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SITTING DAYS—2020

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<th>Month</th>
<th>Date</th>
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<td>December</td>
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- **MELBOURNE**: 1026AM
- **PERTH**: 585AM
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FORTY-SIXTH PARLIAMENT
FIRST SESSION—FIRST PERIOD

Governor-General
His Excellency General the Hon. David John Hurley, AC, DSC, FTSE (Retd)

Senate Office Holders
President—Senator the Hon. Scott Ryan
Deputy President and Chair of Committees—Senator Susan Lines
Temporary Chairs of Committees—Senators Askew, Bilyk, Brockman, Brown, Chandler, Faruqi, Fawcett, Fierravanti-Wells, Gallacher, Griff, Kitching, Polley, Marielle Smith, Sterle, Stoker and Walsh
Leader of the Government in the Senate—Senator the Hon. Mathias Cormann
Deputy Leader of the Government in the Senate—Senator the Hon. Simon Birmingham
Leader of the Opposition in the Senate—Senator the Hon. Penny Wong
Deputy Leader of the Opposition in the Senate—Senator the Hon. Kristina Keneally
Manager of Government Business in the Senate—Senator the Hon. Anne Ruston
Deputy Manager of Government Business in the Senate—Senator Jonathon Duniam
Manager of Opposition Business in the Senate—Senator Katy Gallagher
Deputy Manager of Opposition Business in the Senate—Senator Kimberley Kitching

Senate Party Leaders and Whips
Leader of the Liberal Party in the Senate—Senator the Hon. Mathias Cormann
Deputy Leader of the Liberal Party in the Senate—Senator the Hon. Simon Birmingham
Leader of The Nationals in the Senate—Senator the Hon. Bridget McKenzie
Deputy Leader of The Nationals in the Senate—Senator the Hon. Matthew Canavan
Leader of the Labor Party in the Senate—Senator the Hon. Penny Wong
Deputy Leader of the Labor Party in the Senate—Senator the Hon. Kristina Keneally
Leader of the Australian Greens in the Senate—Senator Larissa Waters
Deputy Leader of the Australian Greens in the Senate—Senator Nicholas McKim
Chief Government Whip—Senator Dean Anthony Smith
Deputy Government Whips—Senators James McGrath and Slade Brockman
The Nationals Whip—Senator Perin Davey
Chief Opposition Whip—Senator Anne Elizabeth Urquhart
Deputy Opposition Whips—Senators Raff Ciccone and Malandirri McCarthy
Australian Greens Whip—Senator Rachel Siewert

Printed by authority of the Senate
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<thead>
<tr>
<th>Senator</th>
<th>State or Territory</th>
<th>Term expires</th>
<th>Party</th>
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<tbody>
<tr>
<td>Abetz, Hon. Eric</td>
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<td>30.6.2022</td>
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<td>Antic, Alexander</td>
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<td>Bilyk, Catryna Louise</td>
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<td>Bragg, Andrew James</td>
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<td>Brown, Carol Louise</td>
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<td>McCarthy, Malamandirri Barbara Anne</td>
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<td>McDonald, Susan Eileen</td>
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<td>McLachlan, Andrew Lockhart, CSC(5)</td>
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<tr>
<td>McMahon, Samantha Jane</td>
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<td>Molan, Andrew James(6)</td>
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<td>O'Neill, Deborah Mary</td>
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<td>O'Sullivan, Matthew Anthony</td>
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<td>30.6.2025</td>
<td>LP</td>
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</table>
Senator | State or Territory | Term expires | Party
--- | --- | --- | ---
Paterson, James | VIC | 30.6.2025 | LP
Patrick, Rex Lyall(1) | SA | 30.6.2022 | CA
Payne, Hon. Marise Ann | NSW | 30.6.2022 | LP
Polley, Helen Beatrice | TAS | 30.6.2022 | ALP
Pratt, Louise Clare | WA | 30.6.2025 | ALP
Rennick, Gerard | QLD | 30.6.2025 | LP
Reynolds, Hon. Linda Karen, CSC | WA | 30.6.2025 | LP
Rice, Jane Elizabeth | VIC | 30.6.2025 | AG
Roberts, Malcolm Ieuan | QLD | 30.6.2025 | PHON
Ruston, Hon. Anne Sowerby | SA | 30.6.2025 | LP
Ryan, Hon. Scott Michael | VIC | 30.6.2022 | LP
Scarr, Paul Martin | QLD | 30.6.2025 | LP
Seselja, Hon. Zdenko Matthew | ACT | 30.6.2025 | LP
Sheldon, Anthony Vincent | NSW | 30.6.2025 | ALP
Siwewert, Rachel Mary | WA | 30.6.2022 | AG
Smith, Dean Anthony | WA | 30.6.2022 | LP
Smith, Marielle Feuerherdt | SA | 30.6.2025 | ALP
Steele-John, Jordon | WA | 30.6.2025 | AG
Sterle, Glenn | WA | 30.6.2022 | ALP
Stoker, Amanda Jane(5) | QLD | 30.6.2022 | LP
Urquhart, Anne Elizabeth | TAS | 30.6.2022 | ALP
Van, David Allan | VIC | 30.6.2025 | ALP
Walsh, Jess Cecille | VIC | 30.6.2025 | ALP
Waters, Larissa Joy | QLD | 30.6.2025 | AG
Watt, Murray Patrick | QLD | 30.6.2022 | ALP
Whish-Wilson, Peter Stuart | TAS | 30.6.2022 | AG
Wong, Hon. Penelope Ying Yen | SA | 30.6.2022 | ALP

Pursuant to section 42 of the Commonwealth Electoral Act 1918, the terms of service of the following senators representing the Australian Capital Territory and the Northern Territory expire at the close of the day immediately before the polling day for the next general election of members of the House of Representatives.

<table>
<thead>
<tr>
<th>Territory</th>
<th>Senator</th>
<th>Party</th>
<th>Senator</th>
<th>Party</th>
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<td>Gallagher, K.R.</td>
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<td>Northern Territory</td>
<td>McCarthy, M.B.A.</td>
<td>ALP</td>
<td>McMahon, S.J.</td>
<td>CLP</td>
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</table>

(1) Chosen by the Parliament of Tasmania to fill a casual vacancy (vice D Bushby), pursuant to section 15 of the Constitution.
(2) Chosen by the Parliament of Victoria to fill a casual vacancy (vice M Fifield), pursuant to section 15 of the Constitution.
(3) Chosen by the Parliament of New South Wales to fill a casual vacancy (vice S Dastyari), pursuant to section 15 of the Constitution.
(4) Chosen by the Parliament of Victoria to fill a casual vacancy (vice S Conroy), pursuant to section 15 of the Constitution.
(5) Chosen by the Parliament of South Australia to fill a casual vacancy (vice C Bernardi), pursuant to section 15 of the Constitution.
(6) Chosen by the Parliament of New South Wales to fill a casual vacancy (vice A Sinodinos), pursuant to section 15 of the Constitution.
(7) Chosen by the Parliament of South Australia to fill a casual vacancy (vice N Xenophon), pursuant to section 15 of the Constitution.
(8) Chosen by the Parliament of Queensland to fill a casual vacancy (vice G Brandis), pursuant to section 15 of the Constitution.
PARTY ABBREVIATIONS
AG—Australian Greens; ALP—Australian Labor Party;
CA—Centre Alliance; CLP—Country Liberal Party; IND—Independent;
JLN—Jacqui Lambie Network; LNP—Liberal National Party;
LP—Liberal Party of Australia; NATS—The Nationals;
PHON—Pauline Hanson's One Nation

Heads of Parliamentary Departments
Clerk of the Senate—R Pye
Clerk of the House of Representatives—C Surtees
Secretary, Department of Parliamentary Services—R Stefanic
Parliamentary Budget Officer—J Wilkinson
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<tr>
<td>Prime Minister</td>
<td>The Hon Scott Morrison MP</td>
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<tr>
<td>Minister for the Public Service</td>
<td>The Hon Scott Morrison MP</td>
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<tr>
<td>Minister for Women</td>
<td>Senator the Hon Marise Payne</td>
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<tr>
<td>Minister Assisting the Prime Minister for the Public Service and</td>
<td>The Hon Greg Hunt MP</td>
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<tr>
<td>Cabinet</td>
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<tr>
<td>Minister for Indigenous Australians</td>
<td>The Hon Ken Wyatt AM MP</td>
</tr>
<tr>
<td>Assistant Minister to the Prime Minister and Cabinet</td>
<td>The Hon Ben Morton MP</td>
</tr>
<tr>
<td>Deputy Prime Minister and Minister for Infrastructure, Transport</td>
<td>The Hon Michael McCormack MP</td>
</tr>
<tr>
<td>and Regional Development</td>
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</tr>
<tr>
<td>Minister for Agriculture, Drought and Emergency Management</td>
<td>The Hon David Littleproud MP</td>
</tr>
<tr>
<td>Minister for Communications, Cyber Safety and the Arts</td>
<td>The Hon Paul Fletcher MP</td>
</tr>
<tr>
<td>Minister for Population, Cities and Urban Infrastructure</td>
<td>The Hon Alan Tudge MP</td>
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<tr>
<td>Minister for Regional Health, Regional Communications and</td>
<td>The Hon Mark Coulton MP</td>
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<tr>
<td>Local Government</td>
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<tr>
<td>Minister for Decentralisation and Regional Education</td>
<td>The Hon Andrew Gee MP</td>
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<tr>
<td>Assistant Minister for Road Safety and Freight Transport</td>
<td>The Hon Scott Buchholz MP</td>
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<tr>
<td>Assistant Minister to the Deputy Prime Minister</td>
<td>The Hon Kevin Hogan MP</td>
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<tr>
<td>Assistant Minister for Regional Development and Territories</td>
<td>The Hon Nola Marino MP</td>
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<tr>
<td>Treasurer</td>
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<tr>
<td>Minister for Population, Cities and Urban Infrastructure</td>
<td>The Hon Josh Frydenberg MP</td>
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<tr>
<td>Assistant Treasurer</td>
<td>The Hon Michael Sukkar MP</td>
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<td>Minister for Infrastructure</td>
<td>The Hon Michael Sukkar MP</td>
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<tr>
<td>Assistant Minister for Superannuation, Financial Services and</td>
<td>Senator the Hon Jane Hume</td>
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<td>Minister for Finance</td>
<td>Senator the Hon Mathias Cormann</td>
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<tr>
<td>(Vice-President of the Executive Council)</td>
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<tr>
<td>(Leader of the Government in the Senate)</td>
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<td>The Hon David Littleproud MP</td>
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<td>The Hon Sussan Ley MP</td>
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<tr>
<td>Minister for Resources, Water and Northern Australia</td>
<td>The Hon Keith Pitt MP</td>
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<tr>
<td>Assistant Minister for Waste Reduction and Environmental Management</td>
<td>The Hon Trevor Evans MP</td>
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<tr>
<td>Assistant Minister for Forestry and Fisheries</td>
<td>Senator the Hon Jonathon Duniam</td>
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<tr>
<td>Minister for Foreign Affairs</td>
<td>Senator the Hon Marise Payne</td>
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<tr>
<td>Minister for Trade, Tourism and Investment</td>
<td>Senator the Hon Simon Birmingham</td>
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<tr>
<td>(Deputy Leader of the Government in the Senate)</td>
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<tr>
<td>Minister for International Development and the Pacific</td>
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<tr>
<td>Minister Assisting the Minister for Trade and Investment</td>
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<tr>
<td>Assistant Minister for Regional Tourism</td>
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<tr>
<td><strong>Attorney-General</strong> (Leader of the House)</td>
<td>The Hon Christian Porter MP</td>
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<td>The Hon Christian Porter MP</td>
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<td><strong>Minister for Health</strong></td>
<td>The Hon Greg Hunt MP</td>
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<td>Senator the Hon Richard Colbeck</td>
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<tr>
<td><strong>Minister for Home Affairs</strong></td>
<td>The Hon Peter Dutton MP</td>
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<td>The Hon David Littleproud MP</td>
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<tr>
<td><strong>Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs</strong></td>
<td>The Hon David Coleman MP</td>
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<tr>
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<td>The Hon Jason Wood MP</td>
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<tr>
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<td>The Hon Dan Tehan MP</td>
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<tr>
<td><strong>Minister for Employment, Skills, Small and Family Business</strong></td>
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<td>The Hon Andrew Gee MP</td>
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<td>The Hon Steve Irons MP</td>
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<td><strong>Minister for Industry, Science and Technology</strong></td>
<td>The Hon Karen Andrews MP</td>
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<td>The Hon Angus Taylor MP</td>
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<tr>
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<tr>
<td><strong>Minister for Defence</strong></td>
<td>Senator the Hon Linda Reynolds CSC</td>
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<td><strong>Minister for Veterans' Affairs</strong></td>
<td>The Hon Darren Chester MP</td>
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<td><strong>Minister for Defence Personnel</strong> (Deputy Leader of the House)</td>
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<td><strong>Minister for Families and Social Services</strong></td>
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<tr>
<td><strong>Minister for the National Disability Insurance Scheme</strong></td>
<td>The Hon Stuart Robert MP</td>
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<td><strong>Minister for Government Services</strong></td>
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<td>The Hon Michelle Landry MP</td>
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<td>The Hon Luke Howarth MP</td>
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Thursday, 18 June 2020

The PRESIDENT (Senator the Hon. Scott Ryan) took the chair at 09:30, read prayers and made an acknowledgement of country.

DOCUMENTS

Tabling

The Clerk: I table documents pursuant to statute as listed on the Dynamic Red. Full details of the documents are recorded in the Journals of the Senate.

COMMITTEES

Environment and Communications Legislation Committee

National Disability Insurance Scheme Joint Committee

Meeting

The Clerk: Proposals to meet have been lodged as follows:

Environment and Communications Legislation Committee—from 1 pm.

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

The PRESIDENT (09:31): I remind senators that the question may be put on any proposal at the request of any senator.

BUSINESS

Senate Temporary Orders

Senator WATERS (Queensland—Leader of the Australian Greens in the Senate) (09:31): I seek leave to move a motion, as is being circulated in the chamber, relating to general business notice of motion No. 705, concerning an amendment to standing order 66. The motion reads: 'That the Senate note that neither the government nor the opposition has consulted with the crossbench in relation to their proposal to amend standing order 66 to vastly reduce motions, in a very antidemocratic move.'

The PRESIDENT: It's not a time to speak, Senator Waters.

Senator WATERS: I condemn that proposal in the strongest possible terms as it amounts to an attack on democracy, restricts debate and free speech and undermines the important work of the Senate in advancing policy, constituent and transparency matters, and I ask that general business notice of motion No. 705 be discharged from the Notice Paper.

Leave not granted.

Senator WATERS: Pursuant to contingent notice, I move:

That so much of the standing orders be suspended as would prevent me from moving a motion relating to the consideration of a matter, namely a motion to give precedence to a motion relating to general notice of motion No.705.

