Income Compliance Program	44
▶ Income Compliance Program—Executive Minute.....	45
▶ No. 786—Australia’s sovereign naval shipbuilding capacity.....	45
▶ No. 811—Comprehensive review of the legal framework governing the national intelligence community	47
▶ No. 837—Casino junkets—AUSTRAC Report	47
▶ No. 838—Inland Rail Interface Improvement Program	48
▶ No. 862—‘Leppington Triangle’ land.....	48
▶ No. 873—Federal Court and Federal Circuit Court Fees—Consultation	49
▶ No. 883—Energy—Generation Replacement Study	50
▶ Community Sport Infrastructure Grants—Advice.....	50
▶ No. 884—Northern Australia Infrastructure Facility—Review.....	50
▶ No. 892—Foreign shipping—Voyage return forms.....	51
▶ No. 903—China-Australia Free Trade Agreement.....	51
▶ No. 922—PFAS Taskforce	52
▶ No. 934—Australian Broadcasting Corporation—Election coverage	53
▶ No. 950—Climate Ambition Summit 2020	53

2021

53

▶ No. 997—Royal Commissions—Confidentiality protections	53
▶ No. 999—Cashless Debit Card	54
▶ No. 1011—Unanswered question on notice	54
▶ No. 1018—Future Submarine Program	55
▶ Petroleum Research Rent Tax—Unanswered question on notice.....	55

▶ No. 1028—Future Frigates	55
▶ No. 1034—Foster and Gaetjens reviews—Terms of reference	56
▶ No. 1037—Defence capital acquisitions.....	57
▶ No. 1046—Aboriginal Flag—Select Committee—Report—Government response....	58
▶ COVID-19—Select Committee—Public interest immunity claims—Second interim report	58
▶ No. 1088—Joint Standing Committee on Foreign Affairs, Defence and Trade—Report—Targeted sanctions to address human rights abuses—Government response	60
▶ No. 1106—Unanswered estimates questions on notice	60
▶ Scrutiny of Delegated Legislation—Standing Committee—Final report—Exemption of delegated legislation from parliamentary oversight—Legislation (Exemptions and Other Matters) Regulation 2015—Parts 2, 4 and 5—Statement—Order for production of document	61
▶ No. 1146—Australian Animal Welfare Standards and Guidelines for Poultry	61
▶ COVID-19—Vaccination program.....	62
▶ No. 1186—Foreign Affairs, Defence and Trade—Joint Standing Committee—Targeted sanctions to address human rights abuses—Government response.....	62
▶ No. 1192—COVID-19—Vaccination targets—Doherty Institute modelling	62
▶ No. 1195—Murray-Darling Basin Plan	63
▶ No. 1196—JobKeeper payments.....	63
▶ No. 1199—Industry Growth Centres	63
▶ No. 1200—Modern Manufacturing Initiative	63
▶ No. 1208—Doherty Institute modelling	64
▶ No. 1209—Beetaloo Cooperative Drilling Program	64
▶ No. 1210—Intergovernmental Panel on Climate Change—Sixth assessment report—Summary of Policymakers	65
▶ Income compliance program	65
▶ No. 1217—Urban Congestion Fund.....	66
▶ No. 1219—JobKeeper payments.....	67
▶ No. 1221—Australian Research Council funding schemes—Applications.....	67
▶ No. 1222—Beetaloo Cooperative Drilling program	68
▶ No. 1226—Energy Security Board on post-2025 energy market design—Final report.....	68
▶ No. 1232—COVID-19—First Nations Australians—Geographic vaccination rates ...	68
▶ No. 1234—COVID-19 vaccination rates.....	69
▶ No. 1249—Australian Securities and Investments Commission—Sterling group—Internal review	69
▶ No. 1251—2050 net zero emissions reduction strategy—Modelling.....	70
▶ No. 1252—Urban Congestion Fund	70
▶ No. 1254—Cashless Debit Card scheme	71
▶ No. 1257—Administration of Sports Grants—Select Committee—Government responses.....	72
▶ No. 1259—Scrutiny of Delegated Legislation—Standing Committee—Exemption of delegated legislation from parliamentary oversight—Government responses	72
▶ No. 1262—Beetaloo Basin	73

▶ No. 1266—Foods Standards Australia New Zealand—Alcohol industry	73
▶ No. 1268—Environment and Communications References Committee—Impact of seismic testing on fisheries and the marine environment—Government response	73
▶ Income Compliance Program—Order for the production of documents—Attendance by minister	74
▶ No. 1273—Conservation planning decisions	74
▶ No. 1274—Environment and Communications References Committee—Shark mitigation and deterrent measures	75
▶ No. 1275—Scarborough-Pluto gas project.....	75
▶ No. 1277—National Cabinet—Public interest immunity claims.....	75
▶ No. 1279—Australian Packaging Covenant and National Environment Protection (Used Packaging Materials) Measure 2011—Review	76
▶ No. 1280—Urban Congestion Fund.....	76
▶ No. 1285—Water for the Environment Special Account—Second independent review	77
▶ No. 1286—National Gas Infrastructure Plan	77
▶ No. 1287—Food ministers’ meeting—Food Standards Australia New Zealand Act review	78
▶ No. 1288—Food Standards Australia New Zealand Act review—Submissions.....	78
▶ No. 1289—Offshore petroleum exploration acreage releases	78
▶ No. 1291—Beetaloo Basin—Empire Energy	79
▶ No. 1292—Tasmania—Three Capes Track project.....	80
▶ No. 1293—Environment and Communications References Committee—Government responses	80
▶ COVID-19—Select Committee—Third interim report—Answers to questions	81
▶ COVID-19—Select Committee—Third interim report—AstraZeneca vaccine.....	82
▶ COVID-19—Select Committee—Third interim report—National Cabinet briefing ..	82

2022 83

▶ No. 1301—Australian Broadcasting Corporation—Legal liability and costs	83
▶ No. 1302—Plant-based alternatives to meat—Labelling and marketing.....	84
▶ No. 1304—Animal welfare—incident reports.....	84
▶ No. 1308—Myanmar—Defence ministers’ meetings	85
▶ No. 1312—Atlantic Salmon farming—Report.....	85
▶ No. 1313—Atlantic Salmon farming—Cooperative Research Centres Program grant award	85
▶ No. 1315—Conservation planning decision changes—Submissions	86

Orders of continuing effect 87

▶ No. 246—Protection visas	87
▶ No. 267—Australia’s Emissions Projections	88
▶ No. 507—Australian Research Council—Grant recommendations	88
▶ No. 523—Commonwealth Grants Rules and Guidelines.....	89
▶ No. 1077—COVID-19 vaccination certificates.....	89

2019

No. 21—Department of Home Affairs—Paladin contracts

That there be laid on the table by the Minister representing the Minister for Home Affairs, **by no later than midday on 23 July 2019**, the following documents:

- (a) any correspondence, emails and notes of discussion between the Department of Home Affairs and:
 - (i) Paladin, including Paladin Holdings Pte Ltd, Paladin Solutions Group, Paladin Group Australia or Paladin Australia Pte Ltd, and any individuals either employed by, or holding a financial interest in, Paladin, in particular, any correspondence, emails and notes of discussion that include Mr Dermot Casey, and
 - (ii) NKW Holdings, including NKW Holdings Australia Pte Ltd, and any individuals either employed by, or holding a financial interest in NKW;
- (b) any formal contracts between the Department of Home Affairs and any of the abovementioned companies to provide services in Papua New Guinea or Manus Island, with commercially sensitive information redacted;
- (c) any reports prepared by external auditors, particularly Ernst and Young or KPMG, regarding operations undertaken by the abovementioned companies, or the tendering process that secured those services, with commercially sensitive information redacted; and
- (d) any formal briefings, talking points or Question Time briefings prepared by the Department of Home Affairs in relation to the performance or activities of any of the abovementioned companies, or the tendering process that secured those services.

Moved by: Senators Keneally and Griff

Date agreed to: 4 July 2019

Letters of response provided: [23 July 2019](#) (seeking more time to comply with order) and [26 July 2019](#) (advising of a new compliance date and scope negotiated with proponent)

Ordered documents provided: [23 August 2019](#) (in line with negotiated revised scope)

Document considered: [9 September 2019](#)

Order complied with

No. 22—Independent Health Advice Panel

That there be laid on the table by the Minister representing the Minister for Home Affairs, **by no later than 12 pm on 23 July 2019**, the report prepared by the Independent Health Advice Panel and the Minister's summary and response, in accordance with Section 199E of the *Migration Act 1958*.

Moved by: Senator Keneally

Date agreed to: 4 July 2019

Ordered document provided: [22 July 2019](#)

Order complied with

No. 26—Statement of Ministerial Standards

- (1) That the Senate—
 - (a) notes:
 - (i) that Mr Christopher Pyne served as the Minister for Defence Industry from 19 July 2016 to 28 August 2018, and as the Minister for Defence from 28 August 2018 to 11 April 2019,
 - (ii) that Mr Pyne has taken employment with consulting firm EY,
 - (iii) Mr Pyne’s statement that he is “looking forward to providing strategic advice to EY, as the firm looks to expand its footprint in the defence industry”, and
 - (iv) EY’s statement that Mr Pyne will help build EY’s defence-related business in South Australia and elsewhere, including helping to “lead conversations about what all states need to do to meet the challenges and opportunities this defence investment will bring”;
 - (b) endorses:
 - (i) Senator Birmingham’s statement that the Government expects that “everybody should adhere to that Code of Conduct and that includes Christopher”, and
 - (ii) Senator Abetz’s statement on Mr Pyne’s conduct that “people do expect a standard from the ministers and then former ministers to ensure that which they have learnt and gleaned from their ministerial roles are not exported into other roles from which they can potentially gain financially”;
 - (c) further notes:
 - (i) that Ms Julie Bishop served as the Minister for Foreign Affairs from 18 September 2013 to 28 August 2018,
 - (ii) that Ms Bishop has now been appointed to the board of Palladium, a global impact investing and consultancy group which was awarded more than half a billion dollars in government contracts while Ms Bishop was the Minister for Foreign Affairs, and
 - (iii) Palladium’s statement that “Ms Bishop brings a network of global contacts, years of public service experience and background in driving innovation in international development”;
 - (d) calls on the Prime Minister to take appropriate action; and
 - (e) orders that there be laid on the table by the Minister representing the Prime Minister, **by no later than 10 am on 22 July 2019**, a letter from the Prime Minister outlining in detail:
 - (i) when Mr Morrison was first made aware of the actions of Mr Pyne or Ms Bishop,
 - (ii) what action the Prime Minister has taken since being made aware, and
 - (iii) how the Prime Minister’s Statement of Ministerial Standards has not been breached or alternatively what arrangements have been put in place to ensure they are not breached.
- (2) That, at 12.20 pm on 22 July 2019, before government business is called on, a senator may ask the relevant minister for an explanation of the response to the order contained in paragraph (e) or for an explanation of the failure to respond, and:
 - (a) the senator may, at the conclusion of the explanation, move without notice—That the Senate take note of the explanation; or
 - (b) in the event that the minister does not respond to the order or provide an explanation, the senator may, without notice, move a motion in relation to the minister’s failure to provide either a response or an explanation.

Moved by: Leader of the Opposition in the Senate (Senator Wong)

Date agreed to: 4 July 2019

Ordered document provided: [22 July 2019](#) (letter from the Prime Minister, attaching advice received from the Secretary of the department) and **matter debated** [[first speaker](#)]

Explanation pursuant to paragraph (2): 23 July 2019 [[first speaker](#)]

Order complied with

No. 43—Rural Doctors Workforce Agency

That the Senate—

(a) notes that:

- (i) the Department of Health funds the Rural Doctors Workforce Agency (RDWA) to deliver Rural Health Workforce Support Activity in South Australia,
- (ii) the RDWA completes an annual Health Workforce Needs Assessment in consultation with a Health Workforce Stakeholder Group in South Australia,
- (iii) the town of Kimba has been without a resident doctor for more than one year, and
- (iv) the lack of a resident doctor in rural, regional and remote areas is a common problem across South Australia; and

(b) orders that there be laid on the table by the Minister representing the Minister for Health, **by no later than 4.30 pm on 25 July 2019**, the most recent annual RDWA Health Workforce Needs Assessment.

Moved by: Senators Patrick and Griff

Date agreed to: 24 July 2019

Ordered document provided: [26 July 2019](#)

Order complied with

No. 54—Strategic Review of Home Affairs Portfolio

That there be laid on the table by the Minister representing the Minister for Home Affairs, **by no later than 12.45 pm on 31 July 2019**, the completed Strategic Review of the Home Affairs Portfolio as announced in the 2018-19 Budget.

Moved by: Senator Keneally

Date agreed to: 29 July 2019

Letter of response provided: [31 July 2019](#) (letter attaching a statement from the Department informing that no single consolidated report was prepared as part of the strategic review process, and providing a summary of the outcomes of the review) and **matter debated** [[first speaker](#)]

No document exists

No. 55—Department of Industry, Innovation and Science—Report by Cadence Economics

That there be laid on the table by the Minister representing the Minister for Industry, Science and Technology, **by no later than 2 pm on 1 August 2019**, the report by Cadence Economics, commissioned by the Department of Industry, Innovation and Science, in relation to the costs and benefits of responding to climate change.

Moved by: Senator Di Natale

Date agreed to: 29 July 2019

Ordered document provided: [1 August 2019](#)

Order complied with

No. 59—Ministerial correspondence—Listing of SE Highlands grassland

That there be laid on the table by the Minister representing the Prime Minister and Leader of the Government in the Senate, **by 31 July 2019**, the following documents:

- (a) any ‘constituent’ correspondence or other document sent to the Member for Hume, Mr Taylor, requesting action in relation to the listing of Natural Temperate Grassland of the South Eastern Highlands ecological community, as referred to by Senator Patrick in the Senate on 25 July 2019; and
- (b) any correspondence between the Federal Government and Senator Patrick in relation to any proposed inquiry into the actions of Mr Taylor and Mr Frydenberg.

Moved by: Senator Waters

Date agreed to: 29 July 2019

Statements made: 29 July 2019 [[first speaker](#)]

Ordered document and letter of response provided: [31 July 2019](#) (document covering paragraph (a); letter states that no documents exist in relation to paragraph (b))

Order complied with

No. 63—Department of the Environment and Energy

That there be laid on the table by the Minister representing the Minister for the Environment, **by no later than 9.30 am on 31 July 2019**, the following documents as listed on the “indexed list of files created between 1 January and 30 June 2018” by the Department of the Environment and Energy:

- (a) 18/003561 – [Environment Protection and Biodiversity Conservation / Strategic Initiatives / New South Wales] Field Work Trip Plans – NSW;
- (b) 18/004410 – [Environment Protection and Biodiversity Conservation / Strategic Initiatives / New South Wales] Monaro Farm Visit and Engagement; and
- (c) 18/004409 – [Environment Protection and Biodiversity Conservation / Strategic Initiatives / New South Wales] Monaro Grasslands guidance.

Moved by: Senator Rice

Date agreed to: 30 July 2019

Documents provided: [31 July 2019](#) (contents of files, removing or redacting: information about the Department’s approach to staff work health and safety; and personal information; and references to legal advice)

Public interest immunity claims raised:

- Release of information would be reasonably likely to compromise physical safety of employees and reveal sensitive information about the Department’s work, health and safety processes and how it manages those risks
- Protection against disclosing personal information (privacy)
- Disclosure of privileged legal advice

Order substantially complied with

No. 91—Foreign Affairs, Defence and Trade—Joint Standing Committee— Management of PFAS contamination—Government response

- (1) That the Senate notes that:
 - (a) the report of the Joint Standing Committee on Foreign Affairs, Defence and Trade into the management of per- and polyfluoroalkyl substances (PFAS) contamination in and around Defence bases (PFAS report) was tabled on 3 December 2018, making nine recommendations; and
 - (b) the President’s report to the Senate on the status of government responses to parliamentary committee reports as at 30 June 2019 indicates that a government response to the PFAS report has not been provided.
- (2) That there be laid on the table by the Minister for Defence, **by midday on 10 September 2019**, the government response to the recommendations contained in the PFAS report.

Moved by: Senators Faruqi, Kitching, McCarthy, Sheldon and Patrick

Date agreed to: 9 September 2019

Letter of response provided: [10 September 2019](#) (response not yet finalised and will be tabled once complete)

Explanations sought pursuant to standing order 164(3): [16 October 2019](#) and [13 November 2019](#)

Ordered document provided: [28 February 2020](#)

Order complied with

No. 100—Disclosure by a whistleblower

- (1) That the Senate notes that:
 - (a) on 12 October 2017, Mr Richard Boyle made a disclosure under the *Public Interest Disclosure Act 2013* (PID Act) as a former employee of the Australian Taxation Office (ATO), alleging the ATO:
 - (i) had instructed employees to issue standard garnishee notices to seize funds from taxpayers’ bank accounts without notice or consideration of their personal and business circumstances, and
 - (ii) in doing so, had required employees to engage in conduct that was unethical, unprofessional and against the Australian Public Service Code of Conduct;
 - (b) on 27 October 2017, the ATO decided not to further investigate Mr Boyle’s disclosure on the basis that the information did not concern serious disclosable conduct as defined in the PID Act; and
 - (c) subsequent media inquiries found anomalies in the ATO’s debt collection practices that appeared consistent with Mr Boyle’s disclosure.
- (2) That the Senate is of the opinion that examining the ATO’s actions in relation to Mr Boyle’s disclosure is consistent with the Senate’s role in providing oversight of government administration.
- (3) That the Senate orders the Commissioner of Taxation to provide all documents relating to the disclosure generated or received by Mr Boyle’s supervisor, authorised officer and principal officer (as defined in the PID Act), including but not limited to notes, minutes, memoranda, letters, other external or internal correspondence, emails and/or Microsoft Office Communicator conversations, to the Economics Legislation Committee (the committee) **by no later than 5 pm on 16 September 2019**.
- (4) That the committee, when it has considered the documents, report to the Senate as to whether the ATO’s handling of disclosures by whistleblowers warrants further inquiry.

Moved by: Senator Patrick

Date agreed to: 10 September 2019

Committee report provided: [18 June 2020](#) (ATO provided a series of documents, requesting confidentiality, which the committee granted; further inquiry into OPD matters not required)

Order complied with

No. 121—Paladin contract relating to Manus Island and the Independent Health Advice Panel report

- (1) That the Senate notes that—
 - (a) Paladin – the small company registered to a beach shack on Kangaroo Island, which was awarded a \$523 million contract without a proper tender process – has been fined over 1,000 times in 18 months for failing to provide contracted services;
 - (b) the Minister representing the Minister for Home Affairs (Senator Cash) told the Senate on 10 September 2019 that these fines “often related to relatively minor administrative failures”; and
 - (c) documents produced under order of the Senate revealed that the total abatement could have totalled \$11 million, if not for monthly penalty limits.
- (2) That there be laid on the table by the Minister representing the Minister for Home Affairs, **by no later than 12.20 pm on 16 September 2019:**
 - (a) an unredacted copy of each performance management report, which details the aforementioned fines, relating to Paladin’s contract to provide services on Manus Island; and
 - (b) a copy of the full report prepared by the Independent Health Advice Panel for the second quarter of 2019, in accordance with section 199E of the *Migration Act 1958*.

Moved by: Senators Keneally and Griff

Date agreed to: 12 September 2019

Ordered documents provided: [16 September 2019](#) (subparagraph (2)(b)); 17 September 2019 (subparagraph (2)(a))

Documents considered: [17 October 2019](#)

Order complied with

No. 135—Drought reports

That there be laid on the table by the Minister representing the Prime Minister, **by no later than 3 pm on 18 September 2019**, copies of the final reports by the Coordinator-General for Drought, Major General Stephen Day, the Drought Interagency Taskforce and Special Envoy for Drought Assistance and Recovery.

Moved by: Senator Sterle

Date agreed to: 17 September 2019 ([statement made](#))

Letter of response provided: [18 September 2019](#) (raising a public interest immunity claim with respect to the report of Major General Day, and stating that no document exists in relation to the Special Envoy for Drought Assistance and Recovery)

Public interest immunity claim raised: Disclosure of Cabinet deliberations (report is subject to deliberations of Cabinet, and the Government may release the final report at a later date)

No documents exist in relation to part of the order; remainder not yet complied with

No. 138—Job seeker compliance data

That there be laid on the table by the Minister for Employment, Skills, Small and Family Business, **by 10 am on 18 September 2019**, the latest job seeker compliance data including all payment suspensions, cancellations, demerits and penalties for the jobactive program for the financial year 2018-19 and year to date 2019-20.

Moved by: Senator Siewert

Date agreed to: 17 September 2019

Ordered document provided: [18 September 2019](#)

Order complied with

No. 139—Jobactive program

That there be laid on the table by the Minister for Employment, Skills, Small and Family Business, **by 10 am on 18 September 2019**, the briefing note provided to news outlets recently, including Newscorp, the West and 9News, that outlined the current number of payment suspensions and demerit points issued under the jobactive program.

Moved by: Senator Siewert

Date agreed to: 17 September 2019

Ordered document provided: [18 September 2019](#)

Order complied with

No. 148—Environment and Communications References Committee—Great Barrier Reef 2050 Partnership Program—Government response

That the Senate—

(a) notes that:

- (i) the Environment and Communications References Committee provided a report of its inquiry into the Great Barrier Reef 2050 Partnership Program on 14 February 2019, making seven recommendations, and
- (ii) the President's report to the Senate on the status of government responses to parliamentary committee reports as at 30 June 2019, indicates that a government response to the Great Barrier Reef 2050 Partnership Program report has not been provided; and

(b) orders that there be laid on the table by the Minister representing the Minister for the Environment, **by 5 pm on 14 October 2019**, the government response to the recommendations of the report.

Moved by: Senator Whish-Wilson

Date agreed to: 18 September 2019

Ordered document provided: [14 October 2019](#)

Order complied with

No. 173—Australia’s integration, employment and settlement outcomes for refugees and humanitarian entrants

That there be laid on the table by the Minister representing the Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs, **by 5 pm on 16 October 2019**, the final report on the review, led by Professor Peter Shergold, into Australia’s integration, employment and settlement outcomes for refugees and humanitarian entrants, which was delivered to the Government in February 2019.

Moved by: Senators McKim and Keneally

Date agreed to: 15 October 2019 ([statement made](#))

Letter of response provided: [17 October 2019](#) (raising a public interest immunity claim)

Public interest immunity raised: Disclosure of Cabinet deliberations (the report is under consideration of the Cabinet)

Order not yet complied with

No. 215—Regional Jobs and Investment Packages—Business Grants Hub

That there be laid on the table by the Minister representing the Minister for Industry, Science and Technology, **by no later than 3.30 pm on 14 November 2019**, the following documents referred to in Auditor-General’s report no. 12 2019-20, *Award of Funding Under the Regional Jobs and Investment Packages* (RJIP):

- (a) the Memorandum of Understanding signed in July 2017, under which the Business Grants Hub was engaged to administer aspects of the program;
- (b) documents that show how the cost of \$8.078 million was determined;
- (c) all other documents relating to the Business Grants Hub being selected to administer the RJIP, including emails/briefs between the Minister, the Minister’s office, the Department of Industry, Innovation and Science (the Department) and the Business Grants Hub, as well as all correspondence between the Department and the Department of Infrastructure, Transport, Cities and Regional Development; and
- (d) the request for quote and the final agreed contract between the Department and the contractor who undertook the assessment process at a cost of \$3.15 million.

Moved by: Senator Watt

Date agreed to: 13 November 2019 ([statement made](#))

Letter of response provided: [14 November 2019](#) (due to the scope of the order, Government intends to respond on 25 November 2019)

Document discussed: 14 November 2019 [[first speaker](#)]

Ordered documents provided: [25 November 2019](#)

Order complied with

No. 216—Regional Jobs and Investment Packages—Ministerial Panels

That there be laid on the table by the Minister representing the Minister for Infrastructure, Transport and Regional Development, **by no later than 3.30 pm on 14 November 2019**, the following documents referred to in Auditor-General’s report no. 12 2019-20, *Award of Funding Under the Regional Jobs and Investment Packages* (RJIP):

- (a) all written briefings provided to Ministerial Panels to inform the award of grant funding in each of the 10 regions;

- (b) all written responses from Ministerial Panels to the Department of Infrastructure, Transport, Cities and Regional Development (the Department) following consideration of advice provided in relating to paragraph (a) above, including:
- (i) all records of requests by Panels to award funding to applications that had not been recommended by the Department, and all reasons for Panels awarding funding to applications that had not been recommended by the Department,
 - (ii) all records of requests by Panels to not award funding to applications that had been recommended by the Department, and all records of reasons for Panels not awarding funding to applications that had been recommended by the Department,
 - (iii) any documents identifying projects identified as ineligible, including any that received funding under the RJIP,
 - (iv) any documents identifying late applications, including any projects that received funding under the RJIP, and
 - (v) any documents identifying projects where there was a request for a co-funding exemption, including all records related to the decisions on whether to grant an exemption;
- (c) a copy of the assurance review contracted by the Department of Infrastructure, Transport, Cities and Regional Development; and
- (d) all documents provided to Ministers/Ministerial Panels containing the scoring/assessment of all grant applications under the RJIP, and all responses by Ministers/Ministerial Panels to this advice.