What we saw yesterday was the two big parties not even speak to anyone on the crossbench about their collusion in seeking to shut down the crossbench's ability to do its job to hold the government and, at times, the opposition to account. What's being proposed, in a cosy little deal between the two big parties, is to limit our ability, as senators, to move motions to just one formal motion a week. That includes motions to disclose documents—orders for the production of documents. For example, this week I moved a motion for an order for the production of documents pertaining to yet more election rorts by this government—the community development grants—but I also moved a motion calling for a federal corruption watchdog. Both were transparency measures. Under this proposed change, which both big parties support, I wouldn't be allowed to do that; they wouldn't give me permission to use my ability, as a senator, to represent Queensland and to push for more transparency and democracy in this place. They would be the arbiters of what the crossbench can do and when we can use our power to hold them to account. They did not even have the decency to consult. They didn't consult with the Greens, they didn't consult with Centre Alliance, they didn't consult with Senator Lambie and they didn't consult with Pauline Hanson's One Nation. This is absolutely a move to shut down the democratic right of senators on the crossbench to do our jobs, and we will oppose it with the strongest possible powers that we have. We will do that today and we will do that on the next day of sitting. We will do it on every day of sitting until these people come to the table, like adults, and discuss possible improvements to the program. But that didn't happen. It was just yet another cosy deal between the two big parties to change the way the democracy of this chamber works.
We know they don't like transparency. That's why we still don't have a federal corruption watchdog, despite the fact that the government agreed 18 months ago to create one. We know they don't like being held to account on their policy positions. I've got news for you: sometimes it is inconvenient for you to be held to account on your policy positions, but it's also democratic, and the convenience of the two big parties should not be running this place. We have a job to do here to represent our constituents, to further the public interest and to work in the nation's interest, and the two big parties are sick of the inconvenience of the crossbench.

I've got some more news for you: there is a reason why the vote support for the big parties is the lowest that it has ever been in history, and it will continue to drop with this sort of antidemocratic behaviour. You don't want to be held to account for your policy positions. I move motions, for example, about protecting the reef and giving coal workers a future in clean energy and other industries. You don't want to be held to account.

We all know the massive donations that flow into the coffers of both the big political parties from big business, from vested interests, from people who want to buy policy outcomes. We draw attention to that because we think it's cooked. What's your answer? You don't want to be held to account. You're embarrassed by that and you should be embarrassed by that. The mature response is to have a debate about how the program can move more smoothly, but, no, there's just an absolute glass-jaw approach from both sides of the chamber here.

We will oppose this with everything we've got, and I believe I speak for the crossbench in saying that. Senator Lambie and Senator Patrick, I'm sure, will have contributions to make, and I imagine Senator Roberts and perhaps Senator Hanson might also share and join in contributing on these views.

Motions perhaps might sound a bit procedural to anyone that might be listening, but they are crucial and they have delivered things like the banking royal commission. They have led to things like marriage equality. They have led to the disability royal commission. Moving motions is not just some jaunt that we undertake to draw important issues to the attention of the big parties and to let the populists know about where we all stand. Motions get things done and they can lead to legislative reform. Yes, they're inconvenient, and yes of course you don't want to be held to account by having to vote on what your actual policy positions even are—except of course if you're the Labor Party, as you don't have any policy positions as yet because they're under review, so it's not clear what you stand for. Well, the public deserves to know what you stand for. This chamber of democracy has a very strong crossbench. We deserve a voice, and we will continue to fight for it.

Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (09:37): There are some facts that need to be put on the table in relation to the motion that Senator Waters is speaking about. The facts are that the motion being brought to the chamber today in the names of Senator Cormann and Wong is not a motion that will prevent any senator from bringing motions forward to this chamber. What it does do—

The DEPUTY PRESIDENT: Senator Birmingham, just resume your seat, please. Senator Waters?

Senator Waters: Point of order, Deputy President. The minister should know that is misleading the Senate. We are talking about formal motions—

The DEPUTY PRESIDENT: Senator Waters, please resume your seat. That is a debating point.

Senator BIRMINGHAM: It does not prevent senators from bringing motions to the Senate. What it does do is limit the ability of senators to move motions that other senators cannot debate. That is the point of formal motions.

Honourable senators interjecting—

Senator BIRMINGHAM: I note that I listened to Senator Waters in silence.

The DEPUTY PRESIDENT: I beg your pardon. Senator Birmingham, please resume your seat.

Senator Faruqi: Madam Deputy President, I want to raise a point of order, and the point of order is that Senator Birmingham is providing completely inaccurate information to the chamber and to the Senate. He should at least tell the truth.

The DEPUTY PRESIDENT: Senator Faruqi, please resume your seat. That is a debating point.

Senator BIRMINGHAM: I do note that I listened to Senator Waters in silence, and the Australian Greens seem incapable of returning that courtesy. In fact it is a lack of courtesy that has led to the motion being brought to this chamber by Senators Cormann and Wong. It's a lack of courtesy in the sense that too many in this place have sought to use and abuse the motions process to present motions that, by the manner in which they are presented to this chamber, do not enable senators to debate them. Those on the crossbench routinely bowl up complex, sensitive or divisive motions and then expect that all 76 members of the Senate should either vote for them or against them without any senator being able to have their say on those matters.
It is a fundamental tenet of our democracy that sensitive issues ought to be able to be debated, and in no way does the procedural motion being put forward today by the government and the opposition prevent time in the Senate agenda for the debate of sensitive matters or for the debate of motions in their proper way, as scheduled. There are many opportunities in the Senate program for debate to occur. There is time, indeed, in this afternoon's agenda for debate to occur. There is time in Monday's agenda for debate to occur. There are procedures and processes to bring motions on for debate. But what has become unacceptable in this place is that hours are spent every single sitting day on motions that deny senators their right to debate the motions, and those motions have become increasingly complex and sensitive and have moved away from the intent of that period of the agenda. The Senate initially established this part of the program with the clear intention that it was to deal with matters that did not require debate. Senators were accorded that right for matters that were noncontroversial, that did not necessarily require debate to be dealt with, but that right has gradually been abused by more and more members of this place. That is the lack of courtesy that, unfortunately, has brought us to this point.

This motion that is being put forward is calm, reasonable and rational, and the crossbench are actually accorded greater opportunity, in a proportional sense, than the opposition or the government. The approach that's being put forward has been crafted so that crossbenchers will receive the same opportunities as the opposition or the government to move motions and the same number of motions without debate occurring. That is a perfectly reasonable approach to take. I would urge the crossbench to realise that this is about trying to strike the right balance. There will still be plenty of time to move those motions and plenty of time for priority matters to be dealt with.

The idea promulgated by Senator Waters that, somehow, the presentation of motions in this place without there being any debate attached to them has led to royal commissions or same-sex marriage occurring is a ridiculous proposition. These substantial changes are achieved by legislation in this place, and the abuse of formal business motions and the time that has been taken up by them over recent years simply curtails the time available in this chamber for legislation to be debated; it curtails the time available for real reform to occur. This is about taking that time back for the Senate, as it should be for empowering individual senators to have their say in a thoughtful and orderly way.

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (09:43): This is an important reform to a part of the day that has completely got out of control. Senator Birmingham is absolutely right; this is about the part of the day in which we should be dealing with motions that do not require debate. Increasingly, over recent years, this part of the day has been used and abused for a purpose that it was never intended for. Let's be very clear. There is no limit to the amount of motions that can be moved—no limit. You can move as many motions—

Senator Rice: On a point of order, Deputy President: Minister Cormann is misleading the Senate, because this motion limits the number of motions.

The DEPUTY PRESIDENT: Senator Rice, please resume your seat. That is a debating point.

Senator CORMANN: For the information of all senators—in particular, Senator Rice—let me repeat it, again. There is no limit, no limit at all, to the number of motions that can be moved. There will be a limit to the number of motions that can be considered without debate. There will be a limit to the number of motions that can be considered without amendment, because the only way you can amend a formal business motion is with the leave of every single senator in this chamber. To give you a parallel, there is no limit to the number of questions that you can ask—no limit—but there is a limit to how many questions can be considered within one hour between 2 pm and 3 pm every day during a sitting week. That is the orderly business of the Senate. We're in a chamber where nobody has a majority. We do have to work with each other and we do have to treat each other with the appropriate level of courtesy in making this place work.

An honourable senator interjecting—

Senator CORMANN: Well, the time of the day when we're dealing with formal business motions no longer works. It hasn't worked for some time. We have resisted, for a long time, the need to reform this part of the day. We have been reluctant to touch it. But you know what? We've been dealing with more than 50-odd motions, with hours and hours of motions that should not be dealt with without debate and without—

Senator Waters: A point of order, Deputy President: the reason there have been a few more motions lately is because we are barely here, because this government has shut down parliament.

The DEPUTY PRESIDENT: Senator Waters, that is a debating point.

Senator CORMANN: Again, whether it is speeches on legislation or whether it is the handling of questions in question time or whether it is across a whole range of areas, we are making arrangements procedurally to ensure that this place can still get the business of the nation done, and this part of the day, quite frankly, was
inappropriately interrupting getting the business of the nation done. There is nothing unusual in putting some frameworks and processes in place, and, as Senator Birmingham also rightly pointed out, in drafting this motion the government and the opposition have been incredibly courteous and respectful to the crossbench because we are giving the crossbench a disproportionate amount of opportunity to move formal motions. If it was reflected purely on proportionality grounds—purely on the grounds of how many senators are represented in this chamber as a result of the election by the Australian people—you would have fewer opportunities to move motions without debate.

I understand that, for political purposes, it suits crossbenchers on occasions to move motions where they don't want to have a debate where the details can be nuanced and fleshed out in a properly argued argument. Maybe sometimes there is a political interest in trying to simplify things into yes and no. But, to be honest, the nation is not in a better space the day after those sorts of motions are dealt with when they can't actually be dealt with by yes and no.

This formal motions space was there for a particular purpose. It has been used and abused. It was in need of reform. This is a temporary measure. It is a measure that we are putting in place until the end of the sittings in May 2021. The Procedure Committee will have the opportunity to review the operation of the new arrangements, and of course motions on legislation and motions in relation to committee business are excluded.

The fundamental point that I'll repeat again is that there is no limit to the amount of motions that you can put forward, but there will be a limit to the amount of motions that you can bring to this floor for them to be dealt with without debate and without being able to amend them unless you have the leave of every single senator in this chamber. We think it is a sensible reform to try and improve the operation of that part of the day. Let's just remind ourselves we are here to get the business of the nation done. We're not here to waste our time playing politics.

Senator WONG (South Australia—Leader of the Opposition in the Senate) (09:48): Can I first indicate that Labor have moved this motion with the government because we want formal business to be consistent with the purpose for which it was designed—that is, as a way of dealing in a timely manner with routine and uncontroversial matters. That is the purpose for which formal business was designed. The reality is that in recent times—in fact, for longer than recent times—it simply has not met that standard. It has become a time where senators have been forced to take positions on a large volume of complex and sensitive matters.

Senator WONG: As I said, the courtesy and respect that some at the end of the chamber referred to has not been our experience of this part of the program. We are happy to have a discussion about how this is to be reformed. In fact, this has been going on since 2003. So you want to talk about a lack of consultation? This has been before the Procedure Committee since 2003, and there has not been agreement across the chamber. If the Greens and the rest of the crossbench want to have a genuine consultation about how to make sure this part of the program returns to the purposes for which it was intended—which is routine and uncontroversial—we are up for it. But I suspect that that is not the purpose they want this part of the program to be used for.

I want to make this point. In 2020 the Senate has considered 322 motions at an average of 15 per day. We are currently on track to consider 650 motions for the year at this rate. In 2019 there were 486 motions considered in 40 sitting days. In 2008 there were 294 motions considered. Time spent on consideration of formal business has also substantially increased. It has risen from 22 minutes per day in 2012 to 34 minutes per day in 2018. On 11 June it went for 1½ hours and on 12 May it went for an hour and 17 minutes. And, of course, the length of the motions has increased.

Also increasing is the way in which the Senate handles formal motions. In 2008 there was on average one division per day on formal motions. In 2019 there were 7.7 divisions on average. Statements have increased from
1½ per day on average in 2008 to 20.3 in 2019. So for part of the program that is supposed to be about routine business we have 20 statements by leave—that's a debate. If you want a discussion about how we have more substantive debates about policy, which can be contested, then I and the Labor Party are happy to have a discussion about how we facilitate that. But this part of the program is being used for purposes for which it was not intended.

I would draw the attention of the Senate to two points. There are a number of aspects of business which are exempted from the temporary order—business of the Senate, disallowances, references to committees, consideration of legislation and so forth. We have also indicated that this should be a temporary order and we can have a discussion in the Procedure Committee. If the crossbench are up for sensible changes, we are absolutely willing to have that discussion. But we do need to resolve the fact that this part of the program is not working for the purposes for which it was intended.

Senator Roberts interjecting—

Senator WONG: No—that the Senate intended, Senator Roberts.

Senator PATRICK (South Australia) (09:53): I rise to indicate that Centre Alliance won't support the suspension, in the interest of the orderly conduct of business. However, if the Greens are successful, we will certainly support the motion. One of the difficulties that Centre Alliance has here, and it's been mentioned by Senator Waters, is that this motion did appear without consultation and was something of a surprise. I fear that, if we don't resolve this, we will have this sort of disorder propagated through sitting weeks. I think that is problematic.

I think we do need to change this part of the business of the Senate. It is taking a long time and it is complicated. It takes a lot of time, particularly for crossbenchers. Small parties are working through all of the motions overnight, trying to work out what our positions will be. It consumes time well beyond what takes place in the chamber. There is a need to have change.

However, the current motion does have some concerning parts. Things like orders for production of documents are a tool for oversight, and we shouldn't really constrain the Senate in relation to that particular function. There are some other issues in the context that, if we were to have a roster system, which would have to be developed, and there is an urgent issue that I wish to raise on behalf of South Australians, it may be that I potentially would have to wait four or five days in order to be able to put a motion to the Senate. If there's a break or a recess in the sittings, it may well flow over to months later. I don't think that's acceptable. I would propose to the Leader of the Government in the Senate and the Leader of the Opposition in the Senate that they postpone the motion for today and we work over the next four weeks to try to find a reasonable outcome.

In my conversations with the crossbench last night and the Greens, everyone seems to think there is a problem. Everyone wants a solution to it. I actually respect what the government and opposition have said in terms of how this potentially doesn't fully limit some of things that we want to do, but that's not fully explained in the motion. There could be greater clarity in the motion. So I would ask the Leader of the Government in the Senate and the Leader of the Opposition in the Senate to consider postponing the motion just for one day, allowing us to consult; let's try to find a solution and work together on this.

Senator ROBERTS (Queensland) (09:56): I'm fairly new in the Senate, as people know, so I just want to first of all acknowledge some comments. I was delighted to see Senator Wong using data. I agree with her and the government. In fact, we mentioned to Senator Ruston that this segment of the day is out of hand. It's completely out of hand. I also want to compliment Senator Wong on saying that she is up for a discussion on this. I concur with Senator Patrick that we would love to discuss that.

We do not support this at the moment as it stands, but we would welcome the postponement of this to have a sensible discussion. Senator Hanson and I have been suppressed many times in this, as have the Greens, but we would be the first to acknowledge that this session has got out of order. We want to fix it. I look at question time and I see that as a rabble. I see that as complete disrespect of the people of Australia, who elected us to come in here and represent them. Question time is completely disrespectful to the people of this country. This session on formal motions has also become disrespectful not only to the people but to the parliament. So I would ask Senator Cormann and Senator Wong to postpone this and have a meaningful discussion about improving this section and doing it in a way that is respectful.