Moved by: Senator Watt

Date agreed to: 13 November 2019 ([statement made](#))

Letter of response provided: [14 November 2019](#) (seeking more time to comply with order)

Document discussed: [14 November 2019](#)

Additional letter of response provided: [2 December 2019](#) (raising a public interest immunity claim)

Public interest immunity claims raised:

- Damage to commercial interests (including reputational damage to the companies involved in open tender processes)
- Privacy (release of documents would reveal private information and create an unreasonable invasion of privacy, particularly in instances where information was provided under the condition it would not be made public or discussed with third parties)

Order not yet complied with

No. 219—Gender and sexuality census questions

That there be laid on the table by the Minister representing the Assistant Treasurer, **by 28 November 2019:**

- (a) a copy of the unused census test form, including new questions on gender and sexuality;
- (b) any analysis undertaken by the Australian Bureau of Statistics as to whether these questions contribute to an understanding of the health needs, outcomes and wellbeing of the LGBTIQ+ community; and
- (c) any communications between Ministers or their offices and the Australian Bureau of Statistics in relation to these questions.

Moved by: Senator Rice

Date agreed to: 13 November 2019 ([statement made](#))

Ordered documents provided: [2 December 2019](#) (with redaction of names of individuals and personal information, for privacy reasons)

Order complied with (see also order no. [338](#))

No. 220—Independent Health Advice Panel

That there be laid on the table by the Minister representing the Minister for Home Affairs, **by no later than 11.45 am on 14 November 2019**, a copy of the full report prepared by the Independent Health Advice Panel for the third quarter of 2019, and the Minister's summary and response, in accordance with section 199E of the *Migration Act 1958*.

Moved by: Senator Keneally

Date agreed to: 13 November 2019

Ordered documents provided: [13 November 2019](#) (summary of the quarterly report); 14 November 2019 (remaining documents)

Documents discussed: 14 November 2019 [[first speaker](#)]

Order complied with

No. 231—Rural and Regional Affairs and Transport References Committee—Aspects of road safety in Australia—Government response

That the Senate—

(a) notes:

- (i) the Government's failure to provide a response to the reports of the Rural and Regional Affairs and Transport References Committee (the Committee) on aspects of road safety in Australia,
- (ii) that, in 2018, both the Rural and Regional Affairs and Transport Legislation and References Committees sent two letters to the Minister, drawing attention to the Committee's reports into aspects of road safety in Australia,
- (iii) that the Committee received correspondence in reply from the Minister, advising that the Department of Infrastructure, Transport, Cities and Regional Development was 'consulting with other portfolios to finalise the Australian Government response to the Rural and Regional Affairs and Transport References Committee inquiry into aspects of road safety in Australia',
- (iv) that it has now been a further nine months since the Minister's advice to the Committee that a government response to its road safety reports was being finalised, and a government response has still not been presented to the Senate, and
- (v) significant concern about this lack of response, given the importance of improving road safety in Australia and preventing unnecessary deaths on our roads;

(b) calls on the Federal Government to respond to the Committee's recommendations in reports presented in 2016 and 2017, so that the recently established Joint Select Committee on Road Safety can properly consider the best ways to reduce road accident rates and deaths on Australian roads, and

(c) requires the Minister representing the Minister for Infrastructure, Transport and Regional Development to table, **by no later than 3.30 pm on 14 November 2019**, the government response to the Committee's reports.

Moved by: Senators Sterle and Gallacher

Date agreed to: 13 November 2019 ([statement made](#))

Letter of response provided: [14 November 2019](#) (stating that it is expected the Government will be in a position to provide a response before the end of the year)

Ordered document provided: [18 June 2020](#)

Order complied with

No. 236—Draft dairy code of conduct

- (1) That the Senate notes that:
 - (a) on 15 March 2019, the Federal Government announced that it would progress a mandatory code of conduct for the dairy industry;
 - (b) the current exposure draft of the Competition and Consumer (Industry Codes—Dairy) Regulations 2019 differs from an earlier exposure draft, in that it provides that milk processors will be able to retrospectively reduce the minimum price paid to producers under a milk supply agreement in circumstances that are ‘beyond reasonable control of the processor’; and
 - (c) the Minister for Agriculture, Senator McKenzie, stated during a media interview on 12 November 2019 on ABC Radio National, that ‘our legal drafters have interpreted the feedback we got through consultation and have actually reflected that in the words we have today’.
- (2) That there be laid on the table by the Minister for Agriculture, **by 5 pm on 25 November 2019:**
 - (a) the drafting instructions provided to legal drafters to make changes to the previous exposure draft of the Competition and Consumer (Industry Codes—Dairy) Regulations 2019; and
 - (b) all correspondence between milk processors and the Minister for Agriculture, and milk processors and the Department of Agriculture during the period 1 March and 12 November 2019.

Moved by: Senator Hanson

Date agreed to: 13 November 2019 ([statement made](#))

Ordered documents provided in part: [25 November 2019](#) (letter raising a public interest immunity claim in respect of documents ordered under subparagraph (2)(a); stating that there was no correspondence between processors and the Minister; and providing the remaining documents)

Public interest immunity claim raised: Disclosure of privileged legal advice (convention to not disclose the fact or content of legal advice between Government departments and the Office of Parliamentary Counsel)

Order partially complied with

No. 254—Franchising taskforce

That there be laid on the table by the Minister for Employment, Skills, Small and Family Business, **by no later than 3.30 pm on 25 November 2019:**

- (a) the 75 submissions received by the Franchising Taskforce;
- (b) the names and titles of the people and organisations who submitted to the Franchising Taskforce;
- (c) the minutes of the 31 roundtables and 57 bilateral meetings the Franchising Taskforce undertook;
- (d) the minutes of the meeting with the Franchising Council of Australia;
- (e) the minutes of the meeting with McDonalds Australia;
- (f) the minutes of the meeting with the Australian Association of Franchisees; and
- (g) the minutes of the meeting with Professor Jenny Buchan.

Moved by: Senator O'Neill

Date agreed to: 14 November 2019 ([statement made](#))

Letter of response provided: [25 November 2019](#) (attaching a redacted list of submissions received and summaries of two roundtables, and claiming public interest immunity in respect of 'a full response to the request')

Public interest immunity claim raised: Impact on consultation process (Taskforce received a number of submissions on a confidential basis)

Order partially complied with

No. 255—New South Wales water access licences

- (1) That the Senate notes that the ABC *Four Corners* story, *Cash Splash*, aired allegations of mismanagement of funds under the Commonwealth's water savings efficiency program, including:
 - (a) the construction of new dams on greenfield sites under a program intended to save water by upgrading existing irrigation developments; and
 - (b) water holders purchasing water in different valleys, and passing these onto the Department of Agriculture as a water saving from an infrastructure upgrade.
- (2) That the Senate has, flowing from its oversight responsibilities, an obligation to examine allegations raised in respect of the proper and efficient expenditure of taxpayers' money.
- (3) That there be laid on the table by the Minister representing the Minister for Water Resources, Drought, Rural Finance, Natural Disaster and Emergency Management, **by no later than midday on 26 November 2019:**
 - (a) all correspondence, assessments, technical assessments, reports and audits relating to the Commonwealth purchase of water relating to the following New South Wales (NSW) water access licences: 9628, 23848, 37739, 37738, 15026, 4605, 41568, 7559, 5266, 4529, 5541, 5310, 14803, 9315, 7446, 88123, 8314, 7721, 8676, 37222, 15364, 37379, 16354, 3607 and 11236;
 - (b) any other purchase through a water efficiency project in NSW, where the total price paid is in excess of \$1 million; and
 - (c) any other purchase through a water efficiency project in NSW, where the project was located in a different valley to the water recovered.

Moved by: Senator Patrick

Date agreed to: 14 November 2019

Explanation sought pursuant to standing order 164(3): [25 February 2020](#)

Letter of response and ordered documents provided: [21 May 2020](#) (parts of documents redacted that are not relevant to the terms of the order or that contain personal information; correspondence is not included on the basis that it would be an unreasonable diversion of resources)

Order partially complied with

No. 258—Water allocation agreements

That there be laid on the table by the Minister representing the Prime Minister, **by 5 pm on 15 November 2019:**

- (a) the written agreement between the South Australian Government and the Commonwealth Government for 100GL of Murray-Darling River water to be cut from South Australia's allocation, and the Commonwealth to fund the increased use of the State's desalination plant;
- (b) the Project Agreement setting out the terms and conditions of the 'Water for Fodder' program;

- (c) all other correspondence between the South Australian Government and the Commonwealth Government and the Murray-Darling Basin Authority and the Commonwealth Environmental Water Holder in relation to this deal; and
- (d) all other relevant documentation or agreements between the Commonwealth Government and state governments, and relevant departments and agencies, including the Murray-Darling Basin Authority and the Commonwealth Environmental Water Holder.

Moved by: Senator Hanson-Young

Date agreed to: 14 November 2019 ([statement made](#))

Ordered document provided: [21 November 2019](#) (letter attaching the Prime Minister's letter to the South Australian Premier formalising the agreement, and a statement that there are no other documents or agreements relating to the deal)

Order complied with

No. 269—Charity Fundraising in the 21st Century—Select Committee— Government response—Explanation by minister

- (1) That the Senate—
 - (a) notes that:
 - (i) the Select Committee on Charity Fundraising in the 21st Century tabled its report on 14 February 2019,
 - (ii) the unanimous report of Labor, Liberal, Australian Greens and United Australia Party senators called on the Australian Government to work with state and territory governments to harmonise Australia's charity fundraising law within two years,
 - (iii) while government responses to committee reports are due within three months, the government's response to the charity fundraising inquiry has not been forthcoming nine months after the report was tabled,
 - (iv) the Morrison Government's failure to progress this important issue was highlighted when charity fundraising law reform was absent from the agenda of the Legislative and Governance Forum on Consumer Affairs – key meeting of Commonwealth, state, territory and New Zealand consumer affairs ministers – in Queenstown, New Zealand, on 30 August 2019,
 - (v) without fundraising law reform, charities raising funds online are required to register and comply with seven state and territory fundraising regulatory regimes,
 - (vi) the charity and not-for-profit sector has been calling for reform of Australia's charity fundraising laws for several years,
 - (vii) the Department of the Treasury's 5 year review of the Australian Charities and Not-for-profits Commission (ACNC), delivered on 31 May 2018, identified fundraising law as the major reporting burden on charities, and recommended that fundraising law be harmonised across the country, and
 - (viii) the failure of the Morrison Government to act on reform to charity fundraising law is costing charities \$15 million a year; and
 - (b) calls on the Morrison Government to:
 - (i) deliver its overdue response to the report of the Select Committee on Charity Fundraising in the 21st Century,
 - (ii) stand up for Australia's charities, not-for-profits and their donors, whose donations and fundraising efforts are being needlessly eroded by unnecessary regulatory costs, and

- (iii) provide national leadership and – as a matter of urgency – work with the states and territories to harmonise Australia’s complex and outdated charity fundraising laws.
- (2) That the Senate **requires on Monday, 2 December 2019, at 12.20 pm**, before government business is called on, the Assistant Minister for Finance, Charities and Electoral Matters to:
 - (a) table the Government’s overdue response to the report of the Select Committee on Charity Fundraising in the 21st Century; and
 - (b) attend the Senate to provide an explanation, of no more than 20 minutes, of the government’s response and for the delay in responding to the committee’s report.
- (3) At the conclusion of the explanation, any senator may move to take note of the explanation.
- (4) Any motion under paragraph (3) may be debated for no longer than 60 minutes, shall have precedence over all business until determined, and senators may speak to the motion for not more than 10 minutes.

Moved by: Senator Bilyk

Date agreed to: 27 November 2019 ([statement made](#))

Letter of response provided: [2 December 2019](#) (stating that the Government is still considering its response and is not in a position to table a response)

Explanation provided pursuant to subparagraph (2)(b): 2 December 2019 [[first speaker](#)]

Ordered document provided: [10 November 2020](#)

Order complied with

No. 276—Consultation on religious discrimination bill

That there be laid on the table by the Minister representing the Attorney-General, **by no later than 5 pm on 2 December 2019**, a list of roundtables on the Religious Discrimination Bill since the release of the exposure draft, and a list of organisations attending.

Moved by: Senator Rice

Date agreed to: 27 November 2019

Ordered document provided: [3 December 2019](#)

Order complied with

No. 284—Income compliance program—Legal advice

- (1) That the Senate notes that legal professional privilege is not a recognised ground for refusing to provide information to the Senate.
- (2) That there be laid on the table by the Minister representing the Minister for Government Services, **by 10 am on 28 November 2019**, any legal advice received by the Government, or Services Australia (Department of Human Services), relating to the decision to stop relying solely on income-averaging processes to raise debts under the Income Compliance Program.

Moved by: Senator Siewert

Date agreed to: 27 November 2019 ([statement made](#))

Letter of response provided: [2 December 2019](#) (public interest immunity claim raised)

Public interest immunity claim raised: Disclosure of privileged legal advice

Order not yet complied with

No. 290—Income compliance program—Legal advice

- (1) That the Senate notes that legal professional privilege is not a recognised ground for refusing to provide information to the Senate.
- (2) That there be laid on the table by the Minister representing the Minister for Government Services, **by 5.30 pm on 28 November 2019**, all legal advice that has been received by the Government, the Department of Human Services, or Services Australia, relating to the 2015-16 Budget Measure ‘Better Management of the Social Welfare System’, the Online Compliance Intervention (OCI), the Employment Income Confirmation (EIC), and the Check and Update Past Information (CUPI), known as the ‘Online Compliance Program’.

Moved by: Senators O’Neill, McCarthy and Urquhart

Date agreed to: 27 November 2019 ([statement made](#))

Letter of advice provided: [2 December 2019](#) (public interest immunity claim raised)

Public interest immunity claim raised: Disclosure of privileged legal advice

Order not yet complied with

No. 304—Conduct of a minister—Communications between the Prime Minister and the New South Wales Police Force Commissioner

- (1) That the Senate requires the Minister representing the Prime Minister to attend the Senate at **noon on 3 December 2019** to table the following documents:
 - (a) a transcript of the phone call between the Prime Minister and the Commissioner of the New South Wales Police Force that took place on Tuesday, 26 November 2019;
 - (b) any notes taken by the Prime Minister, by his office or by officials during the call;
 - (c) any briefings prepared for the Prime Minister by his Department or office, for the purposes of the phone call; and
 - (d) any advice provided to the Prime Minister about the appropriateness of making the call.
- (2) That following presentation of the documents, or in the event the Minister fails to table the documents, at 12 noon on 3 December 2019, any senator may move to take note of the response to paragraph (1).
- (3) That any motion under paragraph (2) may be debated for no longer than 60 minutes, shall have precedence over all business until determined, and senators may speak to the motion for not more than 10 minutes.

Moved by: Senator Wong

Date agreed to: 2 December 2019

Letter of response provided: [3 December 2019](#) (any documents of the kinds requested, if they existed, would not be able to be produced on the grounds of public interest immunity)

Public interest immunity claim raised: Matter concerns police inquiries by state authorities

Motion under paragraph (2): 3 December 2019 [[first speaker](#)]

Order not yet complied with

No. 309—Corporate emissions and energy data

That the Senate orders that there be laid on the table by the Minister representing the Minister for Energy and Emissions Reductions, **on 4 December 2019**, the corporate emissions and energy data of Amazon Corporate Services Pty Ltd for 2017-18, which was requested to be withheld under section 25 of the *National Greenhouse and Energy Reporting Act 2007*.

Moved by: Senator Di Natale

Date agreed to: 2 December 2019 ([statement made](#))

Ordered document provided: [4 December 2019](#)

Order complied with

No. 321—City of Sydney—Emissions

That there be laid on the table by the Minister representing the Minister for Energy and Emissions Reduction, **by no later than 12.45 pm on 4 December 2019**, the following documents:

- (a) the copy of the City of Sydney annual report 2017-18 the Minister for Energy and Emissions Reduction (Mr Taylor) claims was downloaded directly from the City of Sydney website in September 2019; and
- (b) any documents that support the Minister's claim.

Moved by: Senator Pratt

Date agreed to: 3 December 2019

Letter of response provided: [4 December 2019](#) (documents of the kind requested are not able to be produced as they would properly be the subject of public interest immunity)

Public interest immunity claim raised: Matter concerns police inquiries by state authorities

Document considered: 4 December 2019 [[first speaker](#)]

Additional letter of response provided: [10 August 2020](#) (documents were released under FOI process and are available on the FOI disclosure log)

Order not yet complied with

No. 328—Education and Employment References Committee—Government response—Mental health of first responders, emergency workers and volunteers

That there be laid on the table by the Minister representing the Minister for Industrial Relations, **by no later than 12.45 pm on 5 December 2019**, the government's response to the report of the Education and Employment References Committee, *The people behind ooo: mental health of our first responders*, tabled on 14 February 2019.

Moved by: Senator Urquhart

Date agreed to: 4 December 2019 ([statement made](#))

Letter of response provided: [5 December 2019](#) (Government is still considering its response and is not in a position to table it at this time)

Ordered document provided: [25 February 2020](#)

Order complied with (see also 469 below)

No. 332—Misconduct in the Banking, Superannuation and Financial Services Industry—Royal Commission—Government response

That there be laid on the table by the Assistant Minister for Superannuation, Financial Services and Financial Technology, **by 9.30 am on 5 December 2019**, the draft response to the recommendations of the Royal Commission into Financial Services that relate to the Banking Code of Practice enforceable provisions and penalties for non-compliance.

Moved by: Senator Roberts

Date agreed to: 4 December 2019 ([statement made](#))

Ordered document provided: [5 December 2019](#) (government response to the final report of the Royal Commission)

Order complied with

No. 333—PFAS testing

That there be laid on the table by the Minister for Defence, **by 10 am on 4 February 2020**, blood and/or genetic testing on humans and livestock, that:

- (a) was taken within the contamination zones, including private land, related to RAAF Base Richmond, RAAF Base Williamtown and Williamtown Airport;
- (b) shows the level of per- and poly-fluoroalkyl substances (PFAS);
- (c) is the actual testing result for each test taken or a facsimile thereof;
- (d) are all the tests taken within the last 24 months; and
- (e) has any personal information redacted.

Moved by: Senator Roberts

Date agreed to: 4 December 2019 (see also order no. [433](#))

Letter of response and document provided: [5 February 2020](#) (letter, stating that the department has not undertaken blood testing on livestock or genetic testing and that the department does not hold test results relating to the Voluntary Blood Testing Program, and attaching deidentified results of testing of serving ADF personnel)

Order complied with

No. 338—Census questions—Sexual orientation and gender identity

- (1) That the Senate notes that:
 - (a) in briefings prepared for the Assistant Treasurer, the Australian Bureau of Statistics indicated that the October 2019 field test for the 2021 Census would include questions on sexual orientation and gender identity;
 - (b) the Australian Statistician has given evidence to the Economics Legislation Committee that the Assistant Treasurer, or his office, expressed a preference about the use of forms without questions on sexual orientation or gender identity in the field trial; and
 - (c) the October 2019 field trial proceeded without questions on sexual orientation or gender identity.
- (2) That there be laid on the table by the Minister representing the Assistant Treasurer, **by no later than 2 pm on 5 December 2019**, all communications to the Australian Bureau of Statistics from the Assistant Treasurer, or his office, in relation to these questions, including any reasons for not proceeding with these questions in the field trial.

Moved by: Senator Rice

Date agreed to: 4 December 2019 ([statement made](#)) (see also order no. [219](#))

Letter of response provided: [5 December 2019](#) (stating that ‘no further documents are available for release’ aside from the documents tabled in response to the earlier order)

No documents exist

No. 349—Australia’s emissions projections

That there be laid on the table by the Minister representing the Minister for Energy and Emissions Reduction, **by no later than 3 pm on 5 December 2019**, the following documents:

- (a) written justification for why the Department of the Environment and Energy (the Department) is using the 5% target instead of the up to 15% 2020 target for the second Kyoto Protocol period to calculate the size of their 2030 Paris Nationally Determined Contributions abatement task, as reflected on page 2 of the *Climate Solutions Package* brochure, and on page 10 of *Australia’s emissions projections 2018*;
- (b) written justification for why the Department is using the 5% target instead of the up to 15% 2020 target for the second Kyoto Protocol period to calculate the size of Australia’s Kyoto carryover credits, as reflected on page 2 of the *Climate Solutions Package* brochure, and on page 10 of *Australia’s emissions projections 2018*;
- (c) any correspondence, emails, meeting notes, memos or any other documentation relating to whether the conditions, as outlined in the Cancun Agreement and subsequent Doha Amendment, for a target of up to a 15% emissions reduction on 2000 emissions by 2020 have or have not been met; and
- (d) any correspondence, emails, meeting notes, memos or any other documentation relating to the choice of 5% over up to 15% reductions by 2020 as the baseline for either the calculation of the 2021-2030 abatement task or the size of Australia’s Kyoto Protocol period two carryover credits.

Moved by: Senator Waters

Date agreed to: 5 December 2019

Ordered documents provided: [5 December 2019](#) (accompanying letter states that the documents are those ‘that can be made available within the time provided’)

Order partially complied with

No. 356—End of financial year visa reports

That there be laid on the table by the Minister representing the Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs, **by no later than midday on 9 December 2019**, the detailed 2018-19 end of financial year reports for the migration, skilled temporary residents and visitors programs.

Moved by: Senator Keneally

Date agreed to: 5 December 2019

Orders documents provided: [9 December 2019](#) (by means of link to the relevant parts of the department’s website)

Order complied with

2020

No. 370—Unanswered questions on notice

That there be laid on the table by the Minister representing the Attorney General, **by 10 am on 10 February 2020**, all unanswered and overdue questions that were taken on notice by the Attorney-General’s Department in the 2019-20 supplementary estimates round.

Moved by: Senator Carr

Date agreed to: 5 February 2020

Letter of response provided: [10 February 2020](#) (stating that there are no outstanding questions taken on notice during that estimates round)

No documents exist

No. 378—Community Sport Infrastructure Grant Program—Communications and list of applications

That there be laid on the table by the Minister for Youth and Sport, **by no later than 2 pm on 13 February 2020:**

- (a) all communications from the Australian Sports Commission or Sport Australia to the Prime Minister's office or the Department of the Prime Minister and Cabinet, in relation to the Community Sport Infrastructure Grant Program;
- (b) all communications from the Australian Sports Commission or Sport Australia to the former Minister Sport or their office, regarding the role of the Prime Minister's office in relation to the Community Sport Infrastructure Grant Program; and
- (c) a comprehensive list of all applications for funding under the Community Sport Infrastructure Grant Program, including the score the applications received, which were assessed by the Australian Sports Commission or Sport Australia as having a score of 74 or above, but which did not receive funding through the program.

Moved by: Senator Rice

Date agreed to: 5 February 2020

Letter of response and orders documents provided: [13 February 2020](#) (paragraph (a)—relevant documents provided; paragraph (b)—Minister not in possession of documents or they do not exist; paragraph (c) – relevant information provided, with redaction of personal information)

Order complied with (no documents exist in part)

No. 379—Community Sport Infrastructure Grant Program—Communications and advice

That there be laid on the table by the Minister representing the Prime Minister, **by no later than 2 pm on 13 February 2020:**

- (a) any communications, advice or reports from the Prime Minister's Office or the Department of the Prime Minister and Cabinet to the office of the former Minister for Sport in relation to the Community Sport Infrastructure Grant Program;
- (b) the report or advice prepared by the Secretary of the Department of the Prime Minister and Cabinet in relation to the former Minister for Sport's management of the grants program (the 'Gaetjens report');
- (c) any communications, advice or reports from the Prime Minister's Office or the Department of the Prime Minister and Cabinet to Sport Australia in relation to the Community Sport Infrastructure Grant Program; and
- (d) any advice received from the Australian Government Solicitor in relation to the Community Sport Infrastructure Grant Program.

Moved by: Senators Waters and Rice

Date agreed to: 5 February 2020

Letter of response and documents provided: [13 February 2020](#) (providing some documents and claiming public interest immunity with respect to the remainder)

Public interest immunity claim raised: Disclosure of Cabinet deliberations

Order partially complied with

No. 385—Report on ministerial standards and sports grants—Order for production of documents—Attendance by minister

- (1) That there be laid in the table by the Minister representing the Prime Minister, **by no later than 3.30 pm on 6 February 2020**, the final report provided by the Secretary of the Department of the Prime Minister and Cabinet, Mr Phillip Gaetjens, to the Prime Minister in relation to the application of the Statement of Ministerial Standards to the former Minister for Sport, the Honourable Senator McKenzie's, award of funding under the Community Sport Infrastructure Program.
- (2) In the event the Minister fails to table the report, the Senate requires the Minister representing the Prime Minister to attend the Senate either immediately prior to government business being called on, or at 3:00 pm, on 10 February 2020, whichever is earlier, to provide an explanation, of no more than 10 minutes, of the Government's failure to table the report.
- (3) Any senator may move to take note of the explanation required by paragraph (2).
- (4) Any motion under paragraph (3) may be debated for no longer than 60 minutes, shall have precedence over all business until determined, and any senator may speak to the motion for not more than 10 minutes each.

Moved by: Senator Lambie

Date agreed to: 5 February 2020

Letter of response provided: [6 February 2020](#) (claiming public interest immunity over the document ordered)

Public interest immunity claim raised: Disclosure of Cabinet deliberations

Explanation provided pursuant to paragraph (2): 10 February 2020 [[first speaker](#)]

Order not yet complied with

No. 387—Community Sport Infrastructure Program—Spreadsheet

- (1) That there be laid on the table by the Minister for Youth and Sport, **by no later than midday on Tuesday 11 February 2020**, the spreadsheet colour-coding the over 2,000 grant applications under the Community Sport Infrastructure Program according to the party that held the electorate as referred to in media reports and in the Auditor-General's report no. 23 of 2019-20.
- (2) In the event the Minister fails to table the documents requested in paragraph (1), the Senate requires the Minister for Youth and Sport attend the Senate at 9.30 am on Wednesday, 12 February 2020 to provide an explanation, of no more than 10 minutes, of the Government's failure to table the documents requested in paragraph (1).
- (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 15 minutes each.

Moved by: Senator Farrell

Date agreed to: 5 February 2020

Letter of response provided: [11 February 2020](#) (informing the Senate of the Government's intention to table a response on 13 February 2020)

Explanation provided under paragraph (2): [12 February 2020](#)

Ordered documents provided: [13 February 2020](#) (with substantial redaction of personal information)

Order substantially complied with

No. 388—Community Sport Infrastructure Program—Legal authority of minister

- (1) That there be laid on the table by the Minister representing the Attorney-General, **by no later than midday on 11 February 2020**, advice provided to the Attorney-General, including by the Australian Government Solicitor, in relation to the legal authority of the former Minister for Sport to undertake an approval role for funding decisions under the Community Sport Infrastructure Program.
- (2) In the event the Minister fails to table the documents requested in paragraph (1), the Senate requires the Minister representing the Attorney-General, to attend the Senate at 9.30 am on 12 February 2020 to provide an explanation, of no more than 10 minutes, of the Government's failure to table the documents requested in paragraph (1).
- (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 15 minutes each.

Moved by: Senator Farrell

Date agreed to: 5 February 2020

Letter of response provided: [11 February 2020](#) (claiming public interest immunity over the documents ordered)

Public interest immunity claim raised: Disclosure of fact or content of privileged legal advice

Explanation provided pursuant to paragraph (2): [12 February 2020](#)

Order not yet complied with

No. 389—Community Sport Infrastructure Program—Communication between offices

- (1) That there be laid on the table by the Minister for Youth and Sport, **by no later than midday on 11 February 2020**, all communication between the current and former Offices of the Minister for Sport and both the Office of the Prime Minister and the Office of the Deputy Prime Minister in relation to the three grant rounds under the Community Sport Infrastructure Program.
- (2) In the event the Minister fails to table the documents requested in paragraph (1), the Senate requires the Minister for Youth and Sport to attend the Senate at 9.30 am on 12 February 2020 to provide an explanation, of no more than 10 minutes, of the Government's failure to table the documents requested in paragraph (1).
- (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 15 minutes each.

Moved by: Senator Farrell

Date agreed to: 5 February 2020

Letter of response provided: [11 February 2020](#) (informing the Senate of the Government's intention to table a response on 13 February 2020; a [statement](#) was also made in the Senate to the same effect)

Additional letter of response and ordered documents provided: [13 February 2020](#) (Minister is continuing to review the extensive documentation sought; attaching documentation relating to communication between ministerial offices, with redaction of personal information)

Order partially complied with

No. 390—Recreational hunting and shooting—Report

That there be laid on the table by the Minister representing the Minister for Health, **by midday on 11 February 2020**, any emails or any other form of written correspondence between the former Minister, Senator McKenzie, or the former Minister's office, in any of her former capacities, and the Department of Health, or any person working for the Department of Health, concerning either of the following matters surrounding the report 'Economic and social impacts of recreational hunting and shooting', released in September 2019:

- (a) the funding of the report; or
- (b) the commissioning of the report.

Moved by: Senator Faruqi

Date agreed to: 5 February 2020

Letter of advice provided: [11 February 2020](#) (informing the Senate of the Government's intention to table a response on 13 February 2020)

Orders documents provided: [12 February 2020](#) (with redaction of personal information)

Order complied with

No. 430—Female Facilities and Water Safety program—Minister for Youth and Sports

- (1) That there be laid on the table by the Minister for Youth and Sport **by no later than 9.30 am on 13 February 2020**:
 - (a) all communications between the Department of Health (the Department) and the Minister for Youth and Sport (the Minister) or the Minister's office in relation to the Community Sport Infrastructure – Female Facilities and Water Safety program (FFWSP);
 - (b) all communications between the Minister or the Minister's office and the Prime Minister or the office of the Prime Minister in relation to the FFWSP;
 - (c) all communications between the Minister and the Minister for Infrastructure, Transport and Regional Development in relation to the FFWSP;
 - (d) any incoming Ministerial brief prepared for the Minister in relation to the FFWSP;
 - (e) any guidelines or program arrangements applying to the FFWSP;
 - (f) any advice on the content of guidelines or program arrangements, or drafts of same, prepared by the Department for the Minister in relation to the FFWSP;
 - (g) any advice prepared by or for the Department for the Minister regarding the need for guidelines for the FFWSP;
 - (h) any advice prepared for the Minister regarding eligibility for the FFWSP or the process for determining the list of organisations invited to apply for funding;
 - (i) a list of all projects invited to seek funding under the FFWSP, and any documents pertaining to the basis on which they were selected; and
 - (j) a list of all projects funded under the FFWSP.
- (2) In the event the Minister fails to table the documents requested in paragraph (1), the Senate requires the Minister to attend the Senate on 13 February 2020, prior to government business being called on, to provide an explanation, of no more than 10 minutes, of the Government's failure to table the documents requested in paragraph (1).
- (3) Any senator may move to take note of the explanation required by paragraph (2).
- (4) Any motion under paragraph (3) may be debated for no longer than 30 minutes, shall have precedence over all business until determined, and senators may speak to the motion for not more than 10 minutes each.

Moved by: Senators Waters, Rice and Farrell

Date agreed to: 11 February 2020

Letter of response provided: [13 February 2020](#) (informing the Senate of the Government's intention to respond by 24 February 2020)

Explanation provided pursuant to paragraph (2): [13 February 2020](#)

Additional letter of response and ordered documents provided: [24 February 2020](#) (a number of documents are not held by the minister or do not exist; a list of projects funded, and correspondence, with redaction of personal information; and claiming public interest immunity in respect of the remainder of the documents)

Public interest immunity claim raised: Disclosure of Cabinet deliberations

Order partially complied with

No. 431—Female Facilities and Water Safety program—Minister for Infrastructure, Transport, and Regional Development

- (1) That there be laid on the table by the Minister representing the Minister for Infrastructure, Transport and Regional Development **by no later than 9.30 am on 13 February 2020:**
 - (a) all communications between the Department of Infrastructure, Transport and Regional Development (the Department) and the Minister for Infrastructure, Transport and Regional Development (the Minister) or the Minister's office in relation to the Community Sport Infrastructure – Female Facilities and Water Safety program (FFWSP);
 - (b) all communications between the Minister or Minister's office and the Prime Minister or the office of the Prime Minister in relation to the FFWSP;
 - (c) all communications between the Minister and the incoming Minister for Youth and Sports in relation to the FFWSP following the federal election;
 - (d) any advice prepared for the Department, the Minister or the Prime Minister regarding the need for guidelines for the FFWSP;
 - (e) any advice on the content of guidelines or program arrangements, or drafts of same, prepared by the Department for the Minister or Prime Minister in relation to the FFWSP;
 - (f) any advice prepared by or for the Department for the Minister or Prime Minister regarding eligibility for the FFWSP or the process for determining the list of organisations invited to apply for funding;
 - (g) a list of all projects invited to seek funding under the FFWSP, and documents pertaining to the basis on which they were selected; and
 - (h) a list of all projects funded under the FFWSP.
- (2) In the event the Minister fails to table the documents requested in paragraph (1), the Senate requires the Minister representing the Minister for Infrastructure, Transport and Regional Development in the Senate to attend the Senate at no later than 10.15 am on 13 February 2020 to provide an explanation, of no more than 10 minutes, of the Government's failure to table the documents requested in paragraph (1).
- (3) Any senator may move to take note of the explanation required by paragraph (2).
- (4) Any motion under paragraph (3) may be debated for no longer than 30 minutes shall have precedence over all business until determined, and senators may speak to the motion for not more than 10 minutes each.

Moved by: Senators Waters, Rice and Farrell

Date agreed to: 11 February 2020

Letter of response provided: [13 February 2020](#) (stating that the Government intends to table a response on 24 February 2020)

Explanation provided pursuant to paragraph (2): [13 February 2020](#)

Further letter of response and ordered documents provided: [24 February 2020](#) (letter stating that ‘there are a number of items where we do not hold these documents or the documents do not exist’; and providing a list of projects funded, and correspondence between the department and ministerial offices)

Order complied with

No. 432—Special purpose flights

- (1) That the Senate notes that:
 - (a) under the guidelines for the use of special purpose aircraft, the Minister for Defence is responsible for tabling the schedule of special purpose flights “...in June (for the six months ending the previous 31 December) and December (for the six months ending the previous 30 June)”;
 - (b) regrettably, under the Abbott-Turnbull-Morrison Government, the schedule has routinely been tabled late, in one case over eight months late;
 - (c) the most recent schedule published at <https://www.defence.gov.au/Publications/Parliament> is for the six months ending 30 June 2017;
 - (d) consistent with the guidelines, previous governments tabled schedules on the last sitting day of June and December each year; and
 - (e) the most recently tabled schedule for the six months ending 31 December 2018 was not tabled until 28 August 2019.
- (2) That there be laid on the table by the Minister for Defence, **by no later than 9.30 am on 13 February 2020**, the schedule of special purpose flights for the period 1 January to 30 June 2019.

Moved by: Senator Wong

Date agreed to: 11 February 2020 [[statement made](#)]

Letter of response provided: [13 February 2020](#) (not yet in a position to provide document, which will be tabled in accordance with standard procedures)

Additional letter of response and ordered documents provided: 27 February 2020 – [Letter](#), [schedule](#) and [supplement](#) [[documents discussed](#)]

Order complied with

Centrelink’s compliance program—Legal advice

That there be laid on the table by the Minister representing the Minister for Government Services no later than **10 am on 24 February 2020**, responses to all questions placed on notice by Senators Siewert and O’Neill relating to legal advice and Centrelink’s compliance program. This includes, but is not limited to, questions about:

- (a) meetings and/or briefings between the Minister and Services Australia in relation to the current legal proceedings regarding Centrelink’s compliance program;
- (b) the frequency and dates of legal advice obtained by Services Australia from the Solicitor-General, Australian Government Solicitor, departmental lawyers, and external counsel and/or solicitors in relation to any aspect of the compliance program and, specifically, whether a debt or debt components is able to be founded on extrapolations from Australian Taxation Office records;
- (c) legal advice about the lawfulness of debt or debt components solely based on extrapolations from Australian Taxation Office records;
- (d) legal advice in relation to liability for the death of any Australian who received a debt notice under the compliance program; and

(e) the cost of legal advice in relation to the compliance program.

Moved by: Chair of the Community Affairs References Committee (Senator Siewert)—adoption of recommendations contained in an interim report concerning the committee’s inquiry into Centrelink’s compliance program

Date agreed to: 11 February 2020

Letter of response provided: [24 February 2020](#) (all responses have been provided to committee)

Order complied with

No. 433—PFAS testing

- (1) That the Senate notes that:
 - (a) on 5 February 2020, the Minister for Defence tabled a response to an order for the production of documents relating to PFAS contamination at RAAF Base Williamstown and RAAF Base Richmond, agreed to on 4 December 2019;
 - (b) the response to the order did not include information in relation to RAAF Base Richmond and included incomplete information in relation to RAAF Base Williamstown; and
 - (c) despite the response stating that no livestock have been tested, reports have been made that cattle have been tested within the contamination zones of RAAF Base Williamstown and RAAF Base Richmond.
- (2) That there be laid on the table by the Minister for Defence, by **10 am on 26 February 2020**, the following documents:
 - (a) details of all blood testing on defence personnel and livestock which were taken from within the contamination zone of RAAF Base Richmond (including private land) within the last 24 months, including:
 - (i) the level of per- and poly-fluoroalkyl substances (PFAS), and
 - (ii) a copy of the test result for each test taken with all personal information redacted; and
 - (b) details of all blood testing on livestock which were taken from within the contamination zone of RAAF Base Williamstown and Williamstown Airport (including private land) within the last 24 months, including:
 - (i) the level of per- and poly-fluoroalkyl substances (PFAS), and
 - (ii) a copy of the test result for each test taken.

Moved by: Senator Roberts

Date agreed to: 12 February 2020 (see also order no. [333](#))

Letter of response provided: [26 February 2020](#) (Department played an administrative role in blood testing only, results were made to the blood test recipient and were not required or disclosed to the Department or any other Commonwealth agency; and reiterating statements made in the earlier letter)

No documents exist

No. 434—Banking code

- (1) That the Senate notes that the Royal Commission into Financial Services made recommendations regarding voluntary codes of practice, including:
 - (a) recommendation 1.15 – that the Australian Securities and Investment Commission’s (ASIC) power to approve codes of conduct extends to codes relating to all Australian Prudential Regulation Authority (APRA) regulated institutions and Australian credit licence holders; that industry codes of conduct approved by ASIC may include ‘enforceable code provisions’, which are provisions in respect of which a contravention will constitute a breach of the law;
 - (b) recommendation 1.16 – 2019 Banking Code, the Australian Banking Association and ASIC should take all necessary steps to have the provisions that govern the terms of the contract made or to be made between the bank and the customer or guarantor designated as ‘enforceable code provisions’; and
 - (c) recommendation 4.9 – as referred to in recommendation 1.15, the law should be amended to provide for enforceable provisions of industry codes and for the establishment and imposition of mandatory industry codes.
- (2) The Senate further notes that ASIC stated in their publication ‘ASIC update on implementation of Royal Commission recommendations’ as follows:
 - (a) ASIC will commence work immediately with the banking industry on appropriate amendments to the Banking Code in relation to each of these recommendations; and
 - (b) ASIC will work with industry in anticipation of the Parliament legislating reforms in relation to codes and ASIC’s powers to provide for ‘enforceable code provisions’.
- (3) The response by the Minister for Finance (Senator Cormann) to a previous order for the production of documents (no. 332), agreed to by the Senate on 4 December 2019, included no suitable documents.
- (4) That there be laid on the table by the Minister representing the Treasurer **by 5 pm on 24 February 2020** the following documents that relate to enforceable provisions of the Banking Code of Practice:
 - (a) all emails between the Treasury and any other party; and
 - (b) all draft or final documents, including but not limited to, internal memos, briefing documents, drafting guidelines and correspondence.

Moved by: Senator Roberts

Date agreed to: 12 February 2020 ([statement made](#))

Letter of response and documents provided: [24 February 2020](#) (letter summarising the Government’s action in relation to recommendations, and attaching consultation draft legislation; and stating that the Government is reviewing the scope of the order to determine whether it captures any additional documents)

Order partially complied with

No. 441—Climate change reports

- (1) That the Senate notes that, on 10 February 2020, Senator Cormann stated that climate change is human induced.
- (2) That there be laid on the table by the Leader of the Government in the Senate, **by 10 am on 24 February 2020**:
 - (a) a list of titles of reports and publications which the Government relies upon for this belief; and
 - (b) for each publication specify the page numbers on which are presented the evidence that carbon dioxide from human activity affects climate and needs to be cut.

Moved by: Senator Roberts

Date agreed to: 12 February 2020 ([statement made](#))

Ordered document provided: [24 February 2020](#) (letter stating publications concluding that carbon dioxide from human activity affects climate change)

Document discussed: [24 February 2020](#)

Order complied with

No. 469—Education and Employment References Committee—Mental health of first responders, emergency workers and volunteers—Government response

- (1) That the Senate notes that:
 - (a) the report of the Senate Education and Employment References Committee into the role of Commonwealth, state and territory Governments in addressing the high rates of mental health conditions experienced by first responders, emergency service workers and volunteers, was tabled on 14 February 2019;
 - (b) in a resolution of 14 March 1973, the Senate declared its opinion that the Government should provide a response to committee reports within three months of tabling; and
 - (c) on 4 December 2019, Minister Cash tabled a letter from the Attorney General and Minister for Industrial Relations stating that the Government was still considering and consulting with stakeholders on the report's recommendations, and was therefore not in a position to table the response.
- (2) There be laid on the table by the Minister representing the Attorney-General and Minister for Industrial Relations, **by no later than midday on 25 February 2020**, the government response to the report of the Senate Education and Employment References Committee into the role of Commonwealth, state and territory Governments in addressing the high rates of mental health conditions experienced by first responders, emergency service workers and volunteers.

Moved by: Senators Pratt, Watt and Urquhart

Date agreed to: 24 February 2020

Letter of response and ordered document provided: 25 February 2020, [letter](#) (government response will be tabled in the usual way today), and [government response](#)

Order complied with

No. 472—Coast Track Huts Walk—Grant agreement

That there be laid on the table by the Minister representing the Minister for Infrastructure, Transport and Regional Development, **by no later than midday on 27 February 2020**, the grant agreement between the Department of Infrastructure, Transport, Cities and Regional Development and South Coast Track Huts Walk Pty Ltd.

Moved by: Senator McKim

Date agreed to: 25 February 2020

Letter of response provided: [27 February 2020](#) (claiming public interest immunity with respect to the ordered document)

Public interest immunity claim raised: Commercial confidentiality (grant agreements contain private information of individuals and the organisation and commercially sensitive project information which could give competitors an advantage over the proponent)

Order not yet complied with

No. 478—Ministerial standards and sports grants—Gaetjens report

- (1) That there be laid on the table by the Minister representing the Prime Minister, **by no later than 7:20 pm on 25 February 2020**, the final report provided by the Secretary of the Department of the Prime Minister and Cabinet, Mr Phillip Gaetjens, to the Prime Minister in relation to the application of the Statement of Ministerial Standards to the former Minister for Sport's award of funding under the Community Sport Infrastructure Program.
- (2) In the event the Minister fails to table the report, the Senate requires the Minister representing the Prime Minister to attend the Senate on 26 February 2020, prior to government business being called on, to provide an explanation, of no more than 10 minutes, of the Government's failure to table the report.
- (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 government business until determined, and senators may speak to the motion for not more than 10 minutes each.

Moved by: Senator Rice

Date agreed to: 25 February 2020 ([statement made](#))

Letter of response provided: [25 February 2020](#) (claiming public interest immunity with respect to the document ordered)

Public interest immunity claim raised: Disclosure of Cabinet deliberations (document informed, and was the subject of, Cabinet deliberations)

Explanation provided pursuant to paragraph (2): [27 February 2020](#)

Order not yet complied with

No. 546—Building Landcare Community and Capacity Grants program

That there be laid on the table, by the Minister representing the Minister for Agriculture, Drought and Emergency Management, **by no later than 3:00pm on Thursday 14 May 2020**, all copies of correspondence whether written letters or via email, relating to grant funding to successful applicants of the Building Landcare Community and Capacity Grants program.

Moved by: Senator Ciccone

Date agreed to: 13 May 2020

Ordered documents provided: [14 May 2020](#) (letter attaching documents falling within scope of order with redaction of personal information; and stating that the Government requires additional time to determine whether there are any further documents) and [28 May 2020](#) (additional documents, with redaction of personal information)

Order complied with

No. 576—Water for Fodder program

That the Senate—

- (a) notes that the Government announced a 100 gegalitre 'Water for Fodder' program in November 2019 to provide 40 gegalitres 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.

Moved by: Senator Roberts

Date agreed to: 14 May 2020

Letter of response and ordered document provided: [24 August 2020](#) (letter, attaching documents, and with respect to:

- Subparagraph (b)(ii), claiming public interest immunity
- Subparagraphs (b)(iii) and (iv), stating that information concerning water deliveries and reductions to delivery including conveyance loss is held by state and territory water authorities

Public interest immunity claim raised: Protection of personal information (publication of addresses or other identifying information concerning applications is not consistent with privacy expectations and create risk of trespass or other property offences. Nearest town and state is provided instead)

Order partially complied with

No. 590—Water for Fodder program—Review

That there be laid on the table by the Minister representing the Minister for Resources, Water and Northern Australia, **by 9 am on 12 June 2020**, the review into round one of the Water for Fodder program undertaken by the Department of Agriculture, Water and the Environment, required under the agreement between the Australian and South Australian governments.

Moved by: Senator Hanson-Young

Date agreed to: 10 June 2020

Letter of response provided: [12 June 2020](#) (Government is still considering recommendations of the review and decision to release will need to be made in consultation with the South Australian Government)

Ordered document provided: [7 August 2020](#)

Order complied with

No. 595—Defence Honours and Awards Appeals Tribunal

That—

- (1) The Senate notes that:
 - (a) on 23 July 2019 the Defence Honours and Awards Appeals Tribunal decided to recommend to the Minister for Defence Personnel that:
 - (i) the decision by the Chief of Navy to refuse to recommend the award of the Victoria Cross for Australia to Ordinary Seaman Edward Sheean in respect of his actions in HMAS Armidale during a Japanese aerial attack in the Timor Sea on 1 December 1942 be set aside, and
 - (ii) the Minister recommend to the Sovereign that Ordinary Seaman Edward 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 in HMAS Armidale during a Japanese aerial attack in the Timor Sea on 1 December 1942;
 - (b) the Prime Minister explained in part his rejection of the recommendations to ABC Tasmania on 26 May 2020 by saying ‘I have taken advice from Australia’s military chiefs past and present in making this decision’.

- (2) There be laid on the table, **by no later than midday on Wednesday, 17 June 2020**, by the Minister representing the Prime Minister, all copies of documents and correspondence, whether written letters or via email, referred to in the advice outlined in (1)(b) above, held by the Prime Minister or his department relating to the decision of the Prime Minister to reject the recommendation of the *Defence Honours and Awards Appeals Tribunal decision in Barnett and the Department of Defence re: Sheean* [2019] DHAAT 09 (23 July 2019).