Senator CANAVAN (Queensland—Deputy Leader of the Nationals in the Senate) (09:58): I'll be brief, but I wanted to put on record the National Party's support for this motion. We support this motion because it will make for a better operation of this place. I think it's regrettable that we have to take this action. It would be much better and more sensible if parties in this place did not abuse the liberties that are provided to them as individual senators. That clearly has not been the case over many years. Over many years, this particular item of business on
our agenda has been abused. I think it reached the apogee of that abuse a few years ago, when Greens senators moved a motion—one of many they moved that day—to applaud Go Home on Time Day. That was a motion we had in this place, just to applaud Go Home on Time Day, a motion which held us back from going home! The number of motions that the Greens move has become absurd.

All we are saying through this motion is that priority must be given now to what is important, and that is the case for questions, that is the case for adjournment speeches and that is the case for any item of business on the agenda which is time limited. We all have to prioritise what's important that we speak about. I respect the position that Senator Wong has put about the original intention of this business, but we are not saying that we must stick to that rule. The crossbenchers will have their four motions a day. I fully expect that some of them will continue to be wedge motions, but they're just going to have to prioritise what is important so that we can get back to the business of this place in looking after the Australian people.

Senator LAMBIE (Tasmania) (09:59): I also ask you to postpone this by a day, please, so that we can all be adults and show the rest of Australia that we can be adults and go and sort this out over the next four or five weeks. You have problems with this motion. The production of documents shouldn't be included. If you co-sponsor, you lose a mark. Tasmanians elected me to be their independent representative, and I don't abuse the system. I don't put motions up very often, but, if I, like Senator Patrick, have to wait a week to get that motion out and it is time-critical, then maybe we need to talk about that.

If you want to talk about problems here and about wasting time, go out and ask the people of Australia what they think about your dorothy dixers, to sell yourselves. If you've got something to sell, go and do what the rest of us have to do and get out there and do it. If you're talking about things that are important and you're running dorothy dixers, trying to sell yourselves in here, then maybe we need to talk about that.

We know that we've got a problem in here, and we can admit that. But, please, out of respect to the crossbench, give us four or five weeks so we can talk about this, so we can do it like adults and make sure we're all in agreement. It's no good coming in here like a bunch of bullies, both of you, and bulldozing us. You know there are a lot of moves—we can hold this up. We can do this all day today. It does not help when you've got three critical crossbenchers sitting in here and you're bulldozing us, without at least doing the right thing. This is just stupidity at its best—absolute stupidity. I'm sure Labor is loving it, because it's you people over there that need our vote.

So, please, for goodness sake, let's be adults. We're asking you to hold back one day so we can all go back to the table over the next four or five weeks. Like we said, we know there is a problem with these motions. But, out of respect to the crossbench—it doesn't matter which party or Independent they are—I'm asking you to hold this back a day. Otherwise, I tell you, anything you want done today is not going to get done today either. Alright? We all need practice in making moves in here. We've got all day. So, please, hold it back for a day.

The PRESIDENT: The question is that the motion to suspend standing orders, moved by Senator Waters, be agreed to.

The Senate divided. [10:06]

(The President—Senator Ryan)

Ayes .................11
Noes ....................51
Majority ...............40

AYES

Di Natale, R
Hanson, P
Lambie, J
Rice, J
Siewert, R (teller)
Whish-Wilson, PS

Faruqi, M
Hanson-Young, SC
McKim, NJ
Roberts, M
Waters, LJ

NOES

Abetz, E
Askew, W
Bilyk, CL
Bragg, A J
Brown, CL
Carr, KJ
Ciccone, R (teller)
Cormann, M
Duniam, J
Abetz, E
Askew, W
Bilyk, CL
Bragg, A J
Brown, CL
Carr, KJ
Ciccone, R (teller)
Cormann, M
Duniam, J

Antic, A
Ayres, T
Birmingham, SJ
Brockman, S
Canavan, MJ
Chandler, C
Colbeck, R
Davey, P
Fierravanti-Wells, C
Question negatived.

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (10:11): I seek leave to move motion 705, in relation to a variation to the standing orders, now.

Leave not granted.

Senator CORMANN: I move:

That so much of the standing orders be suspended as would prevent general business notice of motion No. 705 being moved immediately and determined without amendment or debate.

I also move:

That the question be now put.

The PRESIDENT: The question is that the question be put.

The Senate divided. [10:16]

(The President—Senator Ryan)

Ayes .....................49
Noes .....................12
Majority..................37

AYES

Abetz, E
Askew, W
Bilyk, CL
Brockman, S
Canavan, MJ
Chandler, C
Colbeck, R
Davey, P
Fierravanti-Wells, C
Gallagher, AM
Henderson, SM
Hume, J
Lines, S
McCarthy, M
McGrath, J
McLachlan, A
Molan, AJ
O'Sullivan, MA
Payne, MA
Ryan, SM
Sheldon, A
Sterle, G
Urquhart, AE
Walsh, J
Wong, P

Antic, A
Ayres, T
Birmingham, SJ
Brown, CL
Carr, KJ
Ciccone, R
Cormann, M
Duniam, J
Gallacher, AM
Green, N
Hughes, H
Kitching, K
McAllister, J
McDonald, S
McKenzie, B
McMahon, S
O'Neill, D
Paterson, J
Rennick, G
Scarr, P
Smith, DA
Stoker, AJ
Van, D
Watt, M
The question is that the standing orders be suspended, as moved by the minister. The Senate divided. [10:20]

(The President—Senator Ryan)

Ayes .................49
Noes .................12
Majority .............37

AYES
Abetz, E
Askew, W
Bilyk, CL
Brockman, S
Canavan, MJ
Chandler, C
Colbeck, R
Davey, P
Fierravanti-Wells, C
Gallacher, AM
Gallagher, KR
Henderson, SM
Hume, J
Lines, S
McCarthy, M
McGrath, J (teller)
McLachlan, A
Molan, AJ
O'Sullivan, MA
Payne, MA
Ryan, SM
Sheldon, A
Sterle, G
Urquhart, AE
Walsh, J
Wong, P

NOES
Di Natale, R
Faruqi, M
Hanson, P
Hanson-Young, SC
Lambie, J
McKim, NJ
Patrick, RL
Rice, J
Roberts, M
Siewert, R (teller)
Waters, LJ
Whish-Wilson, PS

Question agreed to, with an absolute majority.

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (10:23): I, and on behalf of Senator Wong, move:

(1) That the following variations to the standing orders have effect as a temporary order until the last sitting day in June 2021:
(a) at the end of standing order 66, add:
(5) The following additional requirements apply to the consideration of general business notices of motion as formal motions:
(a) Senators may make (or have made on their behalf) only one request for formality in any sitting week.
(b) No more than 12 motions may be dealt with as formal motions on any sitting day, comprising no more than four proposed by Government senators, four proposed by Opposition senators, and four proposed by minor party and independent senators.

(c) The motions to be considered shall be notified to the President.

(d) The allocation of motions to be taken as formal amongst minor party and independent senators each day shall be determined by the President and, across the course of a sitting week, shall be as nearly as practicable proportional to the numbers of those minor party and independent senators in the Senate.

(e) The restrictions in paragraph (5) do not apply in respect of motions for the consideration of legislation (including the introduction of bills) or the conduct of Senate or committee business (including the appointment of a select committee).

(b) After standing order 76(7), insert:

(7A) A general business notice of motion shall not exceed 200 words, unless it is a motion:

(a) for the consideration of legislation or the conduct of Senate or committee business (including the appointment of a select committee), or

(b) proposing an order for the production of documents.

(2) That the Procedure Committee review the operation of this order, and report to the Senate by the last sitting day in May 2021.

Senator WATERS (Queensland—Leader of the Australian Greens in the Senate) (10:23): I seek leave to amend the motion as circulated in the chamber.

The PRESIDENT: Leave is not granted. The previous motion actually was that this be dealt with without amendment or debate. I'm now bound by that resolution just passed by the Senate.

Senator WATERS (Queensland—Leader of the Australian Greens in the Senate) (10:23): Pursuant to contingent notice, I seek leave to suspend so much of the standing orders as would prevent me from amending the motion.

The PRESIDENT: No. Senator Waters, I've got a question before the chair at the direction of an absolute majority of senators on the resolution just passed. I have to put that question. The question is that motion No. 705 be agreed to.

The Senate divided. [10:25]

(The President—Senator Ryan)

Ayes .................49
Noes ....................12
Majority .................37

AYES

Abetz, E
Askew, W
Bilyk, CL
Brockman, S
Canavan, MJ
Chandler, C
Colbeck, R
Davey, P
Fierravanti-Wells, C
Gallagher, KR
Henderson, SM
Hume, J
Lines, S
McCarthy, M
McGrath, J (teller)
McLachlan, A
Molan, AJ
O'Sullivan, MA
Payne, MA
Ryan, SM
Sheldon, A
Sterle, G
Urquhart, AE
Walsh, J
Wong, P

Antic, A
Ayres, T
Birmingham, SJ
Brown, CL
Carr, KJ
Ciccone, R
Cornam, M
Duniam, J
Gallacher, AM
Green, N
Hughes, H
Kitching, K
McAllister, J
McDonald, S
McKenzie, B
McMahon, S
O'Neil, D
Paterson, J
Rennick, G
Scarr, P
Smith, DA
Sterke, AJ
Van, D
Watt, M
Question agreed to.

Senator WATERS (Queensland—Leader of the Australian Greens in the Senate) (10:27): I seek leave to move a motion pertaining to the subject matter that has just been dealt with in general business notice of motion No. 705, relating to the conduct of the chamber and the ability of crossbenchers to move motions with formality and debate them in the normal practice.

The PRESIDENT: I'm going to look to the Clerk, and I am happy to be corrected. I am looking at standing orders 86 and 87. Standing order 87 states:

An order, resolution, or vote of the Senate may be rescinded, but not during the same session unless 7 days' notice is given—Amongst other requirements, and standing order 86(1) states:

A question shall not be proposed if it is the same in substance as any question which has been determined during the same session, unless the order, resolution, or vote on such question was determined more than 6 months previously or has been rescinded.

Paragraph (2) refers to disallowance of instruments, which I don't deem as relevant. So, I do not consider such a motion to be in order, Senator Waters. I am happy to be corrected by the Clerk. But I consider that standing order 87 prevents the consideration of that without notice. The Clerk has, very happily from my perspective, concurred with my on-the-run interpretation.

Leave not granted.

Senator WATERS (Queensland—Leader of the Australian Greens in the Senate) (10:29): Noting that, pursuant to contingent notice, I move:

That so much of standing orders, including the one you have just referenced, be suspended as would prevent me from moving a motion to discuss matters pertaining to the cross bench doing its job to hold this government to account, in the normal course of business in this chamber.

The PRESIDENT: You are seeking to suspend the standing order I have just relied upon. I do consider that motion to be in order; however, I will, after this consideration, foreshadow that, as I have done on previous rulings when the Senate has, on a number of occasions, expressed a will on a particular matter, it is within the realm of the chair to refuse to entertain further disruptions to the program of business to reconsider the same matter. On this issue I do consider that motion to suspend standing orders, on this occasion, to be in order.

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (10:29): I move the motion be now put.

The PRESIDENT: The question is that the motion be put, moved by Senator Cormann.

The Senate divided. [10:31]

(The President—Senator Ryan)

Ayes ...................... 49
Noes ...................... 12
Majority ............... 37

AYES
Abetz, E
Askew, W
Bilyk, CL
Brockman, S
Canavan, MJ
Chandler, C
Colbeck, R
Davey, P
Fierravanti-Wells, C
Gallagher, KR
Henderson, SM

Antic, A
Ayers, T
Birmingham, SJ
Brown, CL
Carr, KJ
Ciccone, R
Cormann, M
Duniam, J
Gallacher, AM
Green, N
Hughes, H
Ayes

Hume, J
Lines, S
McCarthy, M
McGrath, J (teller)
McLachlan, A
Molan, AJ
O'Sullivan, MA
Payne, MA
Ryan, SM
Sheldon, A
Sterle, G
Urquhart, AE
Walsh, J
Wong, P

Kitching, K
McAllister, J
McDonald, S
McKenzie, B
McMahon, S
O'Neill, D
Rennick, G
Smith, DA
Stoker, AJ
Van, D
Watt, M

Noes

Di Natale, R
Hanson, P
Lambie, J
Patrick, RL
Roberts, M
Waters, LJ

Faruqi, M
Hanson-Young, SC
McKim, NJ
Rice, J
Siewert, R (teller)
Whish-Wilson, PS

Question agreed to.

The President (10:35): The question is that Senator Waters's motion to suspend standing orders be agreed to.

The Senate divided. [10:35]

(The President—Senator Ryan)

Ayes .................48
Noes .................11
Majority ..............37

Ayes

Abetz, E
Askew, W
Bilyk, CL
Brockman, S
Carr, KJ
Ciccone, R
Cormann, M
Duniam, J
Gallacher, AM
Green, N
Hughes, H
Kitching, K
McAllister, J
McDonald, S
McKenzie, B
McMahon, S
O'Neill, D
Paterson, J
Rennick, G
Scarr, P
Smith, DA
Stoker, AJ
Van, D
Watt, M

Antic, A
Ayres, T
Birmingham, SJ
Canavan, MJ
Chandler, C
Colbeck, R
Davey, P
Fierravanti-Wells, C
Gallagher, KR
Henderson, SM
Hume, J
Lines, S
McCarthy, M
McGrath, J (teller)
McLachlan, A
Molan, AJ
O'Sullivan, MA
Payne, MA
Ryan, SM
Sheldon, A
Sterle, G
Urquhart, AE
Walsh, J
Wong, P

Noes

Di Natale, R
Hanson, P
Lambie, J

Faruqi, M
Hanson-Young, SC
McKim, NJ
Question negatived.

Senator McKIM (Tasmania—Deputy Leader of the Australian Greens in the Senate) (10:38): I seek leave to move a motion relating to the capacity of senators to raise matters in the Senate that are important to their constituents.

Leave not granted.

Senator McKIM: I move:

That so much of the standing orders be suspended as would prevent Senator McKim from moving a motion relating to the capacity of senators to raise matters in the Senate that are important to their constituents.

The PRESIDENT: Senator McKim, as I've foreshadowed previously and consistent with rulings that I have given and that past presidents have given, where the Senate has repeatedly expressed its will on a matter I will not entertain further attempts to suspend or interrupt the business of the Senate. At this point I'm not going to accept that motion as being in order.

Dissent from Ruling

Senator McKIM (Tasmania—Deputy Leader of the Australian Greens in the Senate) (10:39): I move:

That the ruling of the President be dissented from.

The PRESIDENT: I will allow that, on the basis that it is a matter of dissent from the chair and I am not in a position to refuse it. This will be the last matter I entertain.

Senator Cormann (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (10:39): I move:

That the question be put.

Senator McKim: I had the call. I did not resume my seat, and I began debate on this motion.

The PRESIDENT: I had to call the Leader of the Government in the Senate, who takes precedence according to the standing orders. No-one around me is disagreeing with that particular ruling.

Senator McKim: A point of order: I was on my feet. It's not a question of precedence, because I had not resumed my seat after I moved dissent to your ruling. And I remain on my feet, and I don't believe that Senator Cormann can be called, unless it's on a point of order.

The PRESIDENT: I've now got Senator Cormann on a point of order.

Senator Cormann: Dissent to the ruling of the President has to actually be in writing, and I have not seen anything in writing, so it's actually out of order in any event.