Moved by: Senators Urquhart and Lambie

Date agreed to: 11 June 2020

Letter of response provided: [17 June 2020](#) (stating that there are no documents within the scope of the order, but attaching correspondence containing advice on the matter referred to in the order)

No documents exist

No. 601—Warning labels on packaged alcohol

- (1) That the Senate—
- (a) notes that:
- (i) Food Standards Australia New Zealand (FSANZ) has been asked to deliver a revised proposal for mandatory pregnancy warning labels on packaged alcohol to the Australia and New Zealand Ministerial Forum on Food Regulation (the Forum) by 22 June;
- (ii) the mandatory labeling proposal would replace the industry’s voluntary labeling scheme of eight years, and includes a two-year transition phase and stock in trade exemptions, and
- (iii) FSANZ’s original proposal was rejected by some Forum ministers in March because of what they saw as ‘unreasonable’ costs to industry, the colour requirements of the label and the signal wording – that is, the use of the colour red and words ‘health warning’ – mirroring the objections made solely by the alcohol industry;
- (b) respects the independence of FSANZ;
- (c) questions how changing the signal wording ‘health warning’ on a label eases any cost burden;
- (d) further notes Ministers Colbeck and Littleproud are the Federal representatives on the forum, which meets on 17 July to consider the revised FSANZ proposal; and
- (e) urges the Federal Government and all jurisdictions to prioritise reducing the number of alcohol-exposed pregnancies and rates of incurable and devastating Fetal Alcohol Spectrum Disorder in children.
- (2) That there here be laid on the table, **by 9.30 am on 12 June 2020**, all advice sought by or provided to Ministers Richard Colbeck and David Littleproud regarding mandatory pregnancy warning labels on packaged alcohol - aside from advice sought from or provided by FSANZ – since 4 October 2019

Moved by: Senator Griff

Date agreed to: 11 June 2020

Ordered documents provided: 12 June 2020 – [Letter](#) from Senator Colbeck, and relevant documents (with redaction of personal information); and [letter](#) from the Minister representing the Minister for Agriculture, Drought and Emergency Management (with redaction of personal information, and on public interest grounds)

Public interest immunity claims raised:

- Damage to international relations

- Damage to relations between the Commonwealth and the states

Order partially complied with

No. 603—Ms Ann Marie Smith

- (1) That the Senate—
 - (a) acknowledges that:
 - (i) the shocking death of Ms Ann Marie Smith of Kensington Park, Adelaide, shows only too tragically what happens when people with a disability are treated as a number by a system meant to care for them – a system that has failed in its duty of care,
 - (ii) Ms Smith lived alone and had to rely on a carer for all her needs following the death of her parents who loved her and made provision for her,
 - (iii) Ms Smith died on 6 April 2020 from severe septic shock, multi-organ failure, severe pressure sores, malnutrition and issues connected with her cerebral palsy,
 - (iv) it was not her disability that killed her,
 - (v) Ms Smith died after being deposited in a woven cane chair for 24 hours a day for over a year, which operated as her toilet and bed,
 - (vi) Ms Smith was denied love, denied care, denied respect and denied dignity, and
 - (vii) no-one should ever have to endure such pain, suffering and isolation;
 - (b) notes that:
 - (i) Ms Smith had been a National Disability Insurance Scheme (NDIS) participant since 2018 under the responsibility of the National Disability Insurance Agency (NDIA), and
 - (ii) the NDIS Quality Safeguards Commission has the regulatory and safeguarding oversight for all NDIS clients; and
 - (c) further notes that the Minister for Social Services was interviewed on ABC Adelaide on 27 May 2020 and confirmed that he knew how many times Ms Smith was checked on by the NDIA, but refused to provide this information in the public interest, arguing, erroneously, that it would prejudice the current inquiry by the NDIS Quality Safeguards Commission.
- (2) There be laid on the table by the Minister representing the Minister for the National Disability Insurance Scheme, **by 9.30am on 12 June 2020**, all advice sought by or provided to Minister Robert with respect to how many times Ms Anne-Marie Smith was ‘checked on’ by the NDIA regarding her welfare while she was a participant of the NDIS, and all written correspondence between Minister Robert and the South Australian Minister for Human Services, Ms Michelle Lensink, concerning the death of Ms Smith.

Moved by: Senator Griff

Date agreed to: 11 June 2020

Letter of response provided: [12 June 2020](#) (there are no documents that fall within the scope of the order)

No documents exist

No. 614—Building Landcare Community and Capacity grants programme

That there be laid on the table, by the Minister representing the Minister for Agriculture, Drought and Emergency Management, **by no later than 10am on Monday 15 June 2020**, executed grant agreements and any and all associated performance, evaluation, expenditure and financial reports relating to monies dispensed under the Building Landcare Community and Capacity grants programme to the following organisations:

- (a) Kondinin Group;
- (b) The Australian Broadcasting Corporation;
- (c) Australian Women in Agriculture;
- (d) Soil Science Australia;
- (e) FutureEye;
- (f) Greening Australia;
- (g) Conservation Volunteers Australia;
- (h) NRM Regions Australia;
- (i) National Grower Group;
- (j) Primary Industries Education Foundation Australia;
- (k) Agricultural Shows Australia
- (l) Meat and Livestock Australia;
- (m) Mulloon Institute;
- (n) Australian Garden Council;
- (o) Soil CRC;
- (p) South Australian No-Till Farmers Association;
- (q) Regional Development Australia (Far North Queensland and the Torres Strait);
- (r) Soils for Life; and,
- (s) The National Farmers Federation.

Moved by: Senator Ciccone

Date agreed to: 11 June 2020

Document provided: [15 June 2020](#) (with redaction of personal information)

Order complied with

No. 615—Commonwealth Integrity Commission

- (1) That the Senate notes:
 - (a) the Prime Minister's statement that the Government started working on its proposed Commonwealth Integrity Commission in January 2018 – almost two-and-a-half years ago,
 - (b) the Attorney-General's statement last September that the Government would release a draft bill to establish a Commonwealth Integrity Commission for public consultation by the end of 2019,
 - (c) the Attorney-General's failure to meet his own deadline,
 - (d) the Attorney-General's statement in January 2020 that '[w]ork to deliver the Commonwealth Integrity Commission draft consultation bill is now all but complete',
 - (e) the Attorney-General's statement in May 2020 that '[t]he draft legislation to establish the Commonwealth Integrity Commission (CIC) was ready for release to allow for consultations ahead of introduction into parliament before the global economic and health crisis caused by the coronavirus'; and

- (f) that despite it being ‘ready for release’ months ago, the Government has not released its draft legislation for public consultation.
- (2) That there be laid on the table by the Minister representing the Attorney-General, **by no later than 15 June 2020**, a copy of the draft legislation to establish a Commonwealth Integrity Commission.

Moved by: Senator Watt and Waters

Date agreed to: 11 June 2020

Letter of response provided: [15 June 2020](#) (the draft legislation will be released at an appropriate time)

Order not yet complied with

No. 627—JobKeeper recipient data

That there be laid on the table by the Minister representing the Treasurer, **by 9.30 am on 31 July 2020**, all documents held within the Office of the Treasurer, the Australian Taxation Office and/or the Department of Education, Skills and Employment relating to:

- (a) any data regarding the breakdown of individuals in receipt of the JobKeeper Payment by gender, age and location;
- (b) any data regarding the salary of recipients prior to receiving the JobKeeper Payment;
- (c) any data regarding recipients who were earning less than the JobKeeper Payment prior to receiving the JobKeeper payment, including:
- (i) how much recipients were earning;
 - (ii) a breakdown of the age, gender and location of those recipients; and
 - (iii) whether those recipients were in receipt of any other social security payments and the details of those payments.

Moved by: Leader of the Australian Greens in the Senate (Senator Waters)

Date agreed to: 11 June 2020

Ordered documents provided: [30 July 2020](#) (letter, attaching the report of the review, and stating that aggregated data is available in the review, and the Government does not have any further detailed breakdown)

Order complied with

No. 649—Defence Honours and Awards Appeals Tribunal

- (1) That 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 of 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) That 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 of Australia for Edward Sheean, created between 22 July 2019 and 11 June 2020.

Moved by: Senators Patrick and Urquhart

Date agreed to: 15 June 2020 ([statement made](#))

Letter of response provided: [17 June 2020](#) (stating that there was no documented correspondence during the period described)

No documents exist

No. 652—Community development grants

There be laid on the table **by Wednesday, 17 June 2020**, by the Minister representing the Minister for Infrastructure, Regional Development and Cities:

- (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.

Moved by: Senators Waters and Rice

Date agreed to: 15 June 2020

Letter of response provided: [18 June 2020](#) (Government intends to table response by 26 June 2020)

Additional letter of response and ordered documents provided: [29 June 2020](#) (claiming public interest immunity with respect to the documents ordered, and attaching documents relating to paragraph (b))

Public interest immunity claims raised:

- Protection of privacy
- Commercial confidentiality (grant agreements contain private information which could reasonably be expected to damage commercial interests of proponents)

Order partially complied with

No. 660—Centrelink Service Centre—Abbotsford

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.

Moved by: Senator Siewert

Date agreed to: 15 June 2020 ([statement made](#))

Letter of response provided: [18 June 2020](#) (claiming public interest immunity with respect to the documents ordered)

Public interest immunity claim raised: Commercial confidentiality (disclosure would have an adverse effect on the financial or property interests of the Commonwealth – Commonwealth owes the lessor a duty of confidentiality; and documents that detail consideration of other locations would unfairly prejudice current and potential commercial leasing arrangements)

Order not yet complied with

No. 666—Administrative Appeals Tribunal—Social Services and Child Support Division

- (1) That 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.

Moved by: Senator Watt

Date agreed to: 16 June 2020 ([statement made](#))

Letter of response provided: [30 July 2020](#) (provision of the orders documents would involve a significant diversion of resources)

Order not yet complied with

No. 674—Supporting international students

That 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.

Moved by: Senator Faruqi

Date agreed to: 16 June 2020

Letters of response provided:

- Minister representing the Treasurer—[18 June 2020](#) (no documents exist within the scope of the order)
- Minister representing the Minister for Education—[18 June 2020](#) (advising of the Minister's intention to respond); [7 August 2020](#) (no documents exist within the scope of the order)

No documents exist

No. 680—COVID-19—Government modelling

That the Senate—

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

Moved by: Senator Gallagher

Date agreed to: 17 June 2020 ([statement made](#))

Letter of response provided: [18 June 2020](#) (stating that the Secretary of the Treasury wrote to the committee with information within the scope of the order, and claiming public interest immunity with respect to the remaining documents)

Public interest immunity claim raised: Disclosure of Cabinet deliberations (information about the operation and business of the Cabinet and its committees, including when a matter went to the Cabinet, who attended, and what form of submission was provided, could potentially reveal deliberations of Cabinet)

Order not yet complied with

No. 692—Statutory review of the Environment Protection and Biodiversity Conservation Act

That there be laid on the table, by the Minister representing the Minister for the Environment, **by 9 am on 7 July 2020**, the draft report of the statutory review of the *Environment Protection and Biodiversity Conservation Act 1999*.

Moved by: Senator Hanson-Young

Date agreed to: 18 June 2020 ([statement made](#))

Letter of response provided: [7 July 2020](#) (claiming public interest immunity with respect to the document ordered)

Public interest immunity claim raised: Disclosure of Cabinet deliberations (disclosure of documents would interfere with the proper consideration by and deliberative process of Cabinet)

Order not yet complied with

No. 695—Environment Protection and Biodiversity Conservation Act

That there be laid on the table, by the Minister representing the Minister for the Environment, **by 9 am on Friday 26 June 2020:**

- (a) all documents relating to plans and exploration of plans by the Department of the Environment to reform or amend the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) between 1 October 2017 and 30 April 2018;
- (b) all documents relating to plans and exploration of plans by the Minister for the Environment to reform or amend the EPBC Act between 1 October 2017 and 30 April 2018;
- (c) any and all exposure drafts of bills to amend the EPBC Act prepared between 1 October 2017 and 30 April 2018.

Moved by: Senator Hanson-Young

Date agreed to: 18 June 2020

Letter of response provided: [26 June 2020](#) (providing a link to a document on the FOI disclosure log with information relating to the establishment of the EPBC Agriculture Review; stating that there are no documents within the scope of paragraph (c); and raising a public interest immunity claim with respect to the remainder of the documents ordered)

Public interest immunity claim raised: Disclosure of Cabinet deliberations (disclosure of documents would interfere with the deliberative processes of Cabinet)

Order not yet complied with (no documents exist relating to a part of the order)

No. 702—Regions at the Ready: Investing in Australia’s Future—Expert panel report

- (1) The Senate notes that:
 - (a) the House of Representatives Select Committee on Regional Development and Decentralisation released the ‘Regions at the Ready: Investing in Australia’s Future’ report on 28 June 2018;
 - (b) recommendation twelve of that report called on the government to develop a clear regional development policy through a comprehensive Regional Australia White Paper, following a Green Paper public consultation process;
 - (c) the Government established an expert panel to “undertake a targeted assessment of the key issues raised in the Report, including the development of a White Paper” which was to report to Government by 31 March 2019; and

- (d) the report of the expert panel has not been made available to the Parliament or to the public.
- (2) There be laid on the table by the Minister representing the Minister for Infrastructure, Transport and Regional Development, **by no later than 18 June 2020**, a copy of the expert panel report on the ‘Regions at the Ready: Investing in Australia’s Future’ report.

Moved by: Senator Patrick

Date agreed to: 18 June 2020 ([statement made](#))

Letter of response provided: [18 June 2020](#) (stating that the Government intends to table its response by 9 July 2020)

Ordered document provided: [10 July 2020](#)

Order complied with

No. 728—*MV Al Kuwait*—Independent Observer report

That there be laid on the table, by the Minister representing the Minister for Agriculture, Drought and Emergency Management, by no later than **3 pm on Thursday 27 August 2020**, the full Independent Observer Summary report on *MV Al Kuwait, Report 219*.

Moved by: Senator Farrell

Date agreed to: 25 August 2020 (see also order no. [758](#))

Letter of response provided: [27 August 2020](#) (stating that the Government intends to table its response by 31 August 2020)

Ordered documents provided: [3 September 2020](#) (with redaction of personal information; and where the material would or might reasonably be expected to damage commercial interests)

Order partially complied with

No. 730—COVID-19—Aged care

That there be laid on the table by the Minister for Aged Care and Senior Australians, **by no later than 12.45 pm on 26 August 2020**, the following documents:

- (a) the daily briefings prepared for the Government containing updates on COVID-19 cases in aged care, referred to by the Minister for Aged Care and Senior Australians in evidence to Senate Select Committee on COVID-19 on 21 August 2020 as ‘Sit Rep’, for each day from 1 July 2020;
- (b) any communications plan prepared by the Department of Health or other agency for use by the Government relating to the handling of COVID-19 cases in aged care; and
- (c) plans to develop the training modules produced by the Government for staff in aged care in the use of personal protective equipment and the plan to distribute those modules.

Moved by: Senator Keneally

Date agreed to: 25 August 2020

Letter of response provided: [26 August 2020](#) (the Government will need to consult third parties before it can table a response)

Additional letter of response and documents provided: [16 March 2021](#) (raising public interest immunity claims in relation to paragraph (a))

Public interest immunity claim raised: Damage to relations between the Commonwealth and the states and territories (in respect of the ‘SitReps’ – the minister has concerns about sensitive information contained within the documents, shared by the Victorian department)

Order partially complied with

No. 758—MV *Al Kuwait*

That there be laid on the table, by the Minister representing the Minister for Agriculture, Drought and Emergency Management, by no later than **10 am on Thursday, 3 September 2020**, the following documents:

- (a) documents relating to the MV *Al Kuwait* voyage which departed Fremantle in June 2020, including:
 - (i) all daily voyage reports,
 - (ii) the end of voyage report, and
 - (iii) the Master's report; and
- (b) all records of meetings and correspondence to and within the Department of Agriculture, Water and the Environment regarding the exemption decisions made on 2 June 2020 and 13 June 2020 by the Department relating to the MV *Al Kuwait* voyage.

Moved by: Senator Faruqi

Date agreed to: 31 August 2020 (see also order no. [728](#))

Letter of response and ordered documents provided: [3 September 2020](#) (letter referring to documents tabled in response to order no. 728; documents relating to paragraph (a) of this order—contains redaction of personal information and of information that would or might reasonably be expected to damage commercial interest; stating that documents within the scope of paragraph (b) had been released under FOI and providing a link to the FOI disclosure log; and stating that further time would be required to identify and assess the remaining documents)

Additional documents provided: [21 October 2020](#) (paragraph (b)—two decision briefs and attachments, with redaction of information that would or might reasonably be expected to damage commercial interests or international relations, personal information or information that is subject to legal professional privilege; and stating that additional time would be required to assess the remainder of the documents)

Additional documents provided: [2 February 2021](#) (final documents, not including 'documents that are not considered key documents' or 'documents that are in whole subject to legal professional privilege', on the basis that it would be an unreasonable diversion of resources)

Order partially complied with

Income Compliance Program

- (1) That there be laid on the table by the Minister representing the Minister for Government Services, **by no later than midday on 6 October 2020**, either:
 - (a) revised responses to all questions relating to legal advice and the Income Compliance Program which have been subject to rejected claims of public interest immunity during the Community Affairs References Committee's inquiry into Centrelink's compliance program; or
 - (b) a letter confirming that these responses will be provided in camera to the Community Affairs References Committee by no later than 5 pm on that same day.
- (2) In the event that the Minister fails to table these documents, the Senate requires the Minister representing the Minister for Government Services to attend the Senate at the conclusion of question time on 6 October 2020 to provide an explanation of the Minister's failure to table the documents.

Moved by: Chair of the Community Affairs References Committee (Senator Siewert) (following the adoption of the recommendation of the Committee in its third interim report)

Date agreed to: 2 September 2020

Letter of response provided: [6 October 2020](#) (attaching letters to the Chair setting out the basis for public interest immunity claims, and providing additional explanations)

Public interest immunity claims raised:

- Prejudice to legal proceedings (due to the class action before the Federal Court, *Prygodicz & Ords v Commonwealth of Australia*—due to the nature of the allegations, the content and timing of legal advice provided is directly relevant to issues to be decided and disclosures would have the potential to prejudice the Commonwealth’s ability to defend claims)
- Disclosure of Cabinet deliberations

Order not yet complied with

Income Compliance Program—Executive Minute

- (1) That there be laid on the table by the Minister representing the Minister for Government Services, **by no later than midday on 6 October 2020**, either:
 - (a) a copy of the Executive Minute to the Minister for Social Services, dated 12 February 2015, as referenced in the Commonwealth Ombudsman’s April 2017 report into Centrelink’s automated debt raising and recovery system; or
 - (b) a letter confirming that this Executive Minute will be provided in camera to the Senate Community Affairs References Committee by no later than 5 pm on that same day.
- (2) In the event that the Minister fails to table either of these documents, the Senate requires the Minister representing the Minister for Government Services to attend the Senate at the conclusion of question time on 6 October 2020 to provide an explanation of the Minister’s failure to table the document.

Moved by: Chair of the Community Affairs References Committee (Senator Siewert) (following the adoption of the recommendation of the Committee in its third interim report)

Date agreed to: 2 September 2020

Letter of response provided: [6 October 2020](#) (attaching letters to the Chair setting out the basis for public interest immunity claims, and providing additional explanations)

Public interest immunity claims raised:

- Prejudice to legal proceedings (due to the class action before the Federal Court, *Prygodicz & Ords v Commonwealth of Australia*—due to the nature of the allegations, the content and timing of legal advice provided is directly relevant to issues to be decided and disclosures would have the potential to prejudice the Commonwealth’s ability to defend claims)
- Disclosure of Cabinet deliberations

Order not yet complied with

No. 786—Australia’s sovereign naval shipbuilding capacity

That the Senate—

- (a) notes that:
 - (i) the Economics References Committee has repeatedly requested information relevant to its inquiry into Australia’s sovereign naval shipbuilding capacity from the Department of Defence, and
 - (ii) in response to requests for information made on 24 February, 5 May, 3 June and 18 June 2020, the Department of Defence either failed to respond or failed to raise a public interest immunity claim when declining to provide the information;
- (b) considers that, as a matter of parliamentary oversight, it is vital that the committee obtain the requested information so that it is not impeded in its inquiry;

- (c) reaffirms the principle that information may only be withheld following consideration by the Senate of a properly founded claim of public interest immunity, as laid out in the order of the Senate of 13 May 2009 and reaffirmed multiple times since; and
- (d) orders the Secretary of the Department of Defence to provide complete copies of the following documents to the Economics References Committee **by no later than 5 pm on 16 October 2020**:
- (i) Naval Group's:
 - (A) Australian Industry Capability (AIC) plan submitted under the competitive evaluation process from the then DCNS (November 2015) for the SEA1000 project, and
 - (B) draft AIC plan and AIC strategy for the Australian Future Submarine Program (May 2018)
 - (ii) in relation to the SEA1000 project:
 - (A) the draft AIC plan (including AIC schedules) submitted as part of the response by Naval Group,
 - (B) the draft AIC plan (including AIC schedules) submitted as part of the response by Lockheed Martin, and
 - (C) the AIC plans delivered to the Commonwealth by Naval Group and Lockheed Martin under their respective contracts,
 - (iii) in relation to the SEA1180 project:
 - (A) the draft AIC plan (including AIC schedules) submitted as part of the response by Luerksen, and
 - (B) the AIC plan included in the contract at effective date,
 - (iv) in relation to the SEA3036 project:
 - (A) the draft AIC plan (including AIC schedules) submitted as part of the response by Austal, and
 - (B) the AIC plan included in the contract at effective date, and
 - (v) in relation to the SEA5000 project:
 - (A) the draft AIC plan (including AIC schedules) submitted as part of the response by BAE Systems,
 - (B) the overarching AIC strategy included in the head contract (at effective date),
 - (C) the AIC plan included in the head contract at effective date, and
 - (D) the AIC plan, which the department has previously advised was to be publicly released in the first quarter of 2020.

Moved by: Chair of the Economics References Committee (Senator Gallacher)

Date agreed to: 6 October 2020

Letter of response provided: [19 October 2020](#) (claiming public interest immunity with respect to the documents ordered)

Public interest immunity claim raised:

- Commercial confidentiality (potential impact on companies' ability to achieve value for money)
- Impact on capacity to negotiate future arrangements (including compromising the Commonwealth's position in commercially sensitive negotiations)

Motion concerning compliance with order (849): [11 November 2020](#)

Further letters of response provided: [13 November 2020](#) (further time is required to consider a response) and [3 December 2020](#) (advising that the Government will be in a position to provide the requested documents to the committee by 7 December 2020, with appropriate redactions)

Explanation sought pursuant to standing order 164(3): [23 February 2021](#)

Additional letter of response provided: [24 February 2021](#) (outlining steps taken by the Government in relation to the order to date)

Statement tabled by Economics References Committee: [24 February 2021](#) (the Government had provided a series of documents and, while providing some information, the majority of the documents were heavily redacted rendering them of little use to the committee; the documents do not satisfy the requirements of the order)

Order not yet complied with

No. 811—Comprehensive review of the legal framework governing the national intelligence community

That there be laid on the table by the Minister representing the Attorney-General, **by no later than 3.30 pm on 8 October 2020**, the unclassified version of the report by Dennis Richardson AC titled *Comprehensive review of the legal framework governing the national intelligence community*.

Moved by: Senator Watt

Date agreed to: 7 October 2020

Letter of response provided: [9 October 2020](#) (advising that the Government is in the final stages of its deliberations on the report and its recommendations and will release the report at a later time)

Order not yet complied with

No. 837—Casino junkets—AUSTRAC Report

That—

- (a) the Senate notes that:
 - (i) Australia’s financial intelligence agency, the Australian Transaction Reports and Analysis Centre (AUSTRAC), produced a report in 2017 that found Australia’s casinos are broadly aware of and comply with their anti-money laundering and counter-terrorism financing obligations regarding casino junkets, despite also noting that:
 - (A) there was ‘strong growth’ in the junket market, and
 - (B) junkets are high risk in terms of money laundering, and were increasingly featuring in money-laundering and proceeds of crime investigations (see AUSTRAC FOI Disclosure Log),
 - (ii) the New South Wales Casino Inquiry has heard allegations that Crown Resorts partnered with junkets that were backed by organised crime syndicates, including an allegedly triad-controlled drug trafficking and money laundering organisation starting at least as early as 2015, two years before AUSTRAC’s 2017 report (see NSW Casino Inquiry Hearing, 12 October 2020. pages pp.3945-3948),
 - (iii) when questioned at Senate estimates, the CEO of AUSTRAC, refused a request to release an unredacted version of the 2017 report on the basis that she ‘no longer agrees’ with the report and AUSTRAC has ‘moved on’ (Legal and Constitutional Affairs Legislation Committee, Budget estimates, 20 October 2020, p. 65), and
 - (iv) Australian Government agencies should not refuse access to the reports they have prepared or hold because they have ‘moved on’ or ‘no longer agree’ with their historical decisions;
- (b) there be laid on the table by the Minister representing the Minister for Home Affairs, **by no later than 11.45 am on 12 November 2020**, a copy of AUSTRAC’s 2017 Casino Junkets Campaign Information Report; and
- (c) when tabling the report, the Minister may only redact information if the Minister is aware the information would prejudice a current investigation.

Moved by: Senators Keneally and Urquhart

Date agreed to: 10 November 2020

Ordered document provided: [12 November 2020](#)

Order complied with

No. 838—Inland Rail Interface Improvement Program

- (1) That the Senate—
 - (a) notes that the first round of funding for the Inland Rail Interface Improvement Program was announced on the 13 April 2020 by the Deputy Prime Minister and Minister for Infrastructure, the Honourable Michael McCormack; and
 - (b) further notes that 20 of the 21 projects approved to progress are in Liberal National Party electorates and the remaining project is in the electorate of Indi.
- (2) That there be laid on the table by the Minister representing the Minister for Infrastructure, Transport and Regional Development, **by no later than 10 am on 1 December 2020:**
 - (a) a summary of all applications received for the first round of funding for the Inland Rail Interface Improvement Program, including:
 - (i) whether the proponent is government or private,
 - (ii) a clear statement as to the location of the project, and
 - (iii) a brief summary of the project being not less than 50 words; and
 - (b) details of any advertising, circulars, emails or other media to advertise the opening of applications for the fund.

Moved by: Senator Roberts

Date agreed to: 10 November 2020

Ordered documents provided: [1 December 2020](#)

Order complied with

No. 862—‘Leppington Triangle’ land

That there be laid on the table by the Minister representing the Minister for Population, Cities and Urban Infrastructure, **by no later than 5.30 pm on 18 November 2020**, the 10 written briefings on the acquisition of the Leppington Triangle land between the period November 2015 to November 2019 (including any annotations of decision makers), which are referenced in paragraph 4.1 on page 57 of the Auditor-General’s report no.9 of 2020-21, *Purchase of the ‘Leppington Triangle’ land for the future development of Western Sydney Airport*, as follows:

‘The ANAO examined the 10 written briefings on the acquisition of the Leppington Triangle that were submitted to the head of the Western Sydney Unit, to senior officials elsewhere in the department (the ‘decision-makers’) and/or to portfolio Ministers. The Department of Infrastructure, Transport, Regional Development and Communications (‘Department of Infrastructure’ or ‘the department’) confirmed to the ANAO that these constituted the total population of briefings on the topic. The briefings spanned a four-year period from November 2015 to November 2019’.

Moved by: Senators Watt and Sterle

Date agreed to: 12 November 2020

Letter of response provided: [18 November 2020](#) (claiming public interest immunity with respect to the documents ordered)

Public interest immunity claims raised:

- Interference with an investigation in process by a law enforcement agency (public disclosure could influence or inhibit evidence of potential witnesses and disclose possible avenues of enquiry; may create obstacles to the use of information in court or tribunal proceedings which might follow)
- Documents are integral to an ongoing disciplinary investigation under the Public Service Act (disclosure may enable to identity of those subject to be identified)

Letter of response and document provided: [3 August 2021](#) (providing additional documents subsequent to advice received that disclosure would no longer prejudice the ongoing AFP investigation, with redactions on another public immunity ground)

Additional public interest immunity claim raised: Disclosure of privileged legal advice

Order partially complied with

No. 873—Federal Court and Federal Circuit Court Fees—Consultation

That—

- (a) the Senate notes that:
- (i) the Federal Government’s new Federal Court and Federal Circuit Court Amendment (Fees) Regulations 2020 increase the Federal Circuit Court application fee for migration litigants from \$690 to \$3,330,
 - (ii) this 380% fee hike is disproportionate and inconsistent with other Federal Circuit Court fees set out in Schedule 1 of the Federal Court and Federal Circuit Court Regulation 2012, and even exceeds most (non-corporation) Federal Court fees,
 - (iii) with the exception of bankruptcy applications, all other fees payable for proceedings in the Federal Circuit Court remain under \$1,000 for non-corporations,
 - (iv) the Federal Circuit Court can review decisions made by the Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs, decisions made by the Administrative Appeals Tribunal and ‘fast track’ reviewable decisions made by the Immigration Assessment Authority, but only to determine whether jurisdictional errors have been made, and
 - (v) the instrument’s explanatory memorandum states that ‘consultation was undertaken with the Federal Circuit Court of Australia’ but it provides no reasons for imposing the high application fee on migration litigants only; and
- (b) there be laid on the table by the Minister representing the Attorney-General, **by midday on 7 December 2020**, any documents (including briefing documents, emails, memos, letters, agendas and minutes) held by the Attorney-General, the Attorney-General’s Department or the Department of Home Affairs relating to consultation on the instrument, or that relate to a discussion, proposal or request to increase the fee for migration litigants, or that relate to the quantity or reasons for a fee increase.

Moved by: Senator Griff

Date agreed to: 30 November 2020

Letter of response provided: [7 December 2020](#) (providing information concerning the Budget measure, but stating that more time would be required to respond to the order)

Further letter of response, attaching ordered documents, provided: [2 February 2021](#) (providing documents, and claiming public interest immunity with respect to redactions in the documents and to the remaining documents)

Public interest immunity claims raised:

- Disclosure of Cabinet and Executive Council deliberations (disclosure of relevant materials would also have effect that key stakeholders will be wary of any future attempt to canvass views on the basis that financial and administrative information will not remain confidential)

- Disclosure of privileged legal advice

Order partially complied with

No. 883—Energy—Generation Replacement Study

That there be laid on the table by the Minister representing the Minister for Energy and Emissions Reduction, **by no later than 10 am on 7 December 2020**, the public version of the Australian Energy Market Operator – Generation Replacement Study, as referenced at Attachment D in the report of the Liddell Taskforce titled *An assessment on the impacts of a Liddell closure on system reliability, electricity prices, industry, and the local region*.

Moved by: Senator Waters

Date agreed to: 1 December 2020

Ordered document provided: [1 December 2020](#)

Letter of advice provided: [7 December 2020](#) (advising document is publicly available online)

Order complied with

Community Sport Infrastructure Grants—Advice

That there be laid on the table by the Chair of the Australian Sport Commission/Sport Australia, **by no later than 10 am on Thursday, 3 December 2020**, the advice that the ASC/Sport Australia received from counsel in February 2020 in relation to the issue of legal authority of the minister and as to whether Sport Australia had acted within its power in carrying out its role in the Community Sport Infrastructure Grant (CSIG) program.

Moved by: Chair of the Select Committee on Administration of Sports Grants (Senator Chisholm) (following the adoption of the recommendation of the Committee in its interim report)

Date agreed to: 1 December 2020

Letter of response provided: [3 December 2020](#) (stating documents initiating a Federal Court action have been served on the ASC, and that on the basis of legal professional privilege and in the context of a current legal action, the ASC ‘should not be required to table the legal advice’)

Order not yet complied with

No. 884—Northern Australia Infrastructure Facility—Review

That there be laid on the table by the Minister representing the Minister for Resources, Water and Northern Australia, **by no later than 9.30 am on 7 December 2020**, the review of the Northern Australia Infrastructure Facility announced by the former Minister for Northern Australia on 8 November 2019.

Moved by: Senators Green and Watt

Date agreed to: 2 December 2020

Letter of response provided: [7 December 2020](#) (explaining that the timetable for the review was longer to ensure adequate consultation time during the COVID-19 pandemic, and that once finalised the NAIF review will be tabled)

Order not yet complied with

No. 892—Foreign shipping—Voyage return forms

That—

- (a) the Senate notes that:
 - (i) foreign-based ship operators must lodge an ‘Overseas ships - voyage return’ form with the Commissioner of Taxation where a ship carries passenger, livestock, mails or goods shipped in Australia; and that 5% of the amount payable to the operator is deemed taxable income,
 - (ii) in the 2015 income year the net tax paid by foreign-based ship owners was \$13 million, in the 2016 income year the net tax paid was \$13 million, in the 2017 income year the net tax paid was \$11 million and in the 2018 income year the net tax paid was \$13 million,
 - (iii) foreign ships compete with rail, road transport and domestic shipping for non-time sensitive freight business undercutting rates by up to 50% because they do not employ people under Australian work and wage conditions, they are not subject to government costs and regulation, and further, the auditing of ‘Overseas ships – voyage return’ forms is difficult, and
 - (iv) Australian jobs are being lost and will continue to be lost in the rail, road and Australian shipping industries because foreign-based ship operators have lower costs;
- (b) the Senate calls on the Government to take whatever steps are necessary to ensure rail, road and domestic shipping transport businesses in Australia are able to compete on a level playing field with foreign based ship operators including making sure foreign ships pay the correct amount of income tax and that:
 - (i) information provided to the Commissioner of Taxation can only be used for a tax purpose pursuant to section 16 of the *Income Tax Assessment Act 1936* and this provision is copied in other tax legislation – tax secrecy laws protect information relating to people including corporate entities such as companies; however, there is no protection for de-identified information including statistics, and
 - (ii) the ‘Overseas ships - voyage return’ form that must be provided to the Commissioner of Taxation asks for 15 items of information, including the tax file number and other identifying information in items 1, 2, 4, 5, 12 and 14 of the form, and that none of this identifying information is sought in this order for the production of documents; and
- (c) there be laid on the table by, the Minister for Finance, **by Wednesday, 9 December 2020**, information for each individual ‘Overseas ships – voyage return’ forms for 2015, 2016, 2017 and 2018 provided in relation to items 3, 6, 7, 8, 9, 10, 11 and 13 of the form (and which does not include information provided in response to items 1, 2, 4, 5, 12 and 14).

Moved by: Senator Hanson

Date agreed to: 2 December 2020

Ordered documents provided: [9 December 2020](#) (requested information provided, subject to complying with ‘privacy provisions in taxation legislation and the reasonable diversion of resources required to undertake the search and produce the relevant information’)

Order partially complied with

No. 903—China-Australia Free Trade Agreement

That—

- (a) the Senate notes that:
 - (i) the China-Australia Free Trade Agreement (ChAFTA) entered into force on 20 December 2015, and

- (ii) the Department of Foreign Affairs and Trade is undertaking a post-implementation review within 5 years of implementation;
- (b) there be laid on the table by the Minister for Trade, Tourism and Investment, **by no later than 5 pm on 8 December 2020**, a statement explaining the Government's assessment of:
 - (i) China's compliance with the letter and spirit of ChAFTA,
 - (ii) the extent and consequences of Australian economic dependence on the Chinese market, and
 - (iii) the wider economic, strategic and diplomatic context of Australia's trade relations with China; and
- (c) at 9.30 am on 9 December 2020, before government business is called on:
 - (i) the Senate requires the Minister for Trade, Tourism and Investment to provide an explanation of the Government's statement referred to in paragraph (b), and
 - (ii) a senator may, at the conclusion of the explanation, move without notice—that the Senate take note of the explanation.

Moved by: Senator Patrick

Date agreed to: 3 December 2020

Ordered document provided: [9 December 2020](#)

Explanation pursuant to paragraph (c): [9 December 2020](#)

Order complied with

No. 922—PFAS Taskforce

- (1) The Senate notes that on 13 May 2020 the Senate resolved to request the following documents be tabled in the Senate on the first sitting day after 1 June 2020 by the Minister representing the Minister for the Environment:
 - (a) the minutes of the last 3 meetings of the PFAS Taskforce; and
 - (b) the dates of each meeting of the PFAS Taskforce, commencing from the first meeting after 2015.
- (2) The Senate notes that these documents have not been tabled.
- (3) The Senate requires the Minister representing the Minister for the Environment, to table those documents **by 9.30 am on Wednesday, 9 December 2020**.
- (4) Should the documents not be tabled, the Senate further resolves to require the Minister representing the Minister for the Environment, to attend the Senate at 9.30 am on Thursday, 10 December 2020 to explain why the documents have not been tabled.
- (5) Any senator may move to take note of the explanation required by paragraph (4).
- (6) Any motion under paragraph (5) may be debated for no longer than 60 minutes, shall have precedence over all business until determined, and senators may speak to the motion for not more than 10 minutes each.

Moved by: Senator Roberts

Date agreed to: 8 December 2020

Ordered documents provided: [9 December 2020](#) (with redaction of personal information)

Order complied with

No. 934—Australian Broadcasting Corporation—Election coverage

That there be laid on the table by the Minister representing the Minister for Communications, Cyber Safety and the Arts, **by no later than midday on 10 December 2020**, the report by Kerry Blackburn, commissioned by the Australian Broadcasting Corporation (ABC), in relation to the ABC's coverage of the 2019 election.

Moved by: Senator McGrath

Date agreed to: 9 December 2020

Ordered document provided: [10 December 2020](#) (together with a letter from the Chair of the ABC requesting non-publication of the report)

Order complied with

No. 950—Climate Ambition Summit 2020

That there be laid on the table by the Minister representing the Prime Minister, **by no later than 9.30 am on 11 December 2020**, any correspondence from any of the hosts of the Climate Ambition Summit 2020 to the Australian Government in relation to Australia's participation or attendance at the summit.

Moved by: Senator Rice

Date agreed to: 10 December 2020 ([statement made](#))

Order not yet complied with

2021

No. 997—Royal Commissions—Confidentiality protections

That there be laid on the table, by the Minister representing the Attorney-General, **by no later than 10.30 am on Monday, 22 February 2021:**

- (a) all documents and correspondence between the Attorney-General's Department and the Attorney-General and his office relating to the planning, drafting and introduction of legislation seeking to amend the *Royal Commissions Act 1902* to extend confidentiality protections for people giving evidence to the Royal Commission into Violence, Abuse, Neglect, and Exploitation of People with Disability; and
- (b) all documents and correspondence between the Attorney-General's Department and the Attorney-General and his office relating to the letter sent by the Chair of the Royal Commission into Violence, Abuse, Neglect, and Exploitation of People with Disability, Ronald Sackville AO QC, on 14 February 2020 and the subsequent interim report commentary in October 2020 requesting the change to the *Royal Commissions Act 1902* to assure confidentiality provisions for witnesses and people giving evidence to the commission.

Moved by: Senator Steele-John

Date agreed to: 17 February 2021

Letter of response provided: [22 February 2021](#) (seeking more time to comply with the order)

Additional letter of response and documents provided: [25 October 2021](#) (documents falling within the scope of the order have been provided, but a number of documents have been either withheld, or redacted, on the grounds of public interest immunity; and documents in draft or containing personal or irrelevant information and contact details that are not public have also been redacted)

Public interest immunity claims raised:

- Disclosure of Cabinet deliberations (certain documents specified in the order would disclose the deliberations of Cabinet, and the release of the information could be expected to result in harm to the public interest)
- Disclosure of privileged legal advice

Order partially complied with

No. 999—Cashless Debit Card

That there be laid on the table, by the Minister for Families and Social Services, **by no later than 10 am on Monday, 22 February 2021**, the final evaluation report of the University of Adelaide in relation to the Cashless Debit Card, commissioned by the Department of Social Services.

Moved by: Senator Chisholm

Date agreed to: 17 February 2021

Ordered documents provided: [22 February 2021](#)

Order complied with

No. 1011—Unanswered question on notice

That—

- (a) the Senate notes at the time of lodgement of this notice of motion:
- (i) 631 answers to questions on notice from the 2020-21 budget estimates in the following portfolios remain unanswered:
 - (A) Attorney-General's, answers to 76 questions,
 - (B) Foreign Affairs and Trade, answers to 2 questions,
 - (C) Health, answers to 22 questions,
 - (D) Industry, Science, Energy and Resources, answer to 1 question,
 - (E) Infrastructure, Transport, Regional Development and Communications, answers to 143 questions,
 - (F) Prime Minister and Cabinet, answers to 323 questions,
 - (G) Social Services, answers to 60 questions, and
 - (H) Treasury, answers to 4 questions,
 - (ii) 7 answers to questions on notice from the 2019-20 additional estimates remain unanswered,
 - (iii) 20 answers to questions on notice from the 2019-20 supplementary budget estimates remain unanswered, and
 - (iv) the Department of the Prime Minister and Cabinet has the worst performance in responding to questions on notice from Senate committees considering estimates of all Commonwealth Government departments, being responsible for 53% of all overdue answers, which is grossly inconsistent with its self-described role as being responsible for 'Fostering a high performing public sector' and is a direct reflection on the Prime Minister; and
- (b) there be laid on the table by the Leader of the Government in the Senate, **by no later than 9.30 am on Wednesday, 24 February 2021**, the answers to all 658 unanswered questions on notice from the 2020-21 Budget estimates, 2019-20 additional estimates and the 2019-20 supplementary Budget estimates.

Moved by: Senator Kitching

Date agreed to: 18 February 2021

Letter of response provided: [24 February 2021](#) (outlining the number of questions that remain unanswered)

Order not yet complied with

No. 1018—Future Submarine Program

That—

- (a) there be laid on the table by the Minister for Defence, **by no later than 9.30 am on Wednesday 24 February 2021**, documents (including text messages or any other messages or communications transmitted via electronic or like facilities) held by the Minister or the Minister's office relating to messages between the Minister for Defence and the French Minister of the Armed Forces regarding Naval Group's Australian Industry Capability commitment for the Future Submarines; and
- (b) documents to be produced under paragraph (a) include any documents that 'explicitly stated and included agreement to a commitment on the part of Naval Group 'to a level of Australian industry capability that will have the effect of at least 60 per cent of the Naval Group contract value spent in Australia' as referred to in the answer to question on notice no. 51 from the 4 March 2020 additional estimates hearings for the Department of Defence through the Foreign Affairs, Defence and Trade Legislation Committee.

Moved by: Leader of the Opposition in the Senate (Senator Wong)

Date agreed to: 22 February 2021

Letter of response and ordered document provided: [24 February 2021](#) (attaching a letter released under an FOI request, and claiming public interest immunity with respect to the remaining documents)

Public interest immunity claim raised: Prejudice to international relations (releasing information could harm relationship with France, inhibit the future flow of confidential information and weaken Australia's bargaining position in engagement and negotiations in future)

Order partially complied with

Petroleum Research Rent Tax—Unanswered question on notice

That there be laid on the table, by the Minister representing the Treasurer (Senator Birmingham), **by no later than 4 pm on 15 March 2021**, the answer to question on notice no. 2391.

Moved by: Leader of Pauline Hanson's One Nation (Senator Hanson)

Date agreed to: 24 February 2021

Ordered document provided: [24 February 2021](#)

Order complied with

No. 1028—Future Frigates

That—

- (a) the Senate notes that:
 - (i) for years the Government publicly referred to the Future Frigates as a \$35 billion acquisition, until the release on 1 July 2020 of the 2020 Force Structure Plan which contained a revised costing of \$45.6 billion,
 - (ii) the Department of Finance has revealed that since 2018 the Government knew that the out-turned acquisition cost of the Future Frigates had increased to \$44.3 billion, and

- (iii) the Department of Defence has revealed that commercial considerations subsided in December 2018, and thus nothing precluded the public release of updated acquisitions costs;
- (b) the Senate further notes that, despite the facts outlined in paragraph (a), the Government continued to incorrectly refer to the Future Frigates as a \$35 billion acquisition, and this included:
 - (i) the then Minister for Defence and then Minister for Finance in a joint media release on 14 December 2018,
 - (ii) the then Minister for Defence and now Minister for Defence in a joint Budget media release on 2 April 2019, and
 - (iii) the Minister for Defence and Minister for Defence Industry in a joint media release on 31 March 2020;
- (c) there be laid on the table by the Minister for Defence and Minister for Finance, **by no later than 9.30 am on Thursday, 4 March 2021**, documents and correspondence relating to the preparation and finalisation of materials for use by the Departments of Defence and Finance and the Ministers for Defence and Finance between 1 December 2018 and 1 July 2020 that included reference to the Future Frigates as a \$35 billion program;
- (d) documents to be produced under paragraph (c) include, but are not limited to:
 - (i) documents and correspondence relating to the preparation and finalisation of the media releases referred to in paragraph (b),
 - (ii) documents that may relate to the production of other media releases, speeches and other documents prepared to support public statements and media engagements by the Ministers for Defence and Finance and officials of the Departments of Defence and Finance, and
 - (iii) drafts of documents and any comments from Ministers or their staff on drafts of those documents; and
- (e) 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.

Moved by: Senator Kitching

Date agreed to: 24 February 2021

Documents provided: [28 May 2021](#) (letter attaching documents within scope of order, with redaction of personal information; and claiming public interest immunity with respect to the remaining documents)

Public interest immunity claim raised: Disclosure of Cabinet deliberations (the documents informed and were the subject of Cabinet deliberations; and would or could reasonably be expected to disclose deliberations of the Cabinet or a committee of Cabinet)

Order partially complied with

No. 1034—Foster and Gaetjens reviews—Terms of reference

That the Senate—

- (a) notes that:
 - (i) on 16 February 2021 the Prime Minister announced the Deputy Secretary of the Department of the Prime Minister and Cabinet, Ms Stephanie Foster, would conduct a review of support available for staff engaged under the *Members of Parliament (Staff) Act 1984*, and
 - (ii) on 17 February 2021 the Prime Minister announced the Secretary of the Department of the Prime Minister and Cabinet, Mr Philip Gaetjens, would examine conduct by the Prime Minister’s office following an alleged sexual assault at Parliament House in March 2019; and

- (b) orders that there be laid on the table by the Minister representing the Prime Minister, **by no later than 9.30 am on 25 February 2021**, documents containing the terms of reference for the reviews being conducted by Ms Foster and Mr Gaetjens.

Moved by: Senator Gallagher

Date agreed to: 24 February 2021

Letter of response provided: [25 February 2021](#) (stating that it would not be appropriate to reveal formal requests for advice that are for the deliberations of Cabinet, but providing advice as to what processes the Prime Minister has asked to be undertaken)

Order substantially complied with

No. 1037—Defence capital acquisitions

That the Senate—

- (a) notes that:
- (i) a key role of the Senate is scrutiny of government expenditure,
 - (ii) in April 2020, Senator Patrick requested the Parliamentary Budget Office (PBO) prepare an aggregated annual expenditure forecast covering the Department of Defence's capital acquisitions over the future twenty year period,
 - (iii) the Department of Defence has since consistently failed to supply the PBO with the complete set of project level expenditure forecasts, for each of the acquisition projects necessary for them to fulfil the senator's requests,
 - (iv) the data requested will only be used by the PBO to prepare an aggregated annual expenditure forecast to financial year 2039-40, being the period covered by the 2020 Force Structure Plan, that is a single monetary figure for each financial year over the period, with no reference to any individual project,
 - (v) all capital acquisition projects, which would be included in the capability acquisition program as per the Portfolio Budget Statements, and guided by the 2016 Defence Integrated Investment Program and/or the 2020 Force Structure Plan, are to be included in the aggregation, and
 - (vi) documents provided to the PBO can be handled by that office under strict confidentiality provisions and there is no expectation that any individual project's data would be disclosed to anyone outside the PBO,
- (b) orders the Secretary of the Department of Defence, **by no later than 5 March 2021**, to provide to the PBO, program-level information for each defence capital acquisition project as outlined in paragraph (a)(v) above, for each financial year from 2019-20 to 2039-40, setting out the amount of funding:
- (i) committed for projects under contract,
 - (ii) allocated for projects or future phases of projects approved but not yet under contract, and
 - (iii) budgeted for acquisition projects planned but not yet approved; and
- (c) requires the PBO to advise the Senate of the Secretary's compliance, or otherwise, with this order **by no later than 9 March 2021**.

Moved by: Senator Patrick

Date agreed to: 25 February 2021

Letters of advice provided: [15 March 2021](#) (from the PBO, stating that the information has not yet been provided); [18 March 2021](#) (from the PBO, informing the Senate of actions taken by the Secretary to comply with the order)

Order complied with

No. 1046—Aboriginal Flag—Select Committee—Report—Government response

That there be laid on the table, by the Minister representing the Minister for Indigenous Affairs, **by no later than 9.30 am on Wednesday, 17 March 2021**, the government response to the report of the Select Committee on the Aboriginal Flag.

Moved by: Senator McCarthy

Date agreed to: 15 March 2021

Ordered document provided: [17 March 2021](#)

Order complied with

COVID-19—Select Committee—Public interest immunity claims—Second interim report

Motion of the Chair of the Select Committee on COVID-19 for the adoption of the recommendations contained in the second interim report

COVID-19—Select Committee—Legal advice—Order for the production of documents—Attendance by minister

- (1) That the Senate orders that there be provided to the Senate Select Committee on COVID-19, by the Attorney-General, no later than midday on 17 March 2021, the following document:

An unredacted copy of the legal advice that the Attorney-General's Department received regarding the interaction of the Privacy Amendment (Public Health Contact Information) Bill 2020 with the United States' *Clarifying Lawful Overseas Use of Data Act*.

- (2) In the event that the Attorney-General fails to provide the unredacted document, the Senate requires that the Minister representing the Attorney-General attend the Senate at the conclusion of question time on 17 March 2021 to provide an explanation, of no more than 10 minutes, of the Minister's failure to provide the document.