The PRESIDENT: On that basis, the motion is out of order—

An honourable senator interjecting—

The PRESIDENT: It hasn't been submitted. Can I add a piece of advice from the Clerk. Under standing order 198, dissent, it is automatically adjourned to the next day unless the Senate decides otherwise. That's never been tried on me, so my apologies for not being familiar with it, Senator McKim.

BILLS

Treasury Laws Amendment (Your Superannuation, Your Choice) Bill 2019

In Committee

Consideration resumed.

Senator McAllister (New South Wales) (10:41): I move:

(1) Schedule 1, page 3 (before line 5), before the heading specifying Superannuation Guarantee (Administration) Act 1992, insert:

Fair Work Act 2009

1A At the end of section 187

Add:
Requirement relating to restrictions of choice of superannuation fund

(7) If the agreement includes a restriction on the choice of superannuation fund or funds available to employees, the FWC must be satisfied that the restriction is in the interests of the employees who will be covered by the agreement.

(8) For the purposes of considering whether the restriction is in the interests of the employees, the FWC must consider:

(a) the extent to which the employers who will be covered by the agreement have complied, or are likely to comply, with the requirements of the Superannuation Guarantee (Administration) Act 1992; and

(b) the features of the proposed default superannuation fund or funds, including matters such as insurance; and

(c) any other relevant matters.

This amendment relates to the Fair Work Act and Fair Work Commission consideration of what is in the best interest of employees. I went through Labor's thinking about this proposition in my speech on the second reading, and I don't intend to canvass all of those arguments again. Labor supports, in principle, the important role of collective bargaining in Australia's industrial relations system. Workers are better off as a result of collective bargaining. Labor is moving an amendment to the bill to include a provision that allows for workers to bargain for a single fund or set of funds where it is determined by the Fair Work Commission that it is in their best interests.

Senator Waters: Temporary Chair, I draw your attention to the state of the House.

The TEMPORARY CHAIR (Senator Walsh): I advise you, Senator Waters, that we do have quorum. There are 19 people in the chamber.

Senator HUME (Victoria—Assistant Minister for Superannuation, Financial Services and Financial Technology) (10:43): The government will be opposing Labor's amendment. We should be clear what this amendment is really about. It is, in fact, denying the premise of the bill, which is all about choice. It's really about providing assistance to individual funds, which are—let's face it—multibillion dollar companies. We don't feel that they need to be propped up or shielded from competition by removing an employee's right to choose their fund.

The CHAIR: The question is that opposition amendment (1) on sheet 8871 revised 2, moved by Senator McAllister, be agreed to.

The committee divided. [10:48]

(The Chair—Senator Lines)

Ayes ..................... 26
Noes ..................... 29

Majority ............... 3

AYES

Ayres, T
Brown, CL
Chisholm, A
Di Natale, R
Gallacher, AM
Green, N
Lambie, J
McAllister, J
McKim, NJ
Rice, J
Siewert, R
Walsh, J
Watt, M

NOES

Antic, A
Birmingham, SJ
Canavan, MJ
Colbeck, R
Duniam, J
Henderson, SM
Hume, J
McGrath, J (teller)
McLachlan, A
O'Sullivan, MA
Patrick, RL
Rennick, G

AYES

Bilyk, CL
Carr, KJ
Ciccone, R
Faruqi, M
Gallagher, KR
Hanson-Young, SC
Lines, S
McCarrthy, M (teller)
O'Neill, D
Sheldon, A
Sterle, G
Waters, LJ
Whish-Wilson, PS

NOES

Askew, W
Brockman, S
Chandler, C
Davey, P
Fierravanti-Wells, C
Hughes, H
McDonald, S
McKenzie, B
Molan, AJ
Paterson, J
Payne, MA
Reynolds, L
Senator WHISH-WILSON (Tasmania) (10:51): by leave—I move Greens amendments (1) to (3) on sheet 8981 together.

(1) Schedule 1, item 6, page 4 (lines 3 and 4), omit the item, substitute:

6 Paragraph 32C(6) (h)

   Repeal the paragraph, substitute:
   (h) an enterprise agreement:
      (i) made before 1 July 2020; or
      (ii) to which subsection (6AAA) applies; or

(2) Schedule 1, item 7, page 4 (before line 7), before subsection 32C(6AA), insert:

   (6AAA) For the purposes of subparagraph (6) (h) (ii), this subsection applies to an enterprise agreement that provides for an employee to join a fund in relation to which:
      (a) the employee is eligible to become a defined benefit member; and
      (b) either or both of the following are satisfied:
         (i) the governing rules of the fund permit the employee, within a period specified within those rules, to choose not to remain a defined benefit member;
         (ii) the employee may choose another fund.

(3) Schedule 1, page 4 (after line 16), at the end of the Schedule, add:

8 At the end of section 32F

   Add:
   (4) A fund (the selected fund) cannot become a chosen fund for an employee or a person who will become an employee under this section if the person has become or is eligible to become a defined benefit member pursuant to an arrangement of the kind referred to in paragraph 32C(6) (h).

9 Subsection 32NA(2)

   After "An employer is not required under section 32N to give an employee", insert "or a person who is eligible to become an employee".

10 Paragraph 32NA(2) (a)

   After "the employer is making", insert "or will make".

11 Paragraph 32NA(2) (b)

   After "the contributions are made", insert "or will be made".

12 Subsection 32NA(9)

   After "An employer is not required under section 32N to give an employee", insert "or a person who is eligible to become an employee".

13 Paragraph 32NA(9) (a)

   After "the employee is", insert "or will become".

I think it's probably worth, considering there are a number of senators in the chamber, going through what I went through yesterday around the importance of the Greens amendments. There are very few defined benefits schemes that are still open in Australia and admitting new members. This bill has very serious implications for one of them in particular, UniSuper, who made a number of submissions to the Senate's economics committee. I mentioned yesterday that I'm particularly interested in UniSuper because this super fund was more or less born in my home state of Tasmania through the University of Tasmania, which is where it has its origins.

Section 15 of the Superannuation Guarantee (Administration) Regulations 2018 already carves out government schemes, so without these amendments, from what we know about adverse selection, it seems likely that new employees in the university sector will not be given the chance to join UniSuper's defined benefits schemes. I know senators are thinking: well, what's the advantage of a defined benefits scheme? We could probably debate at some merit the pros and cons of defined benefits schemes versus other super schemes. However, it provides choice and, as I mentioned yesterday, it provides a recruitment tool for universities like the University of Western
Australia because it can actually guarantee and predetermine returns, which, of course, in difficult times, can be quite attractive for a prospective employee. So it needs to be seen as part of an overall recruitment package.

The University of Tasmania in particular—and we have spent many years trying to attract the right people to move up the rankings of universities, and of course it's a very competitive space—is ranked very highly in some areas of study—for example, Antarctic and Southern Ocean science. The Menzies Institute for Medical Research is globally renowned for the work that it does, but in other faculties we admit that we need to do better to try to attract students and incentivise Tasmanian students to stay in Tasmania especially. That's something I feel, hand on heart, is very important to me as well; I have two children at university at the moment. My daughter is at Melbourne uni but, as a parent, I really wish that she had stayed in Tasmania, and I hope that my son will go to the University of Tasmania next year. But I know it's very competitive to keep students in their home state in Tasmania. So the universities themselves need to be competitive. They need to have good reputations and, of course, the rankings system is very important in that regard. Getting the right staff—the right lecturers and the right researchers, with the reputations and the published research—is critically important if you're going to start that chain of getting in the students and moving up the rankings.

I note the previous vice-chancellor at the university, Peter Rathjen, basically built a giant war chest to recruit some of the best researchers and lecturers anywhere in the world, to try and improve the university's rankings. In the packages that had to be offered, we know that there were significant financial inducements to get the right lecturers and the right researchers. The superannuation scheme is part of that, and being a defined benefits scheme, of course, it's a point of differentiation. I talked a little bit yesterday about UniSuper's defined benefits scheme. It has significant implications for the next generation of researchers, scientists, and lecturers.

The University of Tasmania is one of the largest employers in my home state of Tasmania. Indeed, I think now it's actually the second-largest employer in the state, and in my home town of Launceston it's actually the biggest employer. Let's cut to the chase here: it's been a very difficult time for universities around this country and, indeed, around the world. We know their revenues have dried up as student enrolments have collapsed, and we know that they're under significant pressure. And who bears that pressure? The staff at these universities do. We've had a plague of casualisation across universities. A number of university staff, be they researchers or lecturers or other staff, haven't been able to receive stimulus payments during this terrible period of pandemic. They haven't been able to receive JobKeeper. It deliberately wasn't extended to universities. No matter how many times the Greens and others try to extend JobKeeper to university employees, we haven't been able to achieve that. So they're really under the pump.

The new vice-chancellor at the University of Tasmania, just two weeks ago, made a public announcement about the negotiations with the unions. They are doing everything they can to try and retain their staff. If we make changes today that deny choice to prospective employees at university, that's only going to play against retaining good staff, because it will be extremely competitive. We are concerned that this bill, without the amendment presently before the committee, piles more uncertainty onto a sector already in limbo, a sector fighting to overcome the loss of billions of dollars in income and facing a government determined to avoid its responsibility to assist this industry at a time of unprecedented crisis.

Not only are universities facing significant uncertainty with major losses of revenue from student enrolments, but the inability to access JobKeeper payments—as I mentioned before—and impending job losses are making it more and more difficult to work in this sector. Undoubtedly, these kinds of pressures will have flow-on effects for the recruitment of new staff, particularly in the regions—and that's what Tasmania is. It's basically a giant rural electorate with a couple of big country towns, compared to the rest of the country. I'm acutely aware as a Tasmanian of the challenges faced in recruiting good staff to regional universities, as I am of the challenges faced by other businesses in my home state, and making it harder to attract and retain top staff is unhelpful, to say the least. I worked at the university myself for nearly 10 years as a lecturer, and I know that firsthand.

So why is this important, and why are we singling out UniSuper for discussion here?

I mentioned it was a Tasmanian-led innovation. The fund was conceived by a group of senior administrators at the University of Tasmania in the late seventies, and the university provided the corporate vehicle to sponsor the establishment of the trustee company now known as UniSuper, which, I understand, has taken off all around the country. The provision of a national and fully portable defined benefits scheme has been of considerable assistance to Australian universities, and this outstanding achievement, Tasmanian in origin, continues to assist in the recruitment and retention of qualified staff, especially in places like Tasmania.

I'd like to point out, as I did yesterday, that these amendments are not an exemption from choice. The amendments ensure that all defined benefits schemes are able to operate on similar terms while ensuring that those fortunate enough to be offered a defined benefits scheme will still be eligible for choice. It allows a contribution to
be made in compliance with choice if an enterprise agreement provides for an employee to join a fund in which the relevant person is eligible to become a defined benefit member, and only when the fund's governing rules permit the relevant person, within a specified period, to choose not to remain a defined benefit member and to choose another fund.

Under the proposed amendments, members are able to opt out of defined benefit arrangements within a two-year period. Without these amendments it is extremely unlikely anyone will ever be offered the chance to opt in to a defined benefit scheme, owing to the adverse selection risks which have been well documented and which I have outlined in my speech in the second reading debate and again today. It would be largely a tragedy if a durable, high-performing fund were sacrificed to an inflexible one-size-fits-all choice regime. Doing so will deal another blow to product diversity in an industry dominated by the same style of largely uniform accumulation style products. Rejection of these amendments would be ironic, as it would signal that the government had opted to deny defined benefit funds the choice to continue to provide for first-class retirement.

Senator HUME (Victoria—Assistant Minister for Superannuation, Financial Services and Financial Technology) (11:01): Thank you, Senator Whish-Wilson. I will deal with both of your sets of amendments separately, if you don't mind. On the amendments that you have presented on sheet 8981, which are largely about UniSuper: from what I've seen I think they were in fact drafted by UniSuper, because they approached me with a similar draft. The problem with those amendments is they continue to restrict the choice of fund where an employee is forced into a defined benefit fund. Once a member has set up their account, we want them to be able to choose to exit should they need to. The amendments would prevent an employee from ever choosing to join a different fund if that employee had previously been a defined benefit member under any enterprise agreement; that is a significant failure of the amendments. They permanently strip the right of any person who has ever been a defined benefit member to choose another super fund. We think that is a mistake.

UniSuper's fund is terrific. We have no problems with it. We have no problems with defined benefit funds. Indeed, we'd like people to be able to choose to go into defined benefit funds, and I would like to see a far greater proliferation of those products out there. That said, this bill is about choice, and that's exactly what these amendments deny. In fact, what they're really doing is simply propping up the business model of a fund that should be able to stand on its own two feet and on its merits.

Again, our concern is that people might want to leave; indeed, we have seen many examples where that has in fact been the case. I've had correspondence to my office from one academic, in my home city of Melbourne, who wrote to the government complaining that UniSuper's mandated fees and an automatic insurance premium eroded much of the small balance of superannuation he earned each month, and he wanted to get out but he couldn't. Another employee of a university in Victoria noted that not only was she wasting money on maintenance fees for a UniSuper account she didn't want; she also had to ‘battle' with UniSuper by filling out extensive paperwork, enabling her to transfer funds to her main account each year. So it's actually forcing duplication of accounts, which is exactly what we're trying to avoid with this bill.

The other amendments that you have circulated, I should note, are quite similar to an amendment that the opposition put forward yesterday and that was defeated in the chamber. Those amendments, on sheet 8971, are about the removal of the $450 rule. The $450 rule, for those who are not familiar, says that an employer is not compelled to pay superannuation to an employee if they earn less than $450 a month. For those playing along at home, the $450 rule was included in the superannuation system when it first began in 1992; it was a Labor government at that stage.

I agree that looking at the $450 rule merits some consideration. In fact, that's why we've asked the Retirement Income Review to specifically include this in its mandate. The Productivity Commission also recommended it. However, there are some quite significant issues to consider around moving this longstanding threshold. There are implications for small businesses, obviously. But without the implementation of a policy to ensure that members are only defaulted into a superannuation product once, removing that $450 threshold may also result in duplicate low-balance accounts. So the government has agreed to the recommendation of the banking royal commission that a person should only have one default account. As I said, it's under active consideration by the Retirement Income Review. That's due to provide its final report to government in a matter of weeks. We think that should suffice and this is not necessarily the right bill in which to attach that amendment, so we'll be opposing that.

Senator McALLISTER (New South Wales) (11:05): I want to place on record the opposition's position in relation to the Greens' amendment. The minister has correctly observed that it is quite similar to the amendment Labor moved yesterday. We naturally preferred our amendment on the same topic but, since the Senate has not supported that amendment, we believe that the amendments on sheet 8981 are preferable to having no amendments in this area at all. We don't accept the minister's characterisation of propping up a particular fund. UniSuper's been very clear about the actuarial basis for providing a defined benefit fund and the need for the
maintenance of a broad pool and the need to avoid adverse selection. We think that amendments in this area are supportive of producing good outcomes for members—that is, retaining the ability to take advantage of the outcomes produced by a defined benefit fund.

Senator WHISH-WILSON (Tasmania) (11:06): I want to be clear—the minister might have misinterpreted—that I moved together, by leave, amendments (1) to (3) on sheet 8981 but I didn't move Senator Waters' amendment. You did refer to that in the $450 threshold in your response, so I just wanted to clarify that that was 'your bad'—not that it was very bad! I just wanted to make it clear that I am talking to my amendments. Senator Waters will get to talk to her amendments in a minute and we'll deal with that then.

As was just alluded to by Senator McAllister—and I went through this a bit in my speech—is that what is unusual about defined benefit schemes is that they guarantee the rate of return for employees. As I mentioned, there are not many of these around anymore. The membership of the funds is, obviously, tightly controlled—the actuarial studies that were referred to by Labor relate to that point—to allow for better planning of likely payment costs and to avoid adverse selection. Of course, having people join the fund just before retirement, to get access to better returns, is not in the interests of the scheme—you sign up to it and that is planned over a period of time. All we are asking for here is an amendment to give a new employee—and I stress 'new'—a 24-month period to decide whether they wish to stay in a defined benefit fund. Minister, you are correct in your response to us that they would not be allowed to join after that date. You said that was something that was reducing choice over all, but do you accept the difficulty of administering a defined benefit scheme? When people are joining just prior to retirement, the idea that they should not be able to join after the first two years is based on the actuarial needs to manage the fund. Do you accept that that is an important characteristic of defined benefit schemes?

Senator HUME (Victoria—Assistant Minister for Superannuation, Financial Services and Financial Technology) (11:09): I think we can safely say that defined benefit funds play a really important role as part of the suite of superannuation products out there. Indeed, I know there are a number academics, particularly, in UniSuper that really value the fund that they have and the fact that they don't face the longevity risk that other funds might have. But, that said, the premise of the defined benefits scheme, the premise of the request that UniSuper has put forward, is that it relies essentially on complacency and inertia or ignorance—for people to accidentally be put into that fund and then have to actively leave. They've got two years to leave a defined benefit scheme, which I think is interesting, but what they seem to be objecting to is people, rather than having to go into it and then actively withdrawing in the first two years, being able to not go into it at all in the first place, which should be a fundamental choice for academics.

We're not talking about tenured professors and vice-chancellors. We're talking about people that are tutors, and often those tutors have other jobs as well. They might have a job as a waitress or as a check-out person—whatever it might be—to supplement their income. Often, people tutor as a supplement to other income while they're in academia themselves or studying themselves. These are the people that are most likely to have those duplicate accounts. They're the ones that are most likely to be subjected to duplicate fees and duplicate insurance premiums. By forcing them into UniSuper—and I'm using UniSuper specifically as an example here, rather than all broad defined benefits schemes—this amendment would actually mean that they can never leave. It's like the 'Hotel California' of superannuation funds. And that's unreasonable, because I know a lot of people who work in incredibly different industries who were tutors, at one stage, at university, but you're forcing them into having duplicate accounts for the rest of their lives. That is kind of crazy and defeats the entire purpose of having choice in superannuation, which we believe is a fundamental right.

Senator WHISH-WILSON (Tasmania) (11:12): Minister, the complaints you referred to are not from defined benefit members; they're from members of the accumulation fund, which of course is totally different. That's my understanding. Are you able to comment on where you got that information from?

Senator HUME (Victoria—Assistant Minister for Superannuation, Financial Services and Financial Technology) (11:12): I have in front of me extracts from correspondence or summaries of correspondence that my office has received from the states of Victoria, New South Wales and Queensland and from the ACT. Admittedly, I didn't get any from Tasmania. I would love to be able to give you one from Tasmania. I do not have that. I do have eight different examples of correspondence that has been received by my office from people who are actually in UniSuper and would like to get out. One of them has actually said that she feels discriminated against—this is an interesting one. She's an academic at a university in Sydney who wished to move to a different fund but couldn't do so. She wrote to her local member—so it wasn't directly to my office; it came to my office indirectly—about how, as an academic, she felt discriminated against, as she did not share the same freedom as many other Australians when it came to superannuation providers. This is the sort of person to whom you're trying to deny the choice that everybody else has. I think that's kind of crazy, but I understand where you're coming from, and I want to say that this is not supposed to be an attack on defined benefit funds—quite the opposite. I
would love to see a proliferation of defined benefit funds out there, because I genuinely think that they suit a number of Australians, but they have to be able to stand up on their own two feet without compelling people to be in there in the first place.

Senator PATTERSON (Victoria) (11:14): I'm very pleased to have an opportunity to come down and participate in this committee stage of the debate, because I wasn't actually able to participate in the second reading stage of the debate. I have a number of thoughts I'd like to share with the chamber on this very important bill and perhaps a question or two that I'll ask the minister, given the opportunity.

One of the things that struck me about the second reading debate was the different philosophical approaches to the concept of choice. We had, on this side of the chamber, government senators, who I think correctly understand choice, which is that choice is something that individuals exercise themselves. They are informed by a range of sources of advice and information, they consider that carefully and then they exercise their choice to be a member of a super fund or a member of a different super fund, to shift from one super fund to the other.

On the other side of the chamber, we had Labor senators making some very interesting contributions on the question of choice. Labor senators, in fact, although they pretend to believe in choice, don't really believe in choice. They say they believe in choice. I think I heard Senator McAllister summing up for Labor senators at one point saying, 'As we have made clear in this debate, we believe in choice.' I'm not sure it was that clear in the debate that Labor senators believe in choice, because most of their contributions were about how workers really weren't best placed to make choices about their own financial future, they weren't best placed to decide for themselves how their retirement funds should be spent or where they should be placed and needed guidance and assistance in making the choice, and a concept of collective choice had to be exercised on their behalf, because they couldn't make informed choices themselves.

Of course, collective choice is not choice at all, if you dissent from the collective decision. If you are an individual worker and you want to place your retirement funds in a different super fund because you made the judgement it's in your best interest but the collective choice has been made on your behalf that you should not be allowed to do that, where is your choice? You don't get to exercise choice at all. That really comes down to the heart of this bill.

We on this side trust individuals to make decisions in their own best interest, appropriately advised, considering their retirement income, and those opposite don't trust them. Those opposite want to coerce them to do things they would not choose themselves and they want to pretend this is somehow collective choice. It's a very unusual approach to the idea of choice. So Minister, considering this issue of collective choice or individual choice, have there been any examples of workers who have tried to or have wished to exercise their own individual choice that's differed from the collective choice that was going to be imposed upon them? Have they been able to exercise that? If they haven't been able to, is there any way in which this bill might assist them to exercise that?

Senator HUME (Victoria—Assistant Minister for Superannuation, Financial Services and Financial Technology) (11:17): Yes. As I said, I do have a number of examples in front of me specifically regarding UniSuper members. I mentioned a couple of those examples before from my home state—our home state, Senator Paterson—of Victoria. I do have some from New South Wales as well. I mentioned one before, who said that she felt that she had in fact been discriminated against because she didn't share the same freedom as many other Australians when it came to superannuation providers. The fact that she felt she had been discriminated against, I thought was a profound statement in her correspondence.

There was another employee of the University of Sydney who discovered after several months that a UniSuper account had been set up for her. She didn't know she had a UniSuper account, so it was done without her knowledge. It was against her express wishes, because she was a long-time member of another industry super fund, First State Super, one she was particularly happy with. So she realised then she had not only been contributing to a different account but had two sets of fees, two sets of insurances. She also found out that she discovered that the UniSuper account caused half of her contributions to be eroded in fees. I can't understand how that lack of choice could possibly be in the best interests of that member.

Another employee of a university in the ACT said that he was disappointed that he was forced to set up a UniSuper account rather than proceeding with his preferred choice of another industry super fund, Hostplus. As a member of Hostplus myself, I can safely say that I can understand why that might be. UniSuper is a perfectly good industry super fund—don't get me wrong. I think it has served its members very well indeed over time because it does have both a defined benefit as well as a defined contribution option. But Hostplus might better suit the needs of that particular person, not necessarily because one is an academic and one is a hospitality worker; that really shouldn't limit your choice.

In fact, we would like to see more funds diversify their membership base so they don't specifically work for a particular industry because that in itself, as we have said many times, is a systemic risk, and diversifying your
membership base is just as important as diversifying your investment options, because that reduces the systemic risk of the superannuation system overall.

Hostplus, bless them, have done that. They were set up as an industry super fund that was specifically for the hospitality sector, but they have broadened their membership base to a point now where they aren't just reliant on the hospitality sector—and thank heavens for that. Thank heavens for that, because, quite frankly, the hospitality sector having been hit so hard by COVID-19, Hostplus managed to miss the worst of it. That's not to say that they didn't suffer at all from it, because, of course, there was extraordinary market volatility and there was an extraordinary switch from aggressive assets to cash within superannuation funds as well that super funds have had to manage, but Hostplus have seen themselves through the worst of the storm largely because they had that diverse membership base. UniSuper doesn't necessarily have that, because it is purely for academics, and, as Senator Whish-Wilson has pointed out—

The ACTING DEPUTY PRESIDENT (Senator Askew): Senator Whish-Wilson, on a point of order?

Senator Whish-Wilson: A point of order on relevance: I fail to see how what the minister is saying has any relevance to my amendment before the chamber.

The ACTING DEPUTY PRESIDENT: That's not a point of order. I think the minister is speaking on the bill, which is very relevant.

Senator HUME: I was actually responding to Senator Paterson's questions.

Senator Whish-Wilson interjecting—

Senator HUME: No, Senator Paterson's questions are just as important as yours. We've already had a long discussion about the importance of hearing debate in the chamber. Now you've made me lose my train of thought—UniSuper. UniSuper actually has quite a distinct lack of diversification of members, but that doesn't mean it's a good fund and it doesn't deserve support.

Senator Whish-Wilson: A point of order, Madam Acting Deputy President Askew: the minister is misleading the chamber. I didn't have a question; I had a statement. She just said I had a question, but I didn't.

The ACTING DEPUTY PRESIDENT: That is not a point of order.

Senator HUME: Senator Whish-Wilson, potentially I was misleading the chamber, because I wasn't responding to your statement; I was responding to Senator Paterson's question. He did have a question. He had a question about whether I knew of any superannuation fund members out there who felt that they had been denied choice, particularly those that were part of UniSuper—which was pertinent to your amendment specifically, Senator Whish-Wilson, because it was in fact UniSuper that drafted that first amendment, or drafted the draft of the amendment that I think you then presented to the chamber today. And I know that because they presented the same draft of the same amendment to me.

We questioned them. In fact, I think I spent about an hour on the phone with UniSuper, just trying to understand what their objection was, and they couldn't explain it. They kept saying, 'It's difficult. It's the actuarial numbers; they don't stack up.' I was going, 'Well, explain it to us. Give us a good crack,' because we had a few actuaries in the office. Even the actuaries in the office said, 'No, I don't think you're right here.' UniSuper can't explain why their business model doesn't stack up—or it only stacks up if you deny choice. I don't think the government is in the business of propping up a business model that doesn't stack up without people wanting to get into it, without people choosing to get into it. And many people will choose to get into UniSuper, because it is a good fund. It does a good job. But I think it can continue to be a good fund and continue to do a good job without the need to compel people to go into it, compel people to have multiple funds and compel people to have two sets of fees and two sets of insurances. That just doesn't seem logical.

And, going back to what that member of UniSuper said, why would we discriminate against academics over anybody else? I find this very strange, coming from the Greens, because I know you are very big supporters of academia. Certainly, in your earlier line of questioning, Senator Whish-Wilson, you were explaining the profound importance that academia plays in our lives and how we want to be able to support the university sector. That does seem to be at cross-purposes with this amendment.

Sorry, I've ignored you, Senator Paterson. I didn't mean to do that, because I do have some more examples of employees who have felt that they would like to be out of a particular fund and would like to have choice, something that most Australians have—although around 800,000 or so Australians at the moment have either restricted choice or no choice at all. They would like to be treated as fairly as those other Australians who do have choice.

Another employee of an ACT university wrote to the government complaining about UniSuper's 'uncooperativeness' in rolling over her super into her main fund. She noted the significant fees that she being
forced to pay to maintain an account that she did not want. Now, that is unfair. That is unfair. If we are to support people to work in academia, why would we treat them so badly? You're absolutely right; we want people to work in academia. But, if we're going to treat them like this, surely that would be a disincentive, not an incentive, to work in academia.

In Queensland, an employee of a Queensland university wrote to the government with concerns that UniSuper was engaging in political activities that she disagreed with. I really don't want to get into the ideological wars of superannuation—

Senator Paterson: I might.

Senator HUME: Senator Paterson might, Senator Bragg might, but I don't want to do that. But why should you be forced to be in a fund that you fundamentally don't agree with? You would understand this too, Senator Whish-Wilson. I think that most of those in the Greens would. You might say, 'I only want to invest in an ethical product'—something that doesn't invest in fossil fuels, for instance—but you might be stuck in a fund that does invest in fossil fuels. How unfair is that? Denying you that choice would be unacceptable. So an employee of a university in Queensland wrote to the government with concerns that UniSuper was engaging in political activities that she disagreed with, pressuring companies not to provide services to Adani.

Senator Whish-Wilson interjecting—

Senator HUME: That's exactly right. But wouldn't you feel terrible, Senator Whish-Wilson, if you were forced into a fund that was helping Adani. If there was a fund that was supporting and funding Adani and cheering for Adani on the sidelines with a bunch of pompoms as Bob Brown drive past with his convoy, and you were forced to invest in it, that would be unfair on you, and we wouldn't want that to happen to you. We wouldn't want it to happen to anybody. But, due to this woman's enterprise agreement, she was prohibited from switching to a different fund.

There was another employee, also in Queensland, on a contract with a Queensland university, who wrote to her local member complaining about the money that she was wasting paying fees on her UniSuper account while using NGS Super as her main superannuation account. Of course, she was prohibited by her enterprise agreement from having her money paid to her preferred fund. There are many, many examples, even though UniSuper is a good fund. It's a good fund, it does a terrific job and we would encourage people to choose it should they want to, but only if they want to. If they want to put their money somewhere else, they should have the right to do so. There is no sector that is a sacred cow here, no sector that is so precious that we would exclude it from the right of all Australians to choose their superannuation fund.

Senator WHISH-WILSON (Tasmania) (11:27): This is something I haven't seen before in the Australian Senate: coalition senators coming in and asking questions to a minister during a committee stage—some scrutiny! This is really, really unusual. Let everybody behold what is occurring here.

The TEMPORARY CHAIR (Senator Askew): Senator Paterson, on a point of order?

Senator Paterson: A point of order, Temporary Chair: Senator Whish-Wilson is misleading the chamber. I myself have many times participated in the committee stage of debates and asked questions of ministers, and I will continue to do so today.

The TEMPORARY CHAIR: Thank you, Senator Paterson. Senator Whish-Wilson, the committee stage is open for all senators to come and ask questions.

Senator WHISH-WILSON: That was a very spurious point of order, may I say, Temporary Chair. Nevertheless, can I just put everyone out of their misery and move:

That the question be now put.

The TEMPORARY CHAIR (Senator Askew): The question is that the question be put.

The committee divided. [11:32]

(The Temporary Chair—Senator Askew)

Ayes ..........................8
Noes ..........................31
Majority ........................23

AYES

Di Natale, R
Faruqi, M
Hanson-Young, SC
McKim, NJ
Rice, J
Siewert, R (teller)
Waters, LJ
Whish-Wilson, PS

CHAMBER
Question negatived.

Senator HUME (Victoria—Assistant Minister for Superannuation, Financial Services and Financial Technology) (11:35): I want to thank the chamber for their decision on that particular amendment. It is an important one, as is the next Greens amendment coming up, and I think I can safely pre-empt that, because I have already spoken on it before—accidentally, for which I apologise to Senator Waters. I think it is worth discussing because I know that Senator Waters is going to say that this is a position that I have supported in the past. I'd just draw it to the attention of the chamber, because there are some people who are sitting in the chamber now who might not be familiar with the next Greens amendment: the next Greens amendment is about something called the '$450 rule', which I think is actually a really important part of the superannuation system. It's something that's been around since 1992.