COVID-19—Select Committee—Presentation—Order for the production of documents—Attendance by minister

- (1) That the Senate orders that there be provided to the Senate Select Committee on COVID-19, by the Minister representing the Treasurer, no later than midday on 17 March 2021, the following document:

A copy of the presentation that Mr Michael Brennan, Chair of the Productivity Commission, provided to National Cabinet on 10 July 2020.

- (2) In the event that the Minister fails to provide this document, the Senate requires that the Minister representing the Treasurer attend the Senate at the conclusion of question time on 17 March 2021 to provide an explanation, of no more than 10 minutes, of the Minister's failure to provide the document.

COVID-19—Select Committee—Answers to questions—Orders for the production of documents—Attendance by ministers

- (1) That the Senate orders that there be provided to the Senate Select Committee on COVID-19, by the Minister representing the Minister for Health, no later than midday on 17 March 2021, the following documents:

Answers that provide the information sought by the questions listed in Table 3.1 at Appendix 3 of the second interim report of the Senate Select Committee on COVID-19.

- (2) In the event that the Minister fails to provide these documents, the Senate requires that the Minister representing the Minister for Health attend the Senate at the conclusion of question time on 17 March 2021 to provide an explanation, of no more than 10 minutes, of the Minister's failure to provide the documents.

-
- (1) That the Senate orders that there be provided to the Senate Select Committee on COVID-19, by the Minister representing the Minister for Health, no later than midday on 17 March 2021, the following documents:

Answers that provide the information sought by the questions listed in Table 3.2 at Appendix 3 of the second interim report of the Senate Select Committee on COVID-19.

- (2) In the event that the Minister fails to provide these documents, the Senate requires that the Minister representing the Minister for Health attend the Senate at the conclusion of question time on 17 March 2021 to provide an explanation, of no more than 10 minutes, of the Minister's failure to provide the documents.

-
- (1) That the Senate orders that there be provided to the Senate Select Committee on COVID-19, by the Minister representing the Treasurer, no later than midday on 17 March 2021, the following documents:

Answers that provide the information sought by the questions listed in Table 4.1 at Appendix 4 of the second interim report of the Senate Select Committee on COVID-19.

- (2) In the event that the Minister fails to provide these documents, the Senate requires that the Minister representing the Treasurer attend the Senate at the conclusion of question time on 17 March 2021 to provide an explanation, of no more than 10 minutes, of the Minister's failure to provide the documents.

-
- (1) That the Senate orders that there be provided to the Senate Select Committee on COVID-19, by the Minister for Senior Australians and Aged Care Services, no later than midday on 17 March 2021, the following documents:

Answers that provide the information sought by the questions listed in Table 5.1 at Appendix 5 of the second interim report of the Senate Select Committee on COVID-19.

- (2) In the event that the Minister for Senior Australians and Aged Care Services fails to provide these documents, the Senate requires the Minister to attend the Senate at the conclusion of question time on 17 March 2021 to provide an explanation, of no more than 10 minutes, of the Minister's failure to provide the documents.

-
- (1) That the Senate orders that there be provided to the Senate Select Committee on COVID-19, by the Minister for Families and Social Services, no later than midday on 17 March 2021, the following documents:

Answers that provide the information sought by the questions listed in Table 6.1 at Appendix 6 of the second interim report of the Senate Select Committee on COVID-19.

- (2) In the event that the Minister for Families and Social Services fails to provide these documents, the Senate requires the Minister to attend the Senate at the conclusion of question time on 17 March 2021 to provide an explanation, of no more than 10 minutes, of the Minister's failure to provide the documents.

Moved by: Senator Gallagher

Date agreed to: 15 March 2021

Letter of response provided: [17 March 2021](#) (maintaining the public interest claims advanced in the initial responses to the Committee's requests)

Order not yet complied with

No. 1088—Joint Standing Committee on Foreign Affairs, Defence and Trade— Report—Targeted sanctions to address human rights abuses—Government response

- (1) That the Senate—
 - (a) notes that on 8 December 2020 the Joint Standing Committee on Foreign Affairs, Defence and Trade tabled its report titled *Criminality, corruption and impunity: Should Australia join the Global Magnitsky movement?*, and recommended that the ‘Australian Government enact stand alone targeted sanctions legislation to address human rights violations and corruption, similar to the United States’ Magnitsky Act 2012’; and
 - (b) calls on the Australian Government to respond to that report’s recommendations as soon as possible, and introduce an Australian Magnitsky Act.
- (2) That there be laid on the table by the Foreign Minister, **by no later than 2 pm on 13 May 2021**, a response to the report of the Joint Standing Committee on Foreign Affairs, Defence and Trade.

Moved by: Senators Rice and Kitching

Date agreed to: 11 May 2021

Letter of response provided: [13 May 2021](#) (Government is still considering its response and is not in a position to table it at this time)

Ordered document provided: [9 August 2021](#)

Order not yet complied with

No. 1106—Unanswered estimates questions on notice

That—

- (a) the Senate notes at the time of lodgement of this notice of motion:
 - (i) 2,214 questions on notice from the 2020-21 additional estimates in the following portfolios remain unanswered and are overdue:
 - (A) Agriculture, Water and Environment, 181 questions,
 - (B) Attorney-General’s, 20 questions,
 - (C) Defence, 419 questions,
 - (D) Education, Skills and Employment, 7 questions,
 - (E) Employment, Industrial Relations and Small Business, 82 questions,
 - (F) Finance, 75 questions,
 - (G) Foreign Affairs and Trade, 344 questions,
 - (H) Health, 164 questions,
 - (I) Home Affairs, 95 questions,
 - (J) Industry, Science, Energy and Resources, 103 questions,
 - (K) Infrastructure, Transport, Regional Development and Communications, 266 questions,
 - (L) Prime Minister and Cabinet, 189 questions,
 - (M) Social Services, 162 questions, and
 - (N) Treasury, 107 questions,
 - (ii) 89 questions on notice from the 2020-21 Budget estimates remain unanswered,
 - (iii) 7 questions on notice from the 2019-20 additional estimates remain unanswered, and
 - (iv) 20 questions on notice from the 2019-20 supplementary Budget estimates remain unanswered;

- (b) there be laid on the table by the Leader of the Government in the Senate, **by no later than 9.30 am on Monday, 17 May 2021**, the answers to all 2,330 unanswered questions on notice from the 2020-21 additional estimates, 2020-21 Budget estimates, 2019-20 additional estimates and the 2019-20 supplementary Budget estimates; and
- (c) 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.

Moved by: Senator Keneally

Date agreed to: 13 May 2021

Letter of response provided: [14 May 2021](#) (Departments will be seeking to answer the questions as soon as possible)

Order not yet complied with

Scrutiny of Delegated Legislation—Standing Committee—Final report— Exemption of delegated legislation from parliamentary oversight—Legislation (Exemptions and Other Matters) Regulation 2015—Parts 2, 4 and 5— Statement—Order for production of document

That there be laid on the table, by the Attorney-General, **by no later than 5 pm on Tuesday, 31 August 2021**, a statement setting out:

- (a) the rationale for specifying that each class of instrument and each particular instrument in Part 2 of the Legislation (Exemptions and Other Matters) Regulation 2015 are not legislative instruments; and
- (b) the exceptional circumstances that justify each exemption from disallowance or sunseting currently set out in Parts 4 and 5 of the Legislation (Exemptions and Other Matters) Regulation 2015.

Moved by: Chair of the Standing Committee for the Scrutiny of Delegated Legislation (Senator Fierravanti-Wells) (following the adoption of a recommendation of the committee in its report on the exemption of delegated legislation from parliamentary oversight)

Date agreed to: 16 June 2021

Ordered documents provided: [31 August 2021](#)

Order complied with

No. 1146—Australian Animal Welfare Standards and Guidelines for Poultry

That there be laid on the table by the Minister representing the Minister for Agriculture, Drought and Emergency Management, **by no later than 7.20 pm on Tuesday, 22 June 2021**, the latest version of the Australian Animal Welfare Standards and Guidelines for Poultry produced by the Independent Poultry Welfare Panel and/or the Department of Agriculture, Water and the Environment.

Moved by: Senator Faruqi

Date agreed to: 21 June 2021

Ordered document provided: [23 June 2021](#) (the most recent draft version, consistent with the version provided to stakeholders in March 2021)

Order complied with

COVID-19—Vaccination program

That there be laid on the table by the Minister representing the Minister for Health and Aged Care, **by no later than 7.20 pm on Tuesday, 22 June 2021**, the planning parameters of the likely lowest and likely highest allocations of Pfizer and AstraZeneca vaccine doses that each state and territory is expected to receive each week throughout 2021, which the Minister representing the Minister for Health and Aged Care committed on 21 June 2021 to provide to the Senate.

Moved by: Senator Gallagher

Dated agreed to: 22 June 2021

Ordered document provided: [23 June 2021](#)

Letter of response provided: [23 June 2021](#) (confirming stock on hand in each state, and stating that a breakdown of allocations vaccinations across the horizon to the end of 2021 will be finalised and released over coming days)

Order complied with

No. 1186—Foreign Affairs, Defence and Trade—Joint Standing Committee—Targeted sanctions to address human rights abuses—Government response

- (1) That the Senate:
 - (a) notes that on 8 December 2020 the Joint Standing Committee on Foreign Affairs, Defence and Trade tabled its report titled *Criminality, corruption and impunity: Should Australia join the Global Magnitsky movement?*, and recommended that the ‘Australian Government enact standalone targeted sanctions legislation to address human rights violations and corruption, similar to the United States’ Magnitsky Act 2012’; and
 - (b) calls on the Australian Government to respond to that report’s recommendations as soon as possible, and introduce an Australian Magnitsky Act.
- (2) That there be laid on the table by the Minister for Foreign Affairs, **by no later than 2 pm on 11 August 2021**, a government response to the report of the Joint Standing Committee on Foreign Affairs, Defence and Trade.

Moved by: Senator Rice

Dated agreed to: 3 August 2021

Order document provided: [9 August 2021](#)

Letter of response provided: [10 August 2021](#) (confirming that the Government’s response has been tabled)

Order complied with

No. 1192—COVID-19—Vaccination targets—Doherty Institute modelling

That there be laid on the table by the Minister representing the Minister for Health and Aged Care, **by no later than 9.30 am on Thursday, 5 August 2021**, the full Doherty Institute modelling, including technical reports, used to inform the vaccination targets announced on 30 July 2021 under the national plan to transition Australia’s national COVID-19 response.

Moved by: Senator Siewert

Dated agreed to: 4 August 2021 (see also order no. [1208](#))

Letter of response and ordered documents provided: [5 August 2021](#)

Order complied with

No. 1195—Murray-Darling Basin Plan

That there be laid on the table by the Minister representing the Minister for Resources and Water, **by no later than 10.30 am on Monday, 9 August 2021**, the Government's current plan to achieve the full 450 GL of 'efficiency measures' in the required statutory time frame.

Moved by: Senator Patrick

Dated agreed to: 4 August 2021

Ordered documents provided: [9 August 2021](#)

Order complied with

No. 1196—JobKeeper payments

That there be laid on the table by the Commissioner of Taxation, **by no later than 9.30 am on Thursday, 12 August 2021**, the list of all employers with an annual turnover of greater than \$10 million that were paid a JobKeeper payment, and the number of employees paid, the total amount paid and any amount returned.

Moved by: Senator Patrick

Dated agreed to: 4 August 2021 (see also order no. [1219](#))

Letter of response provided: [12 August 2021](#) (from the Commissioner, acknowledging the power of the Parliament to require the production of documents despite statutory secrecy and confidentiality provisions, but raising a public interest immunity claim with respect to the documents ordered)

Public interest immunity claim raised: Taxpayer secrecy (disclosure of information would harm the public interest by undermining public confidence in the Commissioner's ability to keep taxation information confidential, and the administration of the tax system generally)

Ordered document provided: [3 February 2022](#)

Order complied with

No. 1199—Industry Growth Centres

That there be laid on the table by the Minister representing the Minister for Industry, Science and Technology, **by no later than 10 am on Monday, 9 August 2021**, the ACIL Allen report on the Industry Growth Centres.

Moved by: Senator Watt

Dated agreed to: 5 August 2021

Letter of response provided: [9 August 2021](#) (stating that the Government is not in a position to table the report at this time, and that the report will be released in the usual way at the appropriate time)

Order not yet complied with

No. 1200—Modern Manufacturing Initiative

That there be laid on the table by the Minister representing the Minister for Industry, Science and Technology, **by no later than 9.30 am on Wednesday, 11 August 2021**, the decision briefs and merit assessment packs prepared by the Department of Industry Science, Energy and Resources with respect to the Translation and Integration funding streams of the Modern Manufacturing Initiative.

Moved by: Senator Watt

Dated agreed to: 9 August 2021

Letter of response provided: [11 August 2021](#) (claiming public interest immunity with respect to the documents ordered)

Public interest immunity claims raised:

- Commercial confidentiality (release of these documents may reveal commercially sensitive project information, harm competitive advantage and impact their ability to attract investment)
- Privacy (disclosure of some information may unreasonably infringe the privacy of individuals who have provided the information)
- Disclosure of Cabinet deliberations (documents sought would or could reasonably be expected to disclose the deliberations of Cabinet or a committee of Cabinet)

Order not yet complied with

No. 1208—Doherty Institute modelling

That there be laid on the table by the Minister representing the Minister for Health and Aged Care, **by no later than 9.30 am on Wednesday, 11 August 2021**, the terms of reference, full brief and remit the Doherty Institute was asked to model that informed the Government’s national plan to transition Australia’s national COVID-19 response.

Moved by: Senator Siewert

Dated agreed to: 10 August 2021 (see also order no. [1192](#))

Letter of response and documents provided: [11 August 2021](#) (providing three publicly available National Cabinet statements, claiming public interest immunity with respect to the provision of further documents, and referring to documents tabled in response to an earlier order)

Public interest immunity claims raised:

- Disclosure of Cabinet deliberations (release of the documents would disclose the deliberations of National Cabinet)
- Commercial confidentiality (release of these documents would inhibit commercially sensitive discussions relating to the management of contracts between the Government and the Doherty Institute)

Order not yet complied with

No. 1209—Beetaloo Cooperative Drilling Program

That there be laid on the table by the Minister representing the Minister for Resources and Water, **by no later than 1 pm on Thursday, 12 August 2021**, the following documents relating to the Beetaloo Cooperative Drilling Program:

- (a) any correspondence between the Minister for Resources and Water and Empire Energy or its subsidiaries discussing the program;
- (b) any correspondence between the Minister for Energy and Emissions Reduction and Empire Energy or its subsidiaries discussing the program;
- (c) details of any meetings between the Minister for Resources and Water or the Minister for Energy and Emissions Reduction and representatives of Empire Energy, including date, location, attendees and notes of any matters discussed;
- (d) a list of all applications for grants under the program, including the date the application was received;
- (e) guidelines, directions, policies or any other documentation regarding the decision to allocate grants on a ‘first come, first served’ basis;
- (f) any assessment against relevant guidelines of the validity or merits of applications received;
- (g) a list of successful applicants;

- (h) a list of any applicants who have been advised that their application has not been successful; and
- (i) any grant agreements issued under the program.

Moved by: Leader of the Australian Greens in the Senate (Senator Waters)

Dated agreed to: 10 August 2021

Letter of response provided: [11 August 2021](#) (seeking more time to comply with the order)

Ordered documents provided: [20 August 2021](#) (there has been no correspondence in relation to paragraphs (a) and (b), there has been no meetings between the Minister for Resources and Water and representatives of Empire Energy; and attaching details of meetings with the Minister for Energy and Emission Reductions and Empire Energy and documents relating to paragraphs (d) to (i))

Order complied with

No. 1210—Intergovernmental Panel on Climate Change—Sixth assessment report—Summary of Policymakers

That there be laid on the table by the Minister representing the Minister for Energy and Emissions Reduction, **by no later than 9.30 am on Monday, 23 August 2021:**

- (a) all comments prepared by the Government in response to the draft of the ‘Summary for Policymakers’ of the Working Group I contribution to the sixth assessment report of the Intergovernmental Panel on Climate Change; and
- (b) any advice received by the Government from expert scientists in order to prepare those comments.

Moved by: Leader of the Australian Greens in the Senate (Senator Waters)

Dated agreed to: 10 August 2021

Ordered documents provided: [24 August 2021](#)

Order complied with

Income compliance program

- (1) That there be laid on the table by the Minister for Government Services, **by no later than midday on 24 August 2021:**
 - (a) revised responses to all questions relating to legal advice and the Income Compliance Program which have been subject to rejected claims of public interest immunity during the Community Affairs References Committee’s inquiry into Centrelink’s compliance program; and
 - (b) a copy of the Executive Minute to the Minister for Social Services, dated 12 February 2015, as referenced in the Commonwealth Ombudsman’s April 2017 report into Centrelink’s automated debt raising and recovery system; or
 - (c) a letter confirming that the above responses relating to legal advice and the Executive Minute will be provided in camera to the Senate Community Affairs References Committee by no later than 5 pm on that same day.
- (2) In the event that the minister fails to table these documents, the Senate requires the minister to attend the Senate at the conclusion of question time on 25 August 2021 to provide an explanation of the minister’s failure to table the documents.

Moved by: Chair of the Community Affairs References Committee (Senator Siewert) (following the adoption of the recommendation contained in the committee’s fourth interim report on its inquiry into Centrelink’s compliance program)

Date agreed to: 12 August 2021

Letter of response provided: [24 August 2021](#) (raising public interest immunity claims)

Public interest immunity claims raised:

- Disclosure of privileged legal advice (possible prejudice to the Commonwealth in relation to its conduct relating to the Income Compliance Program, and the importance of government being able to obtain legal advice without risk that the advice will be disclosed)
- Disclosure of Cabinet deliberations (disclosure of the minute or providing information about the content of the minute would or could reasonably be expected to disclose the deliberations of the Cabinet)

Order not yet complied with

No. 1217—Urban Congestion Fund

That there be laid on the table by the Minister representing the Minister for Infrastructure, Transport and Regional Development, **by no later than 10 am on Monday, 30 August 2021**, the following documents discussed during a hearing of the Rural and Regional Affairs and Transport Legislation Committee on 19 July 2021:

- (a) any email or document setting out the list of ‘top twenty marginal seats’ to be ‘canvassed’ for projects as part of the Urban Congestion Fund (UCF), as referred to by Mr Brian Boyd of the Australian National Audit Office (ANAO) on page 5 of the Hansard of the committee’s hearing on 19 July 2021;
- (b) any spreadsheets created by the Department of Infrastructure, Transport and Regional Development for the purpose of setting out proposed UCF projects, as referenced in paragraphs 2.30 to 2.32 of the ANAO’s report, *Administration of commuter car park projects within the Urban Congestion Fund*;
- (c) any spreadsheets created by, originating in, or shared between the Prime Minister’s office and the offices of the Minister for Infrastructure, Transport and Regional Development or the Minister for Urban Infrastructure, setting out proposed UCF projects, as referenced in paragraphs 2.30 to 2.32 of the ANAO’s report, *Administration of commuter car park projects within the Urban Congestion Fund*; and
- (d) any maps and attached schedules referred to by Mr Boyd of the ANAO on page 8 of the Hansard of the committee’s hearing on 19 July 2021, setting out where projected UCF expenditure would take place and the party affiliation of the seats in which that expenditure would occur.

Moved by: Senator Rice

Date agreed to: 23 August 2021 (see also orders nos [1252](#) and [1280](#))

Letter of response provided: [31 August 2021](#) (the Government requires more time to consider its response, and will table one as soon as practicable)

Additional letters of response provided: [2 September 2021](#) (in relation to paragraph (a) and (d), based on the descriptions, neither the Minister or the Department has seen any document matching the description of the order and, as a result, the Minister is unable to table any documents—it is also not possible to determine whether release of any documents would be in the public interest; in relation to paragraphs (b) and (c), the Minister claims public interest immunity, and also attaching correspondence to the Rural and Regional Affairs and Transport Legislation Committee for reference)

Public interest immunity claim raised: Disclosure of Cabinet deliberations (release of the spreadsheets would disclose the deliberations of Cabinet)

Order not yet complied with

No. 1219—JobKeeper payments

That the Senate—

- (a) notes that:
- (i) the order of 4 August 2021 requiring the Commissioner of Taxation to provide, by 9.30 am on Thursday, 12 August 2021, the list of all employers with an annual turnover of greater than \$10 million that were paid a JobKeeper payment and the number of employees paid, the total amount paid and any amount returned, has not been complied with,
 - (ii) the response by the Commissioner acknowledges the power of the Senate to require the publication of documents and information, but claims public interest immunity in relation to the documents, and
 - (iii) in support of the claim the Commissioner asserts that the release of the information will harm the public interest by undermining public confidence in the Commissioner's ability to keep taxation information confidential;
- (b) rejects the claim of public interest immunity made by the Commissioner of Taxation, noting that:
- (i) the information sought relates to public funding received by an employer, not an employer's business or taxation information, and
 - (ii) the harm purported cannot be sustained, noting identical data relating to New Zealand employers has been published on a searchable and real time New Zealand Government web page; and
- (c) orders the Commissioner of Taxation to comply fully with the order **by 4.30 pm on 26 August 2021**.

Moved by: Senator Patrick

Date agreed to: 23 August 2021 (see also order no. [1196](#))

Letters of response provided:

26 August 2021 (letters from:

- [Treasurer](#), supporting the Public interest immunity claims raised by the Commissioner in response to the original order
- [Commissioner of Taxation](#), stating that, given the public interest claim lodged by the Government, he believes the best course of action is to wait for the determination of that claim by the Senate)

Public interest immunity claims raised:

- Taxpayer secrecy (disclosure of information would harm the public interest by undermining public confidence in the Commissioner's ability to keep taxation information confidential, and the administration of the tax system generally)
- Damage to commercial interests (of businesses that received JobKeeper payments)

Ordered document provided: [3 February 2022](#)

Order complied with

No. 1221—Australian Research Council funding schemes—Applications

That there be laid on the table by the Minister representing the Minister for Education and Youth, **by no later than 9.30 am on Thursday, 26 August 2021**, de-identified information about applications for the Australian Research Council Future Fellowships 2021 and Discovery Early Career Researcher Award 2022 funding schemes, specifically:

- (a) the number of applications deemed ineligible on the basis that they cited pre-print publications;

- (b) the primary field of research code of each of those applications; and
- (c) the total monetary value of those applications.

Moved by: Senators Faruqi and Carr

Date agreed to: 24 August 2021

Ordered documents provided: [26 August 2021](#)

Order complied with

No. 1222—Beetaloo Cooperative Drilling program

That there be laid on the table by the Minister representing the Minister for Resources and Water, **by no later than 1 pm on Thursday, 26 August 2021**, the following documents relating to the Beetaloo Cooperative Drilling program:

- (a) any correspondence between the Minister for Resources and Water and Tamboran Resources Ltd, Santos Ltd or Sweetpea Petroleum Pty Ltd or any subsidiaries discussing the program;
- (b) any correspondence between the Minister for Energy and Emissions Reduction and Tamboran Resources Ltd, Santos Ltd or Sweetpea Petroleum Pty Ltd or any subsidiaries discussing the program; and
- (c) details of any meetings between the Minister for Resources and Water or the Minister for Energy and Emissions Reduction and representatives of Tamboran Resources Ltd, Santos Ltd or Sweetpea Petroleum Pty Ltd, including date, location, attendees and notes of any matters discussed.

Moved by: Leader of the Australian Greens in the Senate (Senator Waters)

Date agreed to: 24 August 2021

Letter of response provided: [26 August 2021](#) (more time is required to comply with the order)

Additional letter of response and ordered documents provided: [18 October 2021](#)

Order complied with

No. 1226—Energy Security Board on post-2025 energy market design—Final report

That there be laid on the table by the Minister representing the Minister for Energy and Emissions Reduction, **by no later than 10 am on Monday, 30 August 2021**, the final report of the Energy Security Board on post-2025 energy market design.

Moved by: Leader of the Australian Greens in the Senate (Senator Waters)

Date agreed to: 26 August 2021

Order document provided: [31 August 2021](#)

Order complied with

No. 1232—COVID-19—First Nations Australians—Geographic vaccination rates

That there be laid on the table by the Minister representing the Minister for Health and Aged Care, **by no later than 3 pm on 1 September 2021**, the geographic vaccination rates for First Nations Australians by state/territory, Statistical Area Level 4 and local government area, showing the number and rate of first and second vaccinations.