Senator Waters: Point of order: that amendment isn't before the chair. We would like it to be so. It's a great amendment. We're actually on Senator Whish-Wilson's amendment. We're very happy to vote on that.

The ACTING DEPUTY PRESIDENT (Senator Askew): I will draw the minister's attention to that.

Senator HUME: My understanding is that we're talking about fundamental changes to the superannuation system as part of the 'your super, your choice' bill. This is a fundamental change and also quite a significant change that is not necessarily related to the idea of choice, though. It is something that has been raised in the chamber before and I have spoken about it before, even though the amendment has actually been moved. It is fundamental to superannuation, as is the concept of choice.

I said in my summing-up speech in the second reading debate that choice is the corollary of compulsion. In Australia, we compel people to pay nearly $1 in $10 of nearly everything they earn into superannuation, whether they like it or not. We then shouldn't compel them to put it into a particular fund. Surely the corollary of that compulsion should be that they have choice as to where that money goes. In the same way that we don't compel people to put their money into a certain bank account, an employer can't dictate to an employee which bank account they should put their money into. We shouldn't also dictate which super fund an employee would put their money into. It makes perfect sense. It is the corollary of compulsion. In the same way, it is how in Australia you are compelled to vote but we don't tell you, we don't compel you, to vote for a particular party. No-one tells you who to vote for, but you are compelled to vote. This is not dissimilar.

The '$450 rule' is slightly different, because there are a small proportion of people in Australia who don't pay superannuation. They aren't compelled to put nearly $1 in $10 into superannuation, and they're people who earn less than $450 a month. Why $450? This is interesting: it is because if you multiply $450 by 12 it equals $5,400. Why does $5,400 ring a bell? I'll tell you why it rings a bell. It is because it was the tax-free threshold in 1992, when compulsory superannuation was introduced. At that time—and I tip my hat to Labor, because they were the party that introduced compulsory superannuation—the Labor Party said, 'If you don't earn enough to pay tax, neither should you then be compelled to put money into superannuation.' I think that's quite an interesting concept. If you don't earn enough to pay tax, should you have to take away nearly $1 in $10 to put it into a retirement savings vehicle?
I'm reasonably ambivalent on this because $5,400 is no longer the tax-free threshold. In fact, the tax-free threshold is now $18,200. So should you be compelled to pay nearly $1 in $10 of your hard-earned wages into superannuation if you don't actually pay tax?

It's actually quite an interesting question, and one that I know that the Retirement Income Review, which is being headed by Mr Callaghan, is currently looking at. It was raised by the Productivity Commission in its landmark report into the efficiency of the superannuation system in 2018, and it does make sense. But it's not a binary proposition: everybody should pay superannuation from dollar one. Yes, that makes sense in a sort of simplification manner. And can I say that the only reason that you possibly could make that happen now is that this government introduced Single Touch Payroll, and Single Touch Payroll makes it much easier for small employers to pay superannuation from dollar one. But the question is: is it fair?

There are a number of people out there at the moment that are earning less than $450 a month—often, though, from multiple jobs. If you're doing multiple jobs and you can find the $450 per month, that would make sense; you would want those people to contribute to super. But, if those people are only earning $450 a month or less than $450 a month, should you then carve out nearly $1 in $10 of everything they earn, nearly one-tenth of everything they earn, and compel them to put it away into superannuation? Quite frankly, if you're earning less than $450 a month, I would imagine that you would be counting every single penny. Locking it away—potentially for up to 40 years, quarantining that money for 40 years—might not actually create the best outcome for those people today, who need the money right now.

So it is an interesting question. I'm very, very glad that the Greens raised it. It's one that I have pondered myself and that I've written about—I've been published on this issue. I spoke about it before I came to the Senate chamber, when I worked at an industry super fund myself, when I worked at AustralianSuper. It is an interesting one, and it does also disproportionately affect women, theoretically. However, there doesn't seem to be very much in the way of current data on that, which is something that I am desperately hoping the Retirement Income Review will address.

The Retirement Income Review, as you would well know, is going to create a fact base on which we can all agree, and then we can leverage that fact base and build superannuation policy on the basis of that. Let's face it: at the moment with superannuation, terrific as it is—a $3 trillion industry, bigger than the ASX, bigger than GDP; it's quite extraordinary—there are so many dissenting voices in this industry. Nobody speaks with one voice. I think we can genuinely agree that it is the most partisan part of the financial services sector, and it's very hard to find a voice in there without a vested interest behind it. We can speak of the funds, the industry bodies and even the think tanks—it's very hard to find somebody that doesn't have a finger in the pie. Even the Grattan Institute—and I love the Grattan Institute—is associated with—

An honourable senator: Do you, really?

Senator HUME: I do; I love the Grattan Institute.

An honourable senator: With a love-hate feel.

Senator HUME: A love-hate relationship, admittedly. They don't always agree with me, but that's alright—my colleagues in the chamber don't always agree with me either, and I love them all dearly as well. But even the Grattan Institute—they're associated with academia and universities, so they, too, speak with an academic industry super fund hat on. But, that said, what we would like to do is create a fact base from which we could then leverage future superannuation policy that doesn't have the lens of vested interest looking down into it. I can see I've got the attention of the opposition over there.

An honourable senator interjecting—

Senator HUME: That's because, as you would well know, this is an industry that I feel profoundly passionate about. I have worked in the industry all my life. And I don't like to play favourites. I've worked in retail and I've worked in industry super. I heard Ian Silk—my old boss, my former CEO—on the radio, on RN, just this morning, as I'm sure many of you did, talking about the dangers of the flight to cash that we've seen in the superannuation sector just in the last few months. We want to make sure—I know this is very important to Senator Patrick—that people make informed choices, and I mentioned that in my summing up speech, Senator Patrick, as you would well know. We want to make sure people get a chance to make informed choices about their superannuation. But choice is what is fundamental here. Choice is what you're denying by putting forward this amendment. This amendment is all about denying or restricting choice, and we've got dozens of examples here—people might not have chosen UniSuper; they might be stuck in UniSuper. This particular amendment compels people who have ever been in UniSuper or any other defined benefit fund from ever leaving, from ever having choice in any fund. It doesn't matter whether they worked in a university when they were 18 as a tutor and now
have gone off to run BHP. It doesn't matter. They're stuck in that defined benefit fund for the rest of their lives, and that is unacceptable.

Progress reported.

**BUSINESS**

**Senate Temporary Orders**

Senator WATERS (Queensland—Leader of the Australian Greens in the Senate) (11:45): President, I seek your clarification as to the application of amended standing order 66, which was amended earlier today by notice of motion No. 705, which was rammed through. I'm seeking clarity on when that takes—

The PRESIDENT: It applies from the next day of sitting, so it will apply from Tuesday 4 August, I think it is.

Senator WATERS: Can I just seek your clarification: that's actually not what it says. Is it that an amendment is required so that it doesn't apply to today?

The PRESIDENT: My understanding is that that is the effect of the motion. I did check this before. I'm happy to be corrected if someone would like to correct me, as always, but that's the effect of the resolution passed. I did seek to check its effect—I don't have it in front of me—but it applies—

Senator WATERS: That's not correct.

The PRESIDENT: You're free to challenge the ruling if you wish, but it will be dealt with again next time.

Senator WATERS: I'm simply seeking to understand, because the words of the motion actually don't say that it doesn't apply today. They imply that it commences immediately.

The PRESIDENT: I did check. The minister made the point in his contribution regarding it earlier. I did check, and that's the ruling I'm issuing.

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (11:46): To assist the chamber, it's very clear that the intention is for this to apply from the next day of sitting in August, when we get back. This is obviously not a time to have debate; this is a time to deal with formal motions, which are meant to be simple motions that are voted on without amendment or debate.

The PRESIDENT: I thank the minister. I've checked with the Clerk. He confirms my ruling, which is that this was dealt with via suspension of standing orders. The effect of the resolution was explained at the time. That's my ruling. I plan to proceed to notices of motion.

**NOTICES**

**Presentation**

Senator Fierravanti-Wells to move 15 sitting days after today—

That the Defence Amendment (2020 Measures No. 1) Regulations 2020, made under the Defence Act 1903, be disallowed [F2020L00120].

Senator Steele-John to move on the next day of sitting—

That the Senate—

(a) notes that:

(i) the UN Convention on the Rights of Persons with Disabilities (CRPD) was ratified by Australia in 2008, and states that governments have an obligation to ensure that disabled people are fully included in all aspects of social, economic, and political life,

(ii) the National Disability Insurance Scheme (NDIS) is underpinned by the rights in the CRPD and designed to provide access to supports that are deemed 'reasonable and necessary' to ensure disabled people are fully supported to have everything they need to live a full and equal life, and participate in the community,

(iii) the desexualisation of disabled people is a social belief that has denied disabled people full bodily autonomy and has been a key factor in a lot of the abuse situation,

(iv) the NDIS has perpetuated this social belief by failing to develop a comprehensive sexuality policy for NDIS participants that encompasses and supports individual sexual needs and goals at all life and development stages,

(v) over 50 disability organisations have called for the National Disability Insurance Agency to develop a comprehensive sexuality policy to continue reasonable and necessary support for sexual expression through NDIS funding,

(vi) disabled people, like the rest of our community, want to enjoy consensual intimate experiences, as part of exploring sexual expression, and

(vii) giving disabled people the right to exercise choice and control over the supports they need to achieve the goals they've identified is the primary objective the community expects the NDIS to deliver on;
(b) acknowledges that the Federal Court of Australia ruled in favour of supporting a disabled person's access to sex-related supports within their NDIS plans (see National Disability Insurance Agency v WRMF [2020] FCAFC 79); and

(c) calls on the Federal Government to:
   (i) uphold the Federal Court ruling in support of disabled people on the NDIS using their plans to access sex-based supports consistent with their goals and what is 'reasonable and necessary', and
   (ii) work with disabled people and their organisations, and the community, to develop a comprehensive sexuality policy for the NDIS.

Senator Steele-John to move on the next day of sitting—

That the Senate—

(a) notes that:
   (i) motions are an important democratic function of the Senate that allow members of the cross bench to:
      (A) formally request documents,
      (B) ask a Minister or other member of the Government to make a formal statement,
      (C) raise matters that are important to the community, and
      (D) refer legislation to committees for further scrutiny, and
   (ii) limiting the number of motions that can be put by the cross bench on any given day is undemocratic; and

(b) calls on the Government to immediately repeal the changes to Standing Order 66 in the name of democracy.

Senator Steele-John to move on the next day of sitting—

That the Senate—

(a) notes that:
   (i) decades of accelerating militarism from the United States of America (USA) and increasingly unstable rhetoric from President Trump has led to the breakdown of:
      (A) a number of global trade relationships (notably the US-China relationship),
      (B) inflamed tensions in the Middle East (notably with Iran),
      (C) diminished the effectiveness of international treaties (notably JCPOA),
      (D) defunded critical organisations during a global pandemic (notably the World Health Organization), and
      (E) undermined international justice systems (notably by approving sanctions on the ICC),
   (ii) the values held by President Trump and the accelerating militarism of the USA has led the alliance to become increasingly dangerous for Australia,
   (iii) the ongoing rotation of US Troops in the Top End during a global pandemic has reignited a domestic conversation about the benefits of our military cooperation with the United States, and
   (iv) President Trump's handling of the COVID-19 pandemic has been nothing short of a public health disaster for the USA and ongoing civil unrest over police brutality, and the treatment of African Americans at the hands of police, has ignited a larger conversation about the use of domestic force – a conversation that President Trump has deliberately inflamed, mainly over Twitter; and

(b) calls on the Government to:
   (i) rethink the alliance with the United States of America, and
   (ii) develop an independent foreign policy for Australia that best serves our interests.

Senator Steele-John to move on the next day of sitting—

That the Senate—

(a) notes that:
   (i) lethal autonomous weapons are causing much concern in the international community,
   (ii) the Group of Governmental Experts meeting periodically at the United Nations have held discussions centred around human control and compliance to international humanitarian law with many states (countries) citing these as real concerns,
   (iii) at a Group of Governmental Experts' meeting in March 2019, the statement by the International Committee of the Red Cross asserted; "In the view of the ICRC, a weapon system beyond human control would be unlawful by its very nature", and
   (iv) removing human control from the decision-making loop of lethal weapons systems can cause catastrophic harm; and

(b) calls on the Federal Government to:
   (i) rule out developing weapons which remove human control from the decision-making loop of lethal weapons systems, and
   (ii) support progress towards developing international legal instruments (binding or non-binding) at the intergovernmental level, in particular at talks of the Group of Governmental Experts, on autonomous weapons systems.
**Senators Faruqi and Steele-John** to move on the next day of sitting—

That the Senate—

(a) notes that the Government is leaving young people behind in the jobs and economic crisis due to COVID-19 and that:

(i) 23% of all employed young people worked fewer hours in April 2020, compared to 4% in February 2020 and 6% in March 2020,

(ii) the youth unemployment rate rose to 13.8% in April which is more than double that of the general population,

(iii) young people account for 46% of short term casuals, who are excluded from the JobKeeper payment, and

(iv) reducing the JobKeeper payment for low income earners will hit young people the hardest; and

(b) calls on the Federal Government to:

(i) maintain the JobKeeper payment at $1,500 per fortnight, including for low income earners,

(ii) expand the JobKeeper payment to all workers, including casuals and temporary visa holders, and

(iii) extend the JobKeeper payment beyond September.

**Senator McCarthy** to move on the next day of sitting—

That the Senate—

(a) notes that the Government:

(i) has taken up to $1.5 billion from Australians through the Prime Minister's illegal Robodebt scheme,

(ii) refuses to answer questions about the amount of interest that will be payable on the funds illegally taken by the Government,

(iii) ignored between 200 and 500 decisions and multiple settlements by the Administrative Appeals Tribunal advising the Government that the Prime Minister's Robodebt scheme was illegal, and

(iv) continues to cover up the details of the Prime Minister's illegal Robodebt scheme, including by defying Senate orders for the production of documents; and

(b) calls on the Government to:

(i) immediately pay back the money taken from the victims of the Prime Minister's illegal Robodebt scheme, with interest,

(ii) acknowledge that it owes the victims of the Prime Minister's illegal Robodebt scheme a duty of care to behave lawfully,

(iii) comply with Senate orders for the production of documents and provide all available information relating to the scheme, and

(iv) take full responsibility for the harm caused to victims of the Prime Minister's illegal Robodebt scheme, and the significant erosion of public trust that has resulted from this abuse of executive power.

**Senator McAllister** to move on the next day of sitting—

That the Senate—

(a) notes that:

(i) the Prime Minister asserted in a speech at the Lowy Institute in October last year that: "We should avoid any reflex towards a negative globalism that coercively seeks to impose a mandate from an often ill defined borderless global community",

(ii) on 16 April 2020, Home Affairs Minister Dutton said: "There are other bodies within the UN that I would argue aren't acting in the global interest, aren't acting certainly in the interests of countries like Australia", and

(iii) in her speech on 16 June 2020, Foreign Minister Payne said: "the pandemic has brought into stark relief the major role of international institutions in addressing and coordinating a global response to a global problem, across multiple lines of effort" and that multilateral organisations "promote universal values and play critical roles in responding to emerging global challenges, from the regulation of cyber security and maintaining a peaceful outer space, to outbreaks of Ebola and COVID-19"; and

(b) commends Senator Payne for affirming that effective multilateralism is a key Australian national interest.