Moved by: Senator Dodson

Date agreed to: [31 August 2021](#)

Letter of response and ordered documents provided: [1 September 2021](#) (attaching completed SA4 level data for the Indigenous population as at 31 August 2021, noting that additional information will be provided once complete and stating that state and territory level data can be found on the department's website)

Order partially complied with

No. 1234—COVID-19 vaccination rates

That there be laid on the table by the Minister representing the Minister for Health and Aged Care, **by no later than 9.30 am on Wednesday, 1 September 2021:**

- (a) first and second dose vaccination rates by postcode or statistical area level 1 (SA1);
- (b) first and second dose vaccination rates by age cohort and SA1 or statistical area level 2 (SA2);
- (c) first and second dose vaccination rates for age care workers and residents by SA2; and
- (d) first and second dose vaccination rates for disability care workers and residents by SA2.

Moved by: Senator Siewert

Date agreed to: [31 August 2021](#)

Letter of response and orders documents provided: [1 September 2021](#) (attaching SA4, SA3 and local LGA information as at 30 August 2021, and stating that additional data requires considerable time to develop, capture and review and will be provided once complete)

Order partially complied with

No. 1249—Australian Securities and Investments Commission—Sterling group—Internal review

- (1) That there be laid on the table by the Minister for Superannuation, Financial Services and the Digital Economy, by no later than midday on Tuesday, 26 October 2021, the internal review of ASIC's handling of the Sterling Group produced by a litigation counsel in the chief legal office which contains a factual analysis of the work undertaken by the relevant ASIC business units in relation to Sterling Group.
- (2) If the Senate is not sitting when the document are ready for presentation, the documents are to be presented to the President under standing order 166.

Moved by: Senator Pratt

Date agreed to: 21 October 2021

Letter of response provided: [26 October 2021](#) (ASIC has identified four documents in response to the order and is seeking more time to respond in order to consult with relevant third parties whose interests may be materially adversely affected by their public release, and to consider the impact of disclosure on the investigation or any future prosecution)

Additional letter and ordered documents provided: [22 November 2021](#) (providing the documents identified above with redactions on public interest immunity grounds, and stating that a more complete record of actions taken by ASIC in relation to the Sterling Group has been provided in submissions to the Economics References Committee inquiry)

Public interest immunity claims raised:

- Prejudice to ASIC's investigation and possible future prosecutions
- Disclosure of the identity, or information enabling a person to ascertain the existence or identity of a confidential source of information
- Disclosure of personal information about persons of interest

- Disclosure of privileged legal advice
- Public disclosure of names of ASIC staff members could result in reprisals

Order partially complied with

No. 1251—2050 net zero emissions reduction strategy—Modelling

That there be laid on the table by the Minister representing the Minister for Industry, Energy and Emissions Reduction, **by no later than 10 am on 21 October 2021**, the detailed modelling that the Government has that forecasts Australian exports in gas, resources and agriculture under the Government's 2050 net zero emissions reduction strategy.

Moved by: Senators Patrick and Canavan

Date agreed to: 20 October 2021

Resolution concerning compliance with order agreed to: 21 October 2021, requiring an immediate explanation

Explanation of Government's response to the order: [21 October 2021](#)

Letter of response provided: [21 October 2021](#) (noting sensitivities incumbent on a request for Cabinet documents and the timeframe provided to respond, more time will be required to comply, and a more detailed response will be provided to the Senate by Friday, 29 October 2021)

Additional letter of response provided: [25 October 2021](#) (raising public interest immunity claims)

Public interest immunity claim raised: Disclosure of Cabinet deliberations (documents inform and were the subject of Cabinet deliberations and would or could reasonably be expected to disclose cabinet deliberations)

Order not yet complied with

No. 1252—Urban Congestion Fund

- (1) That there be laid on the table by the Minister representing the Minister for Communications, Urban Infrastructure, Cities and the Arts, **by no later than 11.15 am on Thursday, 21 October 2021**, the following documents discussed during a public hearing of the Rural and Regional Affairs and Transport Legislation Committee on 19 July 2021:
 - (a) any email or document setting out the list of 'top twenty marginal seats' to be 'canvassed' for projects as part of the Urban Congestion Fund (UCF), as referred to by Mr Brian Boyd of the Australian National Audit Office (ANAO) in the Committee Hansard;
 - (b) any spreadsheets created by the Department of Infrastructure, Transport and Regional Development for the purpose of setting out proposed UCF projects, as referenced in paragraphs 2.30 to 2.32 of the ANAO's report, Administration of commuter car park projects within the UCF;
 - (c) any spreadsheets created by, originating in, or shared between the Prime Minister's office and the offices of the Minister for Infrastructure, Transport and Regional Development, the Minister for Communications, Urban Infrastructure, Cities and the Arts, or any other minister, setting out proposed UCF projects, as referenced in paragraphs 2.30 to 2.32 of the ANAO's report, Administration of commuter car park projects within the UCF; and
 - (d) any maps or attached schedules referred to by Mr Boyd of the ANAO in the Committee Hansard, setting out where the projected UCF expenditure would take place and the party affiliation of the seats in which that expenditure would occur.

- (2) In the event that the Minister representing the Minister for Communications, Urban Infrastructure, Cities and the Arts fails to table the documents in full compliance with the order, the Senate orders that:
- (a) the Minister representing the Minister for Communications, Urban Infrastructure, Cities and the Arts attend the Senate at 3 pm on Thursday, 21 October 2021, to provide an explanation of no more than 10 minutes, of the Government’s response to the order contained in paragraph (1) or for an explanation of the Government’s failure to comply with the order;
 - (b) in the event that the minister provides an explanation, any senator may move to take note of the minister’s explanation;
 - (c) in the event that the minister does not respond to the order or provide an explanation, any senator may move to take note of the minister’s failure to provide either a response or an explanation; and
 - (d) any motion under paragraph (c) may be debated for no longer than 60 minutes and have precedence over all government business until determined, and senators may speak to the motion for no more than 10 minutes each.

Moved by: Senator Rice

Date agreed to: 20 October 2021 (see also orders nos [1217](#) and [1280](#))

Letter of response provided: [21 October 2021](#) (referring to documents tabled in response to order [no. 1217](#))

Explanation provided pursuant to paragraph (2)(c): [21 October 2021](#)

Order not yet complied with

No. 1254—Cashless Debit Card scheme

- (a) that there be laid on the table by the Minister for Families and Social Services, **by no later than 3.30 pm on Friday, 22 October 2021:**
 - (i) each contract for the delivery of the Cashless Debit Card, including contracts with Indue,
 - (ii) documents showing the total cost of the Cashless Debit Card scheme since inception,
 - (iii) documents relating to the Cashless Debit Card Technology Working Group, including minutes of meetings, and
 - (iv) documents relating to product level blocking using the Cashless Debit Card or other payment systems, including in relation to product level blocking trials; and
- (b) 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.

Moved by: Senators Chisholm and McCarthy

Date agreed to: 20 October 2021

Letter of response and ordered documents provided: [25 October 2021](#) (a list of contracts and various other documents ordered, together with a statement that the Minister is not in a position to comply with the requirement to produce each contract on public interest immunity grounds, and declining to provide some documents relating to the cost of the program on public interest immunity grounds)

Public interest immunity claims raised:

- Commercial confidentiality (the contracts contain details of commercial strategies, fee and pricing structures and intellectual property that could disadvantage contracted providers and advantage competitors if disclosed)

- Cabinet confidentiality (disclosure of documents relating to the cost of the program would breach Cabinet requirements)

Order partially complied with

No. 1257—Administration of Sports Grants—Select Committee—Government responses

- (1) That the Senate notes that:
 - (a) the Select Committee on the Administration of Sports Grants tabled its final report on 18 March 2021; and
 - (b) while government responses to committee reports are due within three months, the government response to the administration of sports grant inquiry has not been forthcoming seven months after the report was tabled.
- (2) That there be laid on the table by the Minister representing the Prime Minister, **by no later than 3.30 pm on 22 November 2021**, the government response to the final report of the Select Committee on the Administration of Sports Grants.

Moved by: Senators Rice and Farrell

Date agreed to: 21 October 2021

Letter of response provided: [22 November 2021](#) (the Government is still considering its response and it will be tabled at the earliest opportunity)

Order not yet complied with

No. 1259—Scrutiny of Delegated Legislation—Standing Committee—Exemption of delegated legislation from parliamentary oversight—Government responses

- (1) That the Senate notes that:
 - (a) the interim report of the Standing Committee for the Scrutiny of Delegated Legislation for its inquiry into the exemption of delegated legislation from parliamentary oversight was tabled on 2 December 2020 and the final report was tabled on 16 March 2021;
 - (b) the reports contain recommendations of vital importance, including in relation to the ongoing exemption of significant COVID-19 response measures from disallowance by the Parliament; and
 - (c) the government responses to both reports are now significantly overdue.
- (2) That there be laid on the table by the Attorney-General, **by no later than 6 pm on Monday, 22 November 2021**, the government responses to the interim and final reports of the Standing Committee for the Scrutiny of Delegated Legislation for its inquiry into the exemption of delegated legislation from parliamentary oversight.

Moved by: Chair of the Standing Committee for the Scrutiny of Delegated Legislation (Senator Fierravanti-Wells)

Date agreed to: 21 October 2021

Letter of response provided: [21 October 2021](#) (as the reports covered matters which impacted numerous portfolios, the government response requires extensive consultation across departments, and the Government will table a response to each report in the coming days)

Ordered documents provided: 18 November 2021 (Government responses to the [interim](#) and [final](#) reports)

Order complied with

No. 1262—Beetaloo Basin

- (1) That there be laid on the table, by the Minister representing the Minister for Industry, Energy and Emissions Reduction and the Minister for Resources and Water, **by no later than midday on 24 November 2021**, answers to the specific questions asked by the Environment and Communications References Committee in correspondence dated 22 October 2021 to the Minister for Industry, Energy and Emissions Reduction and the Minister for Resources and Water relating to the committee's inquiry into oil and gas exploration and production in the Beetaloo Basin.
- (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.

Moved by: Senator Hanson-Young

Date agreed to: 22 November 2021

Letters of response and correspondence provided: 24 November 2021; [letter and attachments](#) from Minister for Families and Social Services (Beetaloo Cooperative Drilling Funding Matrix and Disclosure of Interests documents provided with redactions claiming public interest immunity) and [letter and correspondence](#) from the Minister for International Development and the Pacific (stating that there have been no meetings, discussions or correspondence between the Minister or its subsidiaries in relation to the design of the Beetaloo Cooperative Drilling Program, and advising that the Minister is not responsible and had no role in the program)

Public interest immunity claims raised: Release of the information has the potential to damage the commercial interests of applicants to the Beetaloo Cooperative Drilling Program and their suppliers

Order complied with

No. 1266—Foods Standards Australia New Zealand—Alcohol industry

That there be laid on the table by the Minister for Senior Australians and Aged Care Services and the Minister representing the Minister for Agriculture and Northern Australia (as the two federal members of the Food Ministers' Meeting), **by 5 pm on 29 November 2021**, all correspondence with alcohol industry representatives regarding Food Standards Australia New Zealand (FSANZ), and details of all meetings sought or held with alcohol industry representatives and ministers or their offices regarding FSANZ, including meeting briefs and minutes, since 13 June 2020.

Moved by: Senator Griff

Date agreed to: 23 November 2021

Ordered documents provided: 30 November 2021 ([documents provided by the Minister for Agriculture and Northern Australia](#); and [by the from Minister for Senior Australians and Aged Care Services](#))

Order complied with

No. 1268—Environment and Communications References Committee—Impact of seismic testing on fisheries and the marine environment—Government response

That there be laid on the table by the Minister representing the Minister for Resources and Water, **by no later than 9.30 am on 25 November 2021**, the Australian Government response to the Environment and Communications References Committee inquiry report on the impact of seismic testing on fisheries and the marine environment.

Moved by: Senator Urquhart

Date agreed to: 23 November 2021

Ordered document provided: [23 November 2021](#)

Order complied with

Income Compliance Program—Order for the production of documents— Attendance by minister

- (1) That the Senate notes that the Community Affairs References Committee has rejected the Minister for Government Services' explanation regarding public interest immunity claims on several occasions.
- (2) That there be laid on the table by the Minister for Government Services, by no later than 1 pm on Wednesday, 24 November 2021:
 - (a) revised responses to all questions relating to legal advice and the Income Compliance Program which have been subject to rejected claims of public interest immunity during the Community Affairs References Committee's inquiry into Centrelink's compliance program; and
 - (b) a copy of the Executive Minute to the Minister for Social Services, dated 12 February 2015, as referenced in the Commonwealth Ombudsman's April 2017 report into Centrelink's automated debt raising and recovery system; or
 - (c) a letter confirming that the above responses relating to legal advice and the Executive Minute will be provided in camera to the Community Affairs References Committee by no later than 2 pm on that same day.
- (3) In the event that the minister again fails to table these documents:
 - (a) the Senate requires the minister to attend the Senate at the conclusion of question time on Wednesday, 24 November 2021 to provide an explanation of the minister's failure to table the documents;
 - (b) at the conclusion of the minister's explanation, or in the event that the minister fails to provide an explanation, any senator may move to take note of the explanation or the failure to provide an explanation; and
 - (c) any motion under the above paragraph may be debated for no longer than 60 minutes and have precedence over all other business until determined, and senators may speak to the motion for no more than 10 minutes each.

Moved by: The Chair of the Community Affairs References Committee (Senator Rice)

Date agreed to: 23 November 2021

Letter of response provided: [24 November 2021](#) (reiterating public interest immunity claim in respect of information about legal advice and deliberations of Cabinet in relation to the Income Compliance Program)

Explanation pursuant to paragraph 3(a): 24 November 2021 [[first speaker](#)]

Order not yet complied with

No. 1273—Conservation planning decisions

That there be laid on the table by the Minister representing the Minister for the Environment, **by no later than 30 November 2021**, the following documents:

- (a) all submissions made in respect of the public consultation on the proposed changes to conservation planning decisions, as advertised on the Department of Agriculture, Water and Environment website, which were open from 17 September to 2 November 2021; and
- (b) all correspondence between the Minister for the Environment and the Threatened Species Scientific Committee in respect of the proposed changes to conservation planning decisions.

Moved by: Senator Whish-Wilson

Date agreed to: 24 November 2021

Letter of response and attachments provided: [30 November 2021](#) (paragraph (a), all submissions cannot be provided within the timeframe given the substantial number of submissions and the need to potentially contact the original authors)

Order partially complied with

No. 1274—Environment and Communications References Committee—Shark mitigation and deterrent measures

Environment, **by no later than 1 December 2021**, the full government response to the report of the Environment and Communications References Committee titled *Shark mitigation and deterrent measures*, tabled on 12 December 2017.

Moved by: Senator Whish-Wilson

Date agreed to: 24 November 2021

Letter of response provided: [2 December 2021](#) (the Government is still considering its response and it will be tabled at the earliest opportunity)

Order not yet complied with

No. 1275—Scarborough-Pluto gas project

That there be laid on the table by the Minister representing the Minister for the Environment, **by no later than 9.30 am on 25 November 2021**, any correspondence between Woodside and the Department of Agriculture, Water and the Environment regarding Scope 3 emissions as part of the Scarborough to Pluto gas project that was received in the past calendar year.

Moved by: Senator Cox

Date agreed to: 24 November 2021

Letter of response provided: [25 November 2021](#) (there are no documents in the scope of the order)

No documents exist

No. 1277—National Cabinet—Public interest immunity claims

That, noting the Senate resolution of 23 November 2021 relating to National Cabinet and public interest immunity claims, there be laid on the table by the relevant ministers, **by no later than 9 am on Tuesday, 30 November 2021**, the documents required by any Senate order, committee resolution or question on notice to which a claim of public interest immunity was made on the unacceptable ground that material related to the National Cabinet is subject to Cabinet confidentiality, including material required under:

- (a) the Senate order relating to Doherty Institute modelling (No. 1208);
- (b) Senate orders adopting the recommendations of the second interim report of the Select Committee on COVID-19; and
- (c) questions on notice asked in the Senate or in the course of a committee inquiry.

Moved by: Senator Patrick

Date agreed to: 24 November 2021 ([statement made](#))

Further motion agreed to: [8 February 2022](#) (requiring immediate compliance with the order)

Order not yet complied with

No. 1279—Australian Packaging Covenant and National Environment Protection (Used Packaging Materials) Measure 2011—Review

That there be laid on the table by the Minister representing the Minister for the Environment, **by no later than midday on Thursday, 2 December 2021**, the report of the 2021 review of the Australian Packaging Covenant and National Environment Protection (Used Packaging Materials) Measure 2011.

Moved by: Senator Whish-Wilson

Date agreed to: 29 November 2021 ([statement made](#))

Letter of response provided: [2 December 2021](#) (stating that the Government is still considering the review and consulting state and territory governments, and that the Review will be tabled before the end of the year)

Ordered document provided: [14 January 2022](#)

Order complied with

No. 1280—Urban Congestion Fund

That the Senate—

- (a) notes that:
 - (i) order 1217 of 23 August 2021, to the Minister for Infrastructure, Transport and Regional Development, and order 1252 of 20 October 2021, to the Minister for Communications, Urban Infrastructure, Cities and the Arts, requiring the provision of documents relating to the Urban Congestion Fund (UCF) have not been complied with, and
 - (ii) the Minister for Communications, Urban Infrastructure, Cities and the Arts made a public interest immunity claim in relation to paragraphs (b) and (c) of the 23 August 2021 order and paragraphs (1)(b) and (c) of the 20 October 2021 order requiring spreadsheets of proposed UCF projects;
- (b) rejects the claim of public interest immunity made by the Minister on the grounds of disclosure of Cabinet deliberations, noting that:
 - (i) the request does not seek the disclosure of the deliberations of Cabinet but rather spreadsheets provided to the Cabinet, and
 - (ii) the public interest immunity claim fails to demonstrate any specific harm to the public interest that would ensue from the disclosure of the information;
- (c) requires the Minister representing the Prime Minister to provide the following documents to the Finance and Public Administration References Committee, which can receive documents confidentially if satisfied that it would be appropriate to do so, under the auspices of its inquiry into the administration and expenditure of funding under the UCF, **by no later than 7.20 pm on Tuesday, 30 November 2021:**
 - (i) the documents outlined in paragraphs (a)(i) and (ii) above, and
 - (ii) any documents prepared by current or former ministers or their offices or a department in relation to the process of canvassing Liberal and National Party MPs and candidates in marginal or targeted electorates to identify projects for funding under the UCF, including any lists of electorates and the presentation prepared by the office of the Minister for Education and Youth, the Honourable Alan Tudge MP, for a meeting with the Prime Minister on 6 December 2019;
- (d) requires the Finance and Public Administration References Committee to advise the Senate that the Minister has complied to the satisfaction of the committee, or otherwise, with this order as soon as practicable after the deadline for the provision of the documents; and

- (e) determines that, in the event that the Finance and Public Administration References Committee reports that the Minister has not fully complied with the order:
- (i) the Senate **requires the Minister representing the Prime Minister to attend the Senate immediately after question time on Wednesday, 1 December 2021** to explain why the documents have not been tabled, and
 - (ii) any senator may move to take note of the explanation required by paragraph (e), and any motion under paragraph (e) may be debated for no longer than 60 minutes, shall have precedence over all business until determined, and senators may speak to the motion for not more than 10 minutes each.

Moved by: Senator Rice

Date agreed to: 29 November 2021 (see also orders nos [1217](#) and [1252](#))

Advice received under paragraph (d): [1 December 2021](#) (from the Chair of the Finance and Public Administration References Committee advising that the Minister has not fully complied with the order)

Order not yet complied with

No. 1285—Water for the Environment Special Account—Second independent review

That there be laid on the table by the Minister representing the Minister for Resources and Water, **by 9 am on Wednesday, 1 December 2021**, the report of the second independent review of the Water for the Environment Special Account.

Moved by: Senator Hanson-Young

Date agreed to: 29 November 2021 ([statement made](#))

Letters of response provided: [2 December 2021](#) (stating that, under the terms of reference of the review, a report is due to the minister by late 2021, meaning the panel has until 31 December 2021 to provide it, and attaching the terms of reference; and that the minister undertakes to consider the report as soon as practicable once it has been provided)

Order not yet complied with

No. 1286—National Gas Infrastructure Plan

That there be laid on the table by the Minister representing the Minister for Industry, Energy and Emissions Reduction, **by no later than 9.30 am on Thursday, 2 December 2021**, the modelling undertaken for the 2021 National Gas Infrastructure Plan (NGIP) which is referred to in the NGIP's foreword and executive summary.

Moved by: Senator Waters

Date agreed to: 30 November 2021 ([statement made](#))

Letter of response provided: [2 December 2021](#) (stating that the Government will comply fully with the order, but due to the short timeframe provided and the nature of the documents, the Government will be unable to provide the documents requested until Monday, 13 December 2021)

Ordered document provided: [11 February 2022](#)

Order complied with

No. 1287—Food ministers’ meeting—Food Standards Australia New Zealand Act review

That there be laid on the table by the Minister representing the Minister for Health and Aged Care, **by no later than midday on 2 December 2021**, the following documents:

- (a) the agenda (final or draft) and any supporting documents for the food ministers’ meeting due to be held on 16 December 2021; and
- (b) the summary of the submissions made to the Public Consultation – Review of the *Food Standards Australia New Zealand Act 1991* – draft Regulatory Impact Statement.

Moved by: Senator Whish-Wilson

Date agreed to: 1 December 2021 ([statement made](#))

Letter of response and ordered document provided: [2 December 2021](#) (in respect of paragraph (a), attaching the final agenda, and making a public interest immunity claim in respect of supporting documents for the meeting; and in respect of paragraph (b), providing a link to public submissions)

Public interest immunity claims raised:

- Damage to relations between the Commonwealth and the states and territories (disclosure of supporting documents for the meeting would or might reasonably be expected to damage relations)
- Damage to international relations (as above)

Order partially complied with

No. 1288—Food Standards Australia New Zealand Act review—Submissions

- (1) That there be laid on the table, by the Minister representing the Minister for Health and Aged Care, **by no later than 8 December 2021**, the submissions made to the Public Consultation – Review of the *Food Standards Australia New Zealand Act 1991* – draft Regulatory Impact Statement.
- (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.

Moved by: Senator Whish-Wilson

Date agreed to: [1 December 2021](#)

Letter of response provided: [6 December 2021 \(letter providing a link to a webpage which contains all submissions other than those submitted as confidential\)](#)

Order partially complied with

No. 1289—Offshore petroleum exploration acreage releases

- (1) That there be laid on the table by the Minister representing the Minister for Resources and Water, **by no later than 8 December 2021**, the following documents:
 - (a) the updated interested stakeholder list that is used for targeted communication in respect of offshore petroleum exploration acreage releases;
 - (b) the targeted communication sent to interested stakeholders in respect of the 2021 offshore petroleum exploration acreage release for Bonaparte and Browse, Northern Carnarvon, Otway and Sorell, and Gippsland Basins; and

- (c) the minutes, agendas and correspondence, and any other documentation pertaining to the meetings and workshops held with stakeholders in respect of the facilitated engagement between the offshore petroleum industry and commercial fishing industry (as outlined in the government response to the Environment and Communications References Committee report, *Making waves: The impact of seismic testing on fisheries and the marine environment*).
- (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.

Moved by: Senator Whish-Wilson

Date agreed to: 1 December 2021

Letter of response provided: [8 December 2021](#) (stating that due to the large number of documents being sought, the minister is unable to comply by the agreed timeframe; and that all documents sought by the order will be submitted as soon as practicable)

Ordered documents provided: [11 February 2022](#) (accompanying letter notes that the documents provided do not include all minor versions of working documents; and draws attention to the 'large volume of documents' where redactions have been applied to protect personal information)

Order substantially complied with

No. 1291—Beetaloo Basin—Empire Energy

That—

- (a) the Senate notes:
 - (i) the refusal of the Minister for Industry, Energy and Emissions Reduction, the Honourable Angus Taylor, to provide information and documents requested by the Environment and Communications References Committee in a written question on notice, dated 31 August 2021, as part of its inquiry into gas production in the Beetaloo Basin, and
 - (ii) the refusal of the Minister for Resources and Water, the Honourable Keith Pitt, to provide documents requested by the Environment and Communications References Committee in a written question on notice, dated 31 August 2021, as part of its inquiry into gas production in the Beetaloo Basin; and
- (b) there be laid on the table by Minister representing the Minister for Industry, Energy and Emissions Reduction, **by no later than 7 December 2021**, the following documents:
 - (i) unredacted document 4 of FOI Disclosure Log 21/013/68011M, relating to email correspondence, dated 14 January 2021, between Empire Energy and the office of the Minister for Industry, Energy and Emissions Reduction, and
 - (ii) unredacted document 5 of FOI Disclosure Log 21/013/68011M, relating to email correspondence, dated 25 February 2021, between Empire Energy and the office of the Minister for Industry, Energy and Emissions Reduction;
- (c) there be laid on the table by the Minister representing the Minister for Resources and Water, **by no later than 7 December 2021**, unredacted FOI Disclosure Document 68003 relating to correspondence between Empire Energy and the office of the Minister for Resources and Northern Australia;
- (d) the names and contact details of private individuals may be redacted from the ordered documents; and
- (e) 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.

Moved by: Senator Hanson-Young

Date agreed to: 1 December 2021 ([statement made](#))

Documents provided: [11 February 2022](#) [2] (redacted versions of the documents released under the Freedom of Information Disclosure Log)

Order partially complied with

No. 1292—Tasmania—Three Capes Track project

That there be laid on the table by the Minister representing the Minister for Infrastructure, Transport and Regional Development, **by no later than 2 December 2021**, the following documents:

- (a) the application made by the Department of Primary Industries, Parks, Water and Environment (Tasmania) in respect of the community development grant award GA1528 (the Three Capes Track project);
- (b) the assessments of the grant applications for GA1528, including any independent viability assessment;
- (c) the grant agreement in respect of grant award GA1528;
- (d) the payment schedule for grant award GA1528;
- (e) any progress reports, ad-hoc reports and completion report submitted in respect of grant award GA1528;
- (f) any financial declaration and audited financial acquittal report submitted in respect of grant award GA1528;
- (g) any grant agreement variation submitted in respect of grant award GA1528;
- (h) any record of compliance visits in respect of grant award GA1528; and
- (i) the evaluation/s completed in respect of grant award GA1528.

Moved by: Senator Whish-Wilson

Date agreed to: 1 December 2021 ([statement made](#))

Letter of response provided: [2 December 2021](#) (stating that, due to the scope of the request and the timeframes provided, more time will be required to comply with the order, and that a more detailed response will be provided as soon as practicable)

Additional letter of response and documents provided: [11 February 2022](#) (parts of documents redacted raising public interest immunity claims; documents referred to in paragraphs (f), (h), and (i) do not exist)

Public interest immunity claims raised:

- Disclosure of Cabinet deliberations
- Commercial confidentiality (documents contain financial details of third party organisations that could reasonably be expected to damage the commercial interests of those parties)

Order partially complied with

No. 1293—Environment and Communications References Committee— Government responses

That—

- (a) the Senate notes that:
 - (i) in accordance with Senate resolution 44, government responses to committee reports are required within three months of a report being tabled,
 - (ii) since 1973 successive governments have affirmed their commitment to providing such responses, and
 - (iii) the President's report to the Senate of 30 June 2021 indicates that government responses to 18 Senate Environment and Communications References Committee reports tabled in 2014, 2015, 2016, 2017, 2018, 2019 and 2021 remain outstanding;

- (b) there be laid on the table by the Minister representing the Prime Minister, by no later than 3 pm on the first sitting Tuesday of 2022, the outstanding government response to each of the 18 Environment and Communications References Committee reports tabled from 2014 to 2021; and
- (c) in the event that not all government responses to the 18 reports are tabled, the Senate requires that the Minister representing the Prime Minister attend the Senate at 9.30 am on the first sitting Thursday of 2022 to provide an explanation, of no more than 10 minutes, of the Government's failure to provide all outstanding responses; and:
 - (i) any senator may, at the conclusion of the explanation, move without notice to take note of the Minister's explanation, or
 - (ii) in the event that the Minister does not respond to the order or provide an explanation, any senator may, without notice, move a motion relating to the Minister's failure to provide either a response or an explanation, and
 - (iii) any motion under paragraph (c) may be debated for no longer than 60 minutes, shall have precedence over all business until determined, and senators may speak to the motion for not more than 10 minutes.

Moved by: Chair of the Environment and Communications References Committee (Senator Hanson-Young) and Senators Green and Patrick

Date agreed to: 1 December 2021 ([statement made](#))

Explanation provided pursuant to paragraph (c): [10 February 2022](#)

Order not yet complied with

COVID-19—Select Committee—Third interim report—Answers to questions

- (1) That the Senate notes that the Select Committee on COVID-19 has rejected Senator Cash's public interest immunity claim.
- (2) That there be laid on the table by the Minister representing the Minister for Health and Aged Care, **by no later than midday on 2 December 2021**, answers that provide the information sought by the questions listed in Table 2.1 at Appendix 2 of the third interim report of the Select Committee on COVID-19.
- (3) In the event that the Minister representing the Minister for Health and Aged Care fails to table this information:
 - (a) the Senate requires the Minister to attend the Senate at the conclusion of question time on 2 December 2021 to provide an explanation, of no more than 10 minutes, of the Minister's failure to table the information;
 - (b) at the conclusion of the Minister's explanation, or in the event that the Minister fails to provide an explanation, any senator may move to take note of the explanation or the failure to provide an explanation; and
 - (c) any motion under the above paragraph may be debated for no longer than 60 minutes and have precedence over all other business until determined, and senators may speak to the motion for no longer than 10 minutes each.

Moved by: Chair of the Select Committee on COVID-19 (Senator Gallagher)

Date agreed to: 1 December 2021

Explanation provided pursuant to paragraph (3)(a): [2 December 2021](#)

Letter of response provided: [2 December 2021](#) (stating that the Government maintains the public interest immunity claims advanced in its responses to the committee's requests, and that, although the committee has rejected the public interest immunity claim, the Senate has not)

Order not yet complied with

COVID-19—Select Committee—Third interim report—AstraZeneca vaccine

- (1) That the Senate notes that the Select Committee on COVID-19 has rejected the Minister for Health and Aged Care's public interest immunity claim.
- (2) That there be laid on the table by the Minister representing the Minister for Health and Aged Care, **by no later than midday on 2 December 2021**, details of costs to the Australian Government associated with retooling CSL's domestic facilities for the manufacture of the AstraZeneca vaccine, as requested by Senator Patrick on 28 January 2021 (Committee Hansard, 28 January 2021, p.28).
- (3) In the event that the Minister representing the Minister for Health and Aged Care fails to table this document:
 - (a) the Senate requires the Minister to attend the Senate at the conclusion of question time on 2 December 2021 to provide an explanation, of no more than 10 minutes, of the Minister's failure to table the document;
 - (b) at the conclusion of the Minister's explanation, or in the event that the Minister fails to provide an explanation, any senator may move to take note of the explanation or the failure to provide an explanation; and
 - (c) any motion under the above paragraph may be debated for no longer than 60 minutes and have precedence over all other business until determined, and senators may speak to the motion for no longer than 10 minutes each.

Moved by: Chair of the Select Committee on COVID-19 (Senator Gallagher)

Date agreed to: 1 December 2021

Explanation provided pursuant to paragraph (3)(a): [2 December 2021](#)

Letter of response provided: [2 December 2021](#) (stating that the Government maintains the public interest immunity claims advanced in its responses to the committee's requests, and that, although the committee has rejected the public interest immunity claim, the Senate has not)

Order not yet complied with

COVID-19—Select Committee—Third interim report—National Cabinet briefing

- (1) That the Senate notes that the Select Committee on COVID-19 has rejected the Minister for Health and Aged Care's public interest immunity claim.
- (2) That there be laid on the table by the Minister representing the Minister for Health and Aged Care, **by no later than midday on 2 December 2021**, documents used in the briefing on 19 April 2021 provided by Dr Brendan Murphy, Secretary, and Ms Caroline Edwards PSM, Associate Secretary of the Department of Health, to National Cabinet on domestic and international vaccine supply and changes to the Australian vaccination strategy.
- (3) In the event that the Minister representing the Minister for Health and Aged Care fails to table the documents:
 - (a) the Senate requires the Minister to attend the Senate at the conclusion of question time on 2 December 2021 to provide an explanation, of no more than 10 minutes, of the Minister's failure to table the documents;
 - (b) at the conclusion of the Minister's explanation, or in the event that the Minister fails to provide an explanation, any senator may move to take note of the explanation or the failure to provide an explanation; and
 - (c) any motion under the above paragraph may be debated for no longer than 60 minutes and have precedence over all other business until determined, and senators may speak to the motion for no longer than 10 minutes each.

Moved by: Chair of the Select Committee on COVID-19 (Senator Gallagher)

Date agreed to: 1 December 2021

Explanation provided pursuant to paragraph (3)(a): [2 December 2021](#)

Letter of response provided: [2 December 2021](#) (stating that the Government maintains the public interest immunity claims advanced in its responses to the committee's requests, and that, although the committee has rejected the public interest immunity claim, the Senate has not)

Order not yet complied with

2022

No. 1301—Australian Broadcasting Corporation—Legal liability and costs

- (a) that there be laid on the table by the Minister representing the Minister for Communications, Urban Infrastructure, Cities and the Arts, **by no later than midday on Monday, 14 February 2022:**
- (i) all legal advice, internal or external, obtained by the Australian Broadcasting Corporation (ABC) in relation to any legal liability that the ABC could be exposed to by social media posts by its employees, including but not limited to, the ABC's liability for defamatory social media posts by Ms Louise Milligan,
 - (ii) all documents, including (but not limited to) correspondence, emails, file notes, written notes and text messages, that formed the basis for the ABC's decision to pay Ms Milligan's legal costs in relation to the claim made by Dr Andrew Laming,
 - (iii) all documents, including (but not limited to) correspondence, emails, file notes, written notes and text messages, relating to:
 - (A) the ABC's agreement to indemnify Ms Milligan for costs against a claim by Dr Andrew Laming,
 - (B) payment of Ms Milligan's legal costs and damages in relation to the Laming claim, and
 - (iv) all documents, including (but not limited to) correspondence, emails, file notes, written notes and text messages, that substantiate all claims made in Senate Estimates hearings by ABC employees that relate to the payment of Ms Milligan's legal fees, and
 - (v) all documents, including (but not limited to) correspondence, emails, file notes, written notes and text messages, relating to the ABC Board's consideration of the ABC Managing Director's decision to indemnify Ms Milligan; and
- (b) 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.

Moved by: Senator McGrath

Date agreed to: 8 February 2022

Letter of response and documents provided: [14 February 2022](#) (letter attaching correspondence from the Managing Director of the ABC together with answers to questions on notice relating to the subject, and stating that due to the broad scope of the order, the ABC will require additional time to identify and consider if there is any additional information within the scope of the order that can be provided; and stating that an additional 21 days would be appropriate to respond)

Order partially complied with

No. 1302—Plant-based alternatives to meat—Labelling and marketing

- (a) that there be laid on the table by the Minister representing the Minister for Agriculture and Northern Australia, **by no later than 10 February 2022**, the following documents:
- (i) any emails with the words ‘Plant-based Alternatives Labelling and Marketing Working Group – final report [SEC=OFFICIAL]’ in its subject line, sent from the departmental email address domesticfoodregulation@agriculture.gov.au on Thursday, 1 April 2021,
 - (ii) a PDF document attached to the above email containing a 73 page discussion paper with the title on the opening page reading ‘The labelling and marketing of Plant-based Alternatives to Meat and Meat-based and Dairy products’, and
 - (iii) a two-page letter (dated 31 March 2021) sent in PDF format from the National Farmers’ Federation’s Chief Executive Officer, addressed to Minister Littleproud (and which was attached to the above email), presenting the discussion paper; and
- (b) 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.

Moved by: Senator Whish-Wilson

Date agreed to: 8 February 2022

Ordered documents provided: [11 February 2022](#) (with redaction of personal information)

Order complied with

No. 1304—Animal welfare—incident reports

That—

- (a) there be laid on the table by the Minister representing the Minister for Agriculture and Northern Australia, **by no later than Thursday, 17 February 2022**, all animal welfare incident reports held by the Department of Agriculture, Water and the Environment which were generated by abattoir management personnel and/or on-plant veterinarians at export-registered abattoirs between 1 January 2020 and 31 December 2021; and
- (b) 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.

Moved by: Senator Faruqi

Date agreed to: 9 February 2022

Letter of response provided: [18 February 2022](#) (due to the large number of documents sought, the minister is unable to comply with the order by the agreed timeframe; but the minister intends to respond at the earliest opportunity)

Explanation sought by Senator Faruqi: [29 March 2022](#); [5 April 2022](#)

Additional letter of response provided: [5 September 2022](#) (advising that the Albanese Government is preparing a response and that as initial searches have returned a high volume of documents, finalising relevant documents will require more time than is usual)

Ordered documents provided: [15 September 2022](#) (with redaction of private information, and excepting 64 reports, withheld on public interest grounds)

Public interest immunity claim raised: Prejudice to ongoing or pending investigatory or other regulatory considerations of a possible breach of law by state or territory agencies

Order partially complied with

No. 1308—Myanmar—Defence ministers’ meetings

That there be laid on the table by the Minister for Foreign Affairs, by no later than **2 pm on 29 March 2022**:

- (a) a list of any briefings provided by the Department of Foreign Affairs and Trade or other agencies about the attendance of Myanmar military officials at the ASEAN-Australia Informal Defence Ministers’ Meeting, the ASEAN Defence Ministers Meeting Plus and the Experts’ Working Groups;
- (b) a list of any meetings or phone calls between Vice Admiral David Johnston and the junta’s Vice Senior General Soe Win; and
- (c) a list of meetings between the Defence Attaché and the defence section of the Australian Embassy in Myanmar with Tatmadaw personnel.

Moved by: Senator Rice

Date agreed to: 9 February 2022

Letter of response provided: [29 March 2022](#) (in relation to paragraph (a), neither the department or any other agency provided such a briefing; in relation to paragraph (b), details of contact provided; in relation to paragraph (c), list provided)

Order complied with

No. 1312—Atlantic Salmon farming—Report

- (1) That there be laid on the table by the Minister representing the Minister for Agriculture and Northern Australia, **by no later than 5 April 2022**, the final report (or any reasonable equivalent to such an outcome report) for the ‘Understanding and mapping the Tasmanian public perception to Atlantic Salmon farming’ (project number 2018-217) as reported on the Fisheries Research and Development Corporation website.
- (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.

Moved by: Senator Whish-Wilson

Date agreed to: 29 March 2022 ([statement made](#))

Ordered document provided: [15 September 2022](#)

Order complied with

No. 1313—Atlantic Salmon farming—Cooperative Research Centres Program grant award

- (1) There be laid on the table by the Minister representing the Minister for Industry, Energy and Emissions Reduction, **by no later than 28 April 2022**, the following documents:
 - (a) the application made by Ridley Agriproducts Pty Ltd in respect of the Cooperative Research Centres Programme grant award GA72953 (‘Future-proofing the salmon farming industry in the face of climate change’);
 - (b) the assessments of the grant applications for GA72953, including any independent viability assessment;
 - (c) the grant agreement in respect of grant award GA72953;
 - (d) the payment schedule for the grant award GA72953;
 - (e) any progress reports, ad-hoc reports and completion report submitted in respect of grant award GA72953;

- (f) any financial declaration and audited financial acquittal report submitted in respect of grant award GA72953;
 - (g) any grant agreement variation submitted in respect of grant award GA72953;
 - (h) any record of compliance visits in respect of grant award GA72953; and
 - (i) the evaluation/s completed in respect of grant award GA72953.
- (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.

Moved by: Senator Whish-Wilson

Date agreed to: 29 March 2022 ([statement made](#))

Letter of response and documents provided: [3 May 2022](#) (documents relating to paragraphs (a), (b), (c), (d) and (e) have been provided with redactions raising public interest immunity claims; as the project is in progress, documents relating to paragraphs (f), (g), (h) and (i) do not exist for this project and have not been provided)

Public interest immunity claims raised:

- Disclosure of this information could be detrimental to Australia's industry, by potentially giving commercial advantage to international competitors
- Disclosure at this point of the project would also cause significant prejudice to the participants
- As data collection and analysis is ongoing and incomplete, information regarding the preliminary outcomes of the research is open to misinterpretation
- Disclosure of Cabinet deliberations

Order partially complied with

No. 1315—Conservation planning decision changes—Submissions

- (1) There be laid on the table by the Minister representing the Minister for the Environment, **by no later than 28 April 2022**, the submissions made in respect of the public consultation on the proposed changes to conservation planning decisions, as advertised on the Department of Agriculture, Water and the Environment website, which were open from 17 September to 2 November 2021, relating to the following flora and fauna:
- (a) the Tasmanian devil (*Sarcophilus harrisii*);
 - (b) Giant Kelp Marine Forests of south east Australia;
 - (c) Whale shark (*Shincodon typus*);
 - (d) Lowland Native Grasslands of Tasmania; and
 - (e) Subtropical and Temperate Coastal Saltmarsh.
- (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.

Moved by: Senator Whish-Wilson

Date agreed to: 29 March 2022 ([statement made](#))

Letter of response and ordered documents provided: [2 December 2022](#) (with redactions to protect personal information)

Order complied with

Orders of continuing effect

No. 246—Protection visas

- (1) That the Senate notes that the Australian public has a right to know vital information that is held within the Department of Home Affairs, and that regular and timely information should be reported to the Senate and the Australian people to provide oversight and transparency on activities of the Department.
- (2) That a monthly update of onshore protection visa lodgements be laid on the table by the Minister representing the Minister for Home Affairs, **by not later than 14 days after each:**
 - (a) 31 January;
 - (b) 28 February;
 - (c) 31 March;
 - (d) 30 April;
 - (e) 31 May;
 - (f) 30 June;
 - (g) 31 July;
 - (h) 31 August;
 - (i) 30 September;
 - (j) 31 October;
 - (k) 30 November; and
 - (l) 31 December.
- (3) Each monthly update must include:
 - (a) the total number of protection visa lodgements made onshore during the period;
 - (b) the total number of protection visa lodgements made onshore at airports, by airport and state, during the period;
 - (c) the total number of individuals, by country of origin, that made a lodgement for a protection visa onshore during the period;
 - (d) the total number of individuals, by age and gender, that made a lodgement for a protection visa onshore during the period;
 - (e) the total number of refugee status determinations made during the period;
 - (f) the total number of individuals granted a Final Protection Visa during the period;
 - (g) the total number of individuals, by country of origin, granted a Final Protection Visa during the period, and the grant rate;
 - (h) the total number of individuals, by age and gender, granted a Final Protection Visa during the period, and the grant rate;
 - (i) the total number of individuals that were not granted a Final Protection Visa during the period, and the grant rate;
 - (j) the total number of individuals, by country of origin, that were not granted a Final Protection Visa during the period, and the grant rate;
 - (k) the total number of individuals, by age and gender, that were not granted a Final Protection Visa during the period, and the grant rate;
 - (l) the total number of individuals that were not granted a Final Protection Visa that were deported during the period, and the deportation rate;
 - (m) the total number of refugee status determinations awaiting a decision at the end of the period; and

- (n) the total number of individuals that were not granted a Final Protection Visa that have yet to be deported at the end of the period.
- (4) If the Senate is not sitting when a monthly update is ready for presentation, the statement is to be presented to the President under standing order 166.
- (5) This order is of continuing effect.

Moved by: Senator Keneally

Date agreed to: 14 November 2019

Statement made: [14 November 2019](#)

Documents provided: [13 December 2019](#); [15 January 2020](#); [14 February 2020](#); [19 March 2020](#); [29 April 2020](#); [19 May 2020](#); [15 June 2020](#); [16 July 2020](#); [18 August 2020](#); [17 September 2020](#); [13 October 2020](#); [13 November 2020](#); [8 December 2020](#); [18 January 2021](#); [12 March 2021](#); [12 April 2021](#); [15 June 2021](#); [14 July 2021](#); [18 August 2021](#); [9 September 2021](#); [13 October 2021](#); [16 November 2021](#); [17 December 2021](#); [20 January 2022](#); [15 February 2022](#); [25 March 2022](#); [23 June 2022](#); [19 July 2022](#)

No. 267—Australia’s Emissions Projections

- (1) That there be laid on the table by the Minister representing the Minister for the Environment, **by not later than the last sitting day of each year**, the report detailing Australia’s estimated future greenhouse gas emissions, *Australia’s Emissions Projections*.
- (2) This order is of continuing effect.

Moved by: Senator Di Natale

Date agreed to: 25 November 2019

Document provided: [9 December 2019](#); [10 December 2020](#); [2 December 2021](#)

No. 507—Australian Research Council—Grant recommendations

- (1) There be laid on the table, by the Minister responsible for the Australian Research Council, or when that minister is in the House of Representatives, the minister in the Senate representing that minister, **by not later than 15 days after the end of the previous calendar month**, a letter of advice that a list, meeting the requirements of paragraph (2), of all Australian Research Council grant recommendations received by the responsible minister each month, has been published on the Internet.
- (2) The list of grant recommendations must be published in a machine readable format and specify the following information for each recommendation:
- (a) identification or application number;
 - (b) title of application;
 - (c) scheme or stream;
 - (d) date received by the responsible minister;
 - (e) whether the grant was approved or not approved by the responsible minister;
 - (f) date of the responsible minister’s decision;
 - (g) date the applicant was informed of the grant outcome;
 - (h) the amount of funding granted (if any); and
 - (i) whether the grant was publicly announced and, if so, the date of the announcement.
- (3) If the Senate is not sitting when the letter is ready for presentation, the letter is to be presented to the President under standing order 166.
- (4) This order is of continuing effect.

Moved by: Senator Pratt

Date agreed to: 27 February 2020

Documents provided: [16 June 2020](#); [18 August 2020 \[2\]](#); [10 September 2020](#); [14 January 2021 \[2\]](#); [2 February 2021](#); [16 February 2021](#); [11 March 2021](#); [22 April 2021](#); [18 May 2021](#); [7 June 2021](#); [22 July 2021](#); [18 August 2021](#); [15 September 2021](#); [14 October 2021](#); [10 November 2021](#); [2 December 2021](#); [20 January 2022](#); [10 February 2022](#); [10 March 2022](#); [15 June 2022](#); [14 July 2022](#)

No. 523—Commonwealth Grants Rules and Guidelines

- (1) That there be laid on the table by the Minister for Finance, **by no later than 30 April of each calendar year:**
 - (a) all reports and correspondence received by the Minister for Finance under paragraph 4.12 of the Commonwealth Grants Rules and Guidelines 2017 during the preceding calendar year (noting that the Guidelines do not apply to all grant administrators, including not applying to the allocation of funding by Sports Australia under the Community Sport Infrastructure Grants program ('Sports Rorts')); and
 - (b) a summary of the decisions reported under paragraph 4.12 of the Commonwealth Grant Rules and Guidelines 2017, including the Central Budget Management System program title, sub-program, grant activity, grantee, total grant value, grant funding location, postcode, and a brief statement of reason for the decision.
- (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) This order is of continuing effect.

Moved by: Senator Waters

Date agreed to: 12 May 2020

Document provided: [30 April 2021](#); [12 April 2022](#)

No. 1077—COVID-19 vaccination certificates

- (1) That there be laid on the table, by the Minister for Government Services, **by no later than the third business day of each month**, a report setting out the total number to date:
 - (a) of updates to the Australian Immunisation Register identifying that a person has received their second COVID-19 vaccination (which then allows a customer to produce their COVID-19 digital vaccination certificate), and
 - (b) of individual COVID-19 digital vaccination certificates produced:
 - (i) using a Medicare online account via the myGov app,
 - (ii) using the Medicare Express app, and
 - (iii) by contacting Services Australia (either on the telephone or in person).
- (2) The first report is due on the third business day of September 2021.
- (3) If the Senate is not sitting when an update is ready for presentation, the report is to be presented to the President under standing order 166.
- (4) This order is of continuing effect until 31 December 2022.

Moved by: Senator Kitching

Dated agreed to: 18 March 2021; amended 31 August 2021

Letters of advice provided:

[8 April 2021](#) (providing information concerning the Australian Immunisation Register (AIR) and Immunisation History Statement (IHS), and stating that as Services Australia does not issue vaccination certificates it is unable to provide the requested data)

[21 June 2021](#) (repeating the statement made in the earlier letter, and stating that recent enhancements to the AIR and HIS do not change the process and that proof of vaccinations remain at the discretion and control of the individual, but providing the number of people that have accessed digital vaccination certificates through myGov or the Medicare Express Plus App (paragraphs (1)(d) and (e))

Additional documents, providing updated information: [6 July 2021](#); [5 August 2021](#); [13 September 2021](#); [19 October 2021](#)