**Senator Steele-John** to move on the next day of sitting—

That a bill to repeal matters relating to the Australia-Hong Kong Free Trade Agreement be introduced.

*Full terms of the notice to be delivered in accordance with standing order 76(6).*

**Senators Waters and Rice** to move on the next day of sitting—

(1) That a select committee, to be known as the Select Committee on Allocation of Government Grants, be established to inquire into and report on the administration of government grant programs during and after election campaigns, including but not limited to the Community Development Grants, Urban Congestion – Commuter Car Park Fund, Environmental Restoration Grants, and Small and Medium Enterprises (SME) Export Hubs and Drought Communities Fund, with particular reference to:

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**CHAMBER**
(a) program design and guidelines, including eligibility criteria;
(b) management and assessment processes;
(c) the use of closed grant programs which are not open to public applications, but require nomination by a Minister;
(d) adherence to published assessment processes and program criteria, including the Public Governance, Performance and Accountability Act 2013 and the Commonwealth Grant Rules and Guidelines;
(e) the relationship between election commitments and grant allocations;
(f) demonstration of value for money;
(g) efforts to influence votes through grant allocation;
(h) the role of Ministers in determining awards of grants;
(i) measures to manage the risk of politicisation of funding outcomes and announcements; and
(j) any related programs or matters.

(2) That the committee present its final report on or before 30 August 2021.

(3) That the committee consist of 6 senators, as follows:
   (a) 2 nominated by the Leader of the Government in the Senate;
   (b) 2 nominated by the Leader of the Opposition in the Senate;
   (c) 1 nominated by the Leader of the Australian Greens in the Senate; and
   (d) 1 nominated by a minority party or independent Senator.

(4) That:
   (a) participating members may be appointed to the committee on the nomination of the Leader of the Government in the Senate, the Leader of the Opposition in the Senate or any minority party or independent senator;
   (b) participating members may participate in hearings of evidence and deliberations of the committee, and have all the rights of members of the committee, but may not vote on any questions before the committee; and
   (c) a participating member shall be taken to be a member of a committee for the purpose of forming a quorum of the committee if a majority of members of the committee is not present.

(5) That the committee may proceed to the dispatch of business notwithstanding that not all members have been duly nominated and appointed and notwithstanding any vacancy.

(6) That the committee elect as chair the member nominated by the Leader of the Australian Greens in the Senate and as deputy chair one of the members nominated by the Leader of the Opposition in the Senate.

(7) That the deputy chair shall act as chair when the chair is absent from a meeting of the committee or the position of chair is temporarily vacant.

(8) That, in the event of an equality of voting, the chair, or the deputy chair when acting as chair, have a casting vote.

(9) That the committee have power to appoint subcommittees consisting of 3 or more of its members, and to refer to any such subcommittee any of the matters which the committee is empowered to consider.

(10) That the committee and any subcommittee have power to send for and examine persons and documents, to move from place to place, to sit in public or in private, notwithstanding any prorogation of the Parliament or dissolution of the House of Representatives, and have leave to report from time to time its proceedings and the evidence taken and such interim recommendations as it may deem fit.

(11) That the committee be provided with all necessary staff, facilities and resources and be empowered to appoint persons with specialist knowledge for the purposes of the committee with the approval of the President.

(12) That the committee be empowered to print from day to day such papers and evidence as may be ordered by it, and a daily Hansard be published of such proceedings as take place in public.

Senator Lambie gave contingent notices as follows—

No.1—To move (contingent on the Senate on any day concluding its consideration of any item of business and prior to the Senate proceeding to the consideration of another item of business)—That so much of the standing orders be suspended as would prevent the senator moving a motion relating to the conduct of the business of the Senate or to provide for the consideration of any matter.

No.2—To move (contingent on any senator objecting to a motion being taken as formal)—That so much of the standing orders be suspended as would prevent the motion being moved immediately and determined without amendment or debate.

No.3—To move (contingent on any senator being refused leave to move an amendment to a motion discovered during formal business )—That so much of the standing orders be suspended as would prevent that senator moving the amendment to the motion.

No.4—To move (contingent on a minister moving a motion that a bill be considered an urgent bill)—That so much of standing order 142 be suspended as would prevent debate taking place on the motion.
No.5—To move (contingent on a minister moving a motion to specify time to be allotted to the consideration of a bill, or any stage of a bill)—That so much of standing order 142 be suspended as would prevent the motion being debated without limitation of time and each senator speaking for the time allotted by standing orders.

No.6—To move (contingent on the chair declaring that the time allotted for the consideration of a bill, or any stage of a bill, has expired)—That so much of standing order 142 be suspended as would prevent further consideration of the bill, or the stage of the bill, without limitation of time or for a specified period.

No.7—To move (contingent on the moving of a motion to debate a matter of urgency under standing order 75)—That so much of the standing orders be suspended as would prevent the senator moving an amendment to the motion.

No.8—To move (contingent on the Senate on any day concluding its consideration of any item of business and prior to the Senate proceeding to the consideration of another item of business)—That so much of the standing orders be suspended as would prevent the senator moving a motion relating to the order of business on the Notice Paper.

No.9—To move (contingent on a minister at question time on any day asking that further questions be placed on notice)—That so much of the standing orders be suspended as would prevent the senator moving a motion that, at question time on any day, questions may be put to ministers until 30 questions, including supplementary questions, have been asked and answered.

No.10—To move (contingent on any senator being refused leave to make a statement to the Senate)—That so much of the standing orders be suspended as would prevent that senator making that statement.

No.11—To move (contingent on any senator being refused leave to table a document in the Senate)—That so much of the standing orders be suspended as would prevent the senator moving that the document be tabled.

Withdrawal

Senator LAMBIE (Tasmania) (11:47): I withdraw general business notice of motion No. 693 standing in my name for today. I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator LAMBIE: I advise the Senate that I should be designated as a whip for the purposes of standing order 24A, relating to the Selection of Bills Committee.

COMMITTEES
Selection of Bills Committee
Report

Senator DEAN SMITH (Western Australia—Government Whip in the Senate) (11:48): I present the sixth report of 2020 of the Selection of Bills Committee, and I seek leave to have the report incorporated into Hansard.

Leave granted.

The report read as follows—

SELECTION OF BILLS COMMITTEE
REPORT NO. 6 OF 2020

1. The committee met in private session on Wednesday, 17 June 2020 at 7.24 pm.

2. The committee recommends that—

(a) the Aged Care Legislation Amendment (Financial Transparency) Bill 2020 be referred immediately to the Community Affairs Legislation Committee for inquiry and report by 23 November 2020;

(b) the Banking Amendment (Deposits) Bill 2020 be referred immediately to the Economics Legislation Committee for inquiry and report by 10 August 2020 (see appendix 1 for a statement of reasons for referral);

(c) the provisions of the Biosecurity Amendment (Traveller Declarations and Other Measures) Bill 2020 be referred immediately to the Rural and Regional Affairs and Transport Legislation Committee for inquiry and report by 30 July 2020 (see appendix 2 for a statement of reasons for referral); and

(d) the Commonwealth Electoral Amendment (Banning Dirty Donations) Bill 2020 be referred immediately to the Finance and Public Administration Legislation Committee for inquiry and report by the second sitting day of March 2021 (see appendix 3 for a statement of reasons for referral).

3. The committee recommends that the following bills not be referred to committees:

- Broadcasting Services Amendment (Regional Commercial Radio and Other Measures) Bill 2020
- Commonwealth Electoral Amendment (Ensuring Fair Representation of the Northern Territory) Bill 2020
- Education Legislation Amendment (2020 Measures No. 1) Bill 2020
- Excise Levies Legislation Amendment (Sheep and Lamb) Bill 2020
- Customs Charges and Levies Legislation Amendment (Sheep and Lamb) Bill 2020
- Fair Work Amendment (One in, All in) Bill 2020 [No. 2]
• Services Australia Governance Amendment Bill 2020
• Treasury Laws Amendment (2020 Measures No. 3) Bill 2020
• Veterans' Affairs Legislation Amendment (Supporting the Wellbeing of Veterans and Their Families) Bill 2020.

4. The committee deferred consideration of the following bills to its next meeting:
• Aged Care Legislation Amendment (Improved Home Care Payment Administration No. 1) Bill 2020
• Air Services Amendment Bill 2018
• Australian Education Legislation Amendment (Prohibiting the Indoctrination of Children) Bill 2020
• Competition and Consumer Amendment (Australian Consumer Law—Country of Origin Representations) Bill 2020
• Constitution Alteration (Freedom of Expression and Freedom of the Press) 2019
• Customs Amendment (Safer Cladding) Bill 2019
• Discrimination Free Schools Bill 2018
• Governor-General Amendment (Cessation of Allowances in the Public Interest) Bill 2019
• Great Australian Bight Environment Protection Bill 2019
• Health Insurance Amendment (Continuing the Office of the National Rural Health Commissioner) Bill 2020
• National Disability Insurance Scheme Amendment (Strengthening Banning Orders) Bill 2020
• Regional Forest Agreements Legislation (Repeal) Bill 2017
• Social Services Legislation Amendment (Better Targeting Student Payments) Bill 2019
• Social Services Legislation Amendment (Payment Integrity) Bill 2019.

5. The committee considered the following bill but was unable to reach agreement:
• Electoral Legislation Amendment (Miscellaneous Measures) Bill 2020 (see appendix 4 for a statement of reasons for referral).

(Dean Smith)
Chair
18 June 2020
Appendix 1

SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee
Name of Bill: Banking Amendment (Deposits) Bill 2020
Reasons for referral/principal issues for consideration:
Stakeholder Consultation
Possible submissions or evidence from:
Australian Banking Association (ABA)
Customer Owned Banking Association (COBA)
COSBOA
Committee to which bill is to be referred:
Economics Legislation Committee
Possible hearing date(s):
Possible reporting date:
10th August 2020
(signed)
Senator Roberts
Appendix 2

SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee
Name of Bill: Biosecurity Amendment (Traveller Declarations and other Measures) Bill 2020
Reasons for referral/ principal issues for consideration:
• To investigate the effectiveness of the bill with regards to deter non-compliance with the Biosecurity Act to mitigate against biosecurity risks.
• Whether it is appropriate that legislative instruments made by the Director of Biosecurity should not be subject to a parliamentary disallowance.
• Determine the cost of implementing enforcement and payments systems and how coordinated training to biosecurity and Australia n Border Force officers will be undertaken.
• Any other related matters.

Possible submissions or evidence from:

- Australian Border Force
- National Farmers’ Federation
- Department of Agriculture, Water and the Environment

Committee to which bill is to be referred:
Senate Rural and Regional Affairs and Transport Legislation Committee

Possible hearing date(s):
To be determined by the Committee

Possible reporting date:
30 July 2020

(signed)
Senator Anne Urquhart

SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee

Name of bill: Biosecurity Amendment (Traveller Declarations and Other Measures) Bill 2020

Reasons for referral/principal issues for consideration: Delegated legislation and changes to penalties

Possible submissions or evidence from: Invasive Species Council

Committee to which bill is to be referred: Rural and Regional Affairs and Transport

Possible hearing date(s): On the papers

Possible reporting date: 30 July 2020

(signed)
R Siewert

Appendix 3

SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee

Name of bill: Commonwealth Electoral Amendment (Banning Dirty Donations) Bill 2020

Reasons for referral/principal issues for consideration:
The Bill has significant implications for donations and campaign financing, administration of (and compliance with) the Commonwealth Electoral Act, and operation of the AEC.

Possible submissions or evidence from:
• Academics and NGOs with an interest in political donations reform
• The Australia Institute
• The Centre for Public Integrity
• Industry bodies
• AEC
• Political party officers
• Associated entities and political campaigners (e.g. unions, Getup)

Committee to which bill is to be referred: Finance and Public Administration

Possible hearing date(s):
Nov - Dec 2020

Possible reporting date:
March 2021
Appendix 4

SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee

Name of bill:
Electoral Legislation Amendment (Miscellaneous Measures) Bill 2020

Reasons for referral/principal issues for consideration:
The Bill seeks to address the High Court decision in Spence, but the revised s.302C still raises questions about its impact on restrictions on donations under State laws. The Bill also proposes a range of operational amendments to the Commonwealth Electoral Act 1918 that warrant consideration.

Possible submissions or evidence from:
- Academics and NGOs with an interest in political donations reform
- The Australia Institute
- The Centre for Public Integrity
- Queensland government
- NSW government

Committee to which bill is to be referred: Finance and Public Administration

Possible hearing date(s):
September 2020

Possible reporting date:
November 2020

Senator DEAN SMITH: I move:
That the report be adopted.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (11:48): I move:
At the end of the motion, add:
"and in respect of the Electoral Legislation Amendment (Miscellaneous Measures) Bill 2020, the bill not be referred to a committee."

Question agreed to.
Original question, as amended, agreed to.

BUSINESS
Rearrangement

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (11:49): I move:
That general business notice of motion no. 709 be considered during general business today.

Question agreed to.

NOTICES
Postponement

The Clerk: A postponement notification has been lodged in respect of the following:

Business of the Senate notice of motion no. 1 standing in the name of Senator Hanson-Young for today, proposing the disallowance of the Industry Research and Development (Water for Fodder Program) Instrument 2019 [F2019L01591], was postponed till 6 August 2020.

The PRESIDENT (11:49): I remind senators the question may be put on that proposal at the request of any senator. There being none, I will proceed to the discovery of formal business.
SENATE

CHAMBER

DOCUMENTS

Environmental Protection and Biodiversity Conservation Act 1999

Order for the Production of Documents

Senator HANSON-YOUNG (South Australia) (11:50): I move:

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

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (11:50): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator DUNIAM: The interim report of the independent statutory review of the EPBC Act is due by the end of June and will be published as soon as practicable.

Question agreed to.

MOTIONS

Medicare

Senator DI NATALE (Victoria) (11:51): I move:

That the Senate—

(a) notes that:

(i) the telehealth Medicare Benefits Schedule (MBS) items introduced during the COVID-19 crisis have provided many Australian patients with safe, continued access to healthcare from their homes when they might otherwise have forgone these consultations,

(ii) telehealth provides particular benefits for patients with mobility issues, disadvantaged families, rural and remote patients, and Indigenous Australians,

(iii) the telehealth items, spanning general practice, mental health, specialist, allied health and other consultations have allowed greater protection for healthcare professionals during the pandemic, while allowing them to continue delivering care to patients,

(iv) greater use of telehealth has been a long-term reform objective in the Australian health system for many years, and has the potential to allow greater, more equitable access to healthcare across Australia long after the COVID-19 pandemic, and

(v) the current telehealth items introduced during COVID-19 are due to expire on 30 September 2020;

(b) acknowledges that:

(i) telehealth consultations cannot and should not fully replace face-to-face consultations, but offer choice and accessibility to healthcare when required, and

(ii) video consultations are preferable to telephone consultations where possible, while acknowledging that Australians have inequitable access to high quality broadband services, and some older Australians in particular face barriers to accessing video consultations; and

(c) calls on the Government to make the telehealth MBS items permanent, with a full evaluation after 12 months, including of patient access, compliance, and continuity of care.

Question agreed to.

DOCUMENTS

Environmental Protection and Biodiversity Conservation Act 1999

Order for the Production of Documents

Senator HANSON-YOUNG (South Australia) (11:51): I move:

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.

Question agreed to.
MOTIONS

International Day for the Elimination of Sexual Violence in Conflict

Senator WATERS (Queensland—Leader of the Australian Greens in the Senate) (11:52): I, and also on behalf of Senator Faruqi and Steele-John, move:

That the Senate—

(a) notes that:

(i) Friday, 19 June 2020 marks the sixth annual International Day for the Elimination of Sexual Violence in Conflict,

(ii) UN Action Against Sexual Violence in Conflict (UN Action) plays a vital role in working towards ending sexual violence in conflict by uniting 13 UN entities to amplify advocacy, improve coordination and accountability, and support prevention and response efforts, and their six guiding principles are:

(A) rape is not an inevitable consequence of conflict – it must be prevented,

(B) gender-based violence, including sexual violence, is a violation of fundamental human dignity and rights,

(C) attempts to end sexual violence must address gender-based inequalities by empowering women and protecting and promoting their rights,

(D) the constructive involvement of men and boys is vital,

(E) survivors of sexual violence must guide advocacy and programming efforts to end sexual violence and secure peace, and

(F) sexual violence in conflict is one of history's great silences – we all have a duty to act, and

(iii) sexual violence in conflict continues to affect millions of people, especially women and girls; it persists due to ineffective protections, inadequate rule of law and judicial systems, and under-resourced support services for survivors, and sexual violence during conflict can constitute a war crime, crime against humanity and act of genocide, and it must be prevented;

(b) acknowledges that:

(i) the focus of this year's commemoration event is the impact that the COVID-19 pandemic is having on victims and survivors of conflict-related sexual violence,

(ii) COVID-19 is having a detrimental impact on all aspects of the lives of victims and survivors of conflict-related sexual violence, and

(iii) quarantine, isolation and movement restrictions, and limitations on services, exacerbate the social and structural barriers to reporting and monitoring sexual violence in conflict; these crisis-related limitations also reduce the availability of support services for survivors, including health services, justice services, counselling services, and emergency housing services; and

(c) calls on the Government to increase support for UN Action efforts to eliminate the occurrence of sexual violence in conflict.

Question agreed to.

Care Industry

Senator SIEWERT (Western Australia—Australian Greens Whip) (11:52): I, and also on behalf of Senator Waters, move:

That the Senate—

(a) notes that recent research published by the Open University on investment in the care industry found that:

(i) if Australia invested 1% of GDP in the care industry, it would raise the employment rate by 1.2% which, as a point of comparison, is more than the same investment in the construction industry,

(ii) investment in the care industry would result in 79% of new jobs being filled by women, thereby helping to reduce the gender employment gap in Australia, and

(iii) the fiscal returns from investing in the care industry are higher compared to investing in other industries, allowing greater investment for the same net cost;

(b) acknowledges that the care industry, including the education, health, aged care and child care sectors, play a critical role in Australia's recovery from the COVID-19 crisis; and

(c) calls on the Government to invest in the care industry to generate new jobs, close the gender employment gap and ensure we have the workforce to deliver universal access to essential services.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (11:52): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.
Senator DUNIAM: While many businesses have been adversely affected by COVID-19 and are reducing the workforces, some areas of the economy have increased demand for workers, including in industries and occupations dominated by women, such as the health and care sectors. The Morrison government is supporting social infrastructure sectors such as health, aged care, disability care, education and childcare through the COVID-19 pandemic. Many women who work in these sectors have been on the front lines throughout this pandemic and will continue to play a critical role in Australia's COVID-19 economic response and recovery.

Question agreed to.

South Australia: Tourism

Senator PATRICK (South Australia) (11:53): I seek leave to add Senator Griff's name as a co-sponsor to Senator Di Natale's motion No. 694?

Leave granted.

Senator PATRICK: Thank you. Before moving general business notice of motion No. 698 at the request of Senator Griff, I wish to inform the chamber that Senators Gallacher, Farrell, Wong and Marielle Smith and I will also sponsor the motion. I, and also on behalf of Senators Griff, Gallacher, Farrell, Wong and Marielle Smith, move:

That the Senate—

(a) notes that the Victorian Premier, Mr Daniel Andrews, yesterday, said of South Australia, "Why would anyone want to go there?'

(b) presumes he actually meant "why wouldn't everyone want to go there?"

(c) recognises that approximately 40% of South Australia's interstate tourism market comes from Victoria

(d) acknowledges the many reasons why thousands of Victorians travel to South Australia each year, including (but not limited to): Kangaroo Island; the Fleurieu Peninsula; the Flinders Ranges; the Adelaide Hills; the Barossa Valley; McLaren Vale; Coonawarra; Port Lincoln; Port Pirie; Renmark and all the regions; world class food and wine; real iced coffee; houseboats on the Murray; the Christmas Pageant; the Adelaide Festival; the Adelaide Fringe; fritz; FruChocs; the Tour Down Under; the city parklands; Vili's pies; Haigh's; the Adelaide Strikers, Port Power, the Crows, and no congestion;

(e) calls on Premier Andrews to take a moment, enjoy some FruChocs and a Farmers Union (real) Iced Coffee and concede that South Australia is a wonderful, vibrant and welcoming tourist destination; and

(f) encourages all Australians to back the South Australian Tourism 'Welcome Back Campaign' which looks forward to welcoming all Aussies to '#IchooseSA' as borders re-open.

Question agreed to.

COVID-19: Housing

Senator FARUQI (New South Wales) (11:54): I move:

That the Senate:

(a) notes that:

(i) the COVID-19 crisis has further exposed existing inequalities in our broken housing system,

(ii) renters across Australia face eviction as COVID-19 related eviction bans come to an end across states and territories, and

(iii) as the economic crisis continues, more people are at risk of homelessness than ever before;

(b) calls on the Government to:

(i) increase funding for emergency housing,

(ii) invest in building more public and community housing which will create construction jobs and apprenticeships, and provide homes for people,

(iii) direct lenders to implement mortgage relief, where needed, with no interest accrual, a ban on foreclosures and a freeze on owners' credit ratings,

(iv) permanently increase income support, and

(v) implement a national plan to end homelessness; and

(c) calls on the National Cabinet to:

(i) implement waivers for rent arrears, with relief for those with rental debts, and

(ii) agree on a national standard of renters' rights and rental laws to protect people from unfair evictions.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (11:54): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.
Senator DUNIAM: The Morrison coalition government works in partnership with state and territory governments, who have primary responsibility for housing and homelessness. The Morrison government spends $6 billion every year on improving housing and homelessness outcomes for all Australians through Commonwealth rent assistance and the National Housing and Homelessness Agreement with the states. Shortly the government will announce the successful applicants to the Safe Places grant program, which will add emergency housing supply for women and children escaping domestic violence.


The PRESIDENT: Leave is granted for one minute.

Senator GALLAGHER: Labor won't be supporting this motion, as it demonises landlords and seeks to unfairly place a unilateral burden on them. Landlords are an important part of the housing system and many people put food on the table through the cash flow they generate from a single rental property. We have consistently said that no-one should lose their home, whether they own or rent it, because of the virus. Tenants and landlords need to work together through the process.

The PRESIDENT: The question is that motion No. 699, in the name of Senator Faruqi, be agreed to.

The Senate divided. [12:00]

(The President—Senator Ryan)

Ayes .................8
Noes .................39
Majority .............31

AYES

Di Natale, R
Hanson-Young, SC
Rice, J
Waters, LJ
Faruqi, M
McKim, NJ
Siewert, R (teller)
Whish-Wilson, PS

NOES

Antic, A
Ayres, T
Brockman, S
Chandler, C
Colbeck, R
Davey, P
Fierravanti-Wells, C
Gallagher, KR
Henderson, SM
Hume, J
McDonald, S
McKenzie, B
Molan, AJ
Paterson, J
Remnick, G
Ryan, SM
Seselja, Z
Smith, DA
Urquhart, AE (teller)
Watt, M
Askew, W
Bilyk, CL
Canavan, MJ
Ciccone, R
Cormann, M
Duniam, J
Gallacher, AM
Green, N
Hughes, H
McCarthy, M
McGrath, J
McLachlan, A
O’Sullivan, MA
Patrick, RL
Ruston, A
Scarr, P
Sheldon, A
Stoker, AJ
Van, D

Question negatived.

Registered Organisations

Senator RENNICK (Queensland) (12:02): I move:

That the Senate—

(a) notes:

(i) the important and brave contribution of all Australian workers throughout the COVID-19 pandemic, and

(ii) the high cost of union fees for workers who belong to a union; and

(b) calls on all senators to lobby and encourage unions representing Australian workers to reduce union fees in the medium term to acknowledge the contribution and financial hardship of these workers.

The PRESIDENT: Leave is granted for one minute.

Senator GALLAGHER: Labor will be opposing the motion. We were quite surprised that, in this new environment where the government has been embracing Sally McManus and the ACTU, we'd have a rogue senator like Senator Rennick come and place a motion which sought to demean and devalue the role that trade unions play and have played. They have played an extraordinary role. Trade unions have played a leadership role—your motion does not say that, Senator Rennick—through the COVID-19 crisis. I think it's very disappointing. It speaks to this government, on the one hand, embracing the trade union movement and asking it to work with them in the national interests and, on the other, moving petty motions like this during formal business in this place.

The PRESIDENT: The question is that motion No. 70 in the name of Senator Rennick be agreed to.

The Senate divided. [12:08]

(The President—Senator Ryan)

<table>
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AYES

Antic, A
Birmingham, SJ
Canavan, MJ
Colbeck, R
Davey, P
Fierravanti-Wells, C
Hughes, H
McDonald, S
McKenzie, B
Molan, AJ
Paterson, J
Rennick, G
Ruston, A
Seselja, Z
Stoker, AJ

NOES

Ayres, T
Chisholm, A
Di Natale, R
Farrell, D
Gallacher, AM
Green, N
Lambie, J
McAllister, J
McKim, NJ
Pratt, LC
Sheldon, A
Sterle, G
Walsh, J
Watt, M

Carr, KJ
Ciccone, R
Dodson, P
Faruqi, M
Gallacher, KR
Hanson-Young, SC
Lines, S
McCarthy, M
O'Neill, D
Rice, J
Siewert, R
Urquhart, AE (teller)
Waters, LJ
Whish-Wilson, PS

Question agreed to.

Truck Drivers

Senator SHELDON (New South Wales) (12:10): At the request of Senators Sterle and Gallacher, I move:

That the Senate—

(a) notes that:

(i) truck drivers across Australia are under pressure because of the squeeze on rates,

(ii) pressure on truck drivers does not exist in isolation; it has real life consequences which can be catastrophic,
(iii) truck driving is Australia's deadliest industry, with around one in three workplace deaths involving a transport worker,

(iv) maintaining safe rates of pay for truck drivers contributes directly to increased road safety for all road users,

(v) longstanding state laws in Australia provide owner-drivers with certainty over their rates,

(vi) during the pandemic, truck drivers have risked their health and lives to continue delivering goods, crossing closed state borders, finding truck stops shut or unable to provide them with hot meals or showers, and

(vii) in response to an opinion article urging fellow owner-drivers not to undercut each other during the COVID-19 pandemic, on 1 June 2020 the Australian Competition and Consumer Commission (ACCC) wrote to owner-driver Mr Frank Black threatening criminal charges carrying jail terms; and

(b) further notes that the ACCC has been asked to:

(i) withdraw the letter and accusations levelled at Mr Frank Black therein,

(ii) apologise to Mr Frank Black, and

(iii) confirm that the ACCC will commence a detailed inquiry into destructive competition in the road transport industry that sees those at the top of the supply chain squeezing transport operators, their employees and owner drivers like Frank Black into deadly circumstances.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (12:10): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator DUNIAM: I thank Senator Sheldon for bringing in this motion on truck drivers. The government recognises the important role played by our road transport sector and the many tens of thousands of Australians that work within it. In particular, owner-drivers are part of the community the coalition strongly represents and advocates for.

In relation to the matters contained in the motion and relevant to those, the Australian Consumer Law includes a vast range of protections for small businesses, including from unfair contract terms, and, as an independent statutory body, the ACCC takes actions to ensure compliance with the law, including the Competition and Consumer Act 2010, which, of course, is independent from the government.

Question agreed to.

DOCUMENTS

Rural and Regional Australia

Order for the Production of Documents

Senator PATRICK (South Australia) (12:12): I move:

That—

(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.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (12:13): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator DUNIAM: I thank Senator Patrick for his scrutiny of government through these motions. It's important for me to state that, while these reports have played a role in shaping our regional agenda, it is a different place compared to when the expert panel report was actually commissioned. As part of our response to handling some of the worst drought conditions our nation has seen and, indeed, a horror bushfire season—and now a global pandemic—we've debated extensively in this chamber. We've committed to a $2.5 billion regional grants program; a billion dollar COVID relief fund; and a $100 billion infrastructure pipeline. We've also developed a plan to grow agriculture by $100 billion by 2030. We're delivering drought assistance packages, and
we'll await the House select committee's report into rural and regional Australia to identify next steps. *(Time expired)*

The PRESIDENT: The question is that the motion moved by Senator Patrick be agreed to.

The Senate divided. [12:18]

(The President—Senator Ryan)

Ayes .....................31
Noes .....................29
Majority ................2

AYES

Ayres, T
Brown, CL
Chisholm, A
Di Natale, R
Farrell, D
Gallacher, AM
Green, N
Lambie, J
McAllister, J
McKim, NJ
Patrick, RL
Rice, J
Siewert, R
Urquhart, AE (teller)
Waters, LJ
Whish-Wilson, PS

Bilyk, CL
Carr, KJ
Ciccone, R
Dodson, P
Faruqi, M
Gallagher, KR
Hanson-Young, SC
Lines, S
McCarthy, M
ONeil, D
Pratt, LC
Sheldon, A
Sterle, G
Walsh, J
Watt, M

NOES

Antic, A
Brockman, S
Chandler, C
Cormann, M
Duniam, J
Ferrerasanti-Wells, C
Henderson, SM
Hume, J
McGrath, J
McLachlan, A
O'Sullivan, MA
Rennick, G
Ruston, A
Scarr, P
Smith, DA (teller)
Van, D

Askew, W
Canavan, MJ
Colbeck, R
Davey, P
Hughes, H
McDonald, S
McKenzie, B
Molan, AJ
Patterson, J
Reynolds, L
Ryan, SM
Seselja, Z
Stoker, AJ

Question agreed to.

Veterans: Suicide

Senator LAMBIE (Tasmania) (12:21): I, and also on behalf of Senator Patrick, move:

That the Senate—

(a) notes that:

(i) suicide by current and former Australian Defence Force members continues to claim at least a life a week,
(ii) on 5 February 2020, the Prime Minister said his National Commissioner for Defence and Veteran Suicide Prevention would be "bigger and better than a Royal Commission", and
(iii) on 27 February 2020, the Senate disagreed with the Prime Minister;

(b) again condemns the Morrison Government's proposed National Commissioner for Defence and Veteran Suicide Prevention as a poor imitation of a Royal Commission;

(c) believes that nothing short of a Royal Commission into Veteran Suicide can address this painful and ongoing scourge;

(d) expresses its view that:

(i) the Prime Minister's National Commissioner will have neither the power, nor the resources, of a Royal Commission, and can in no way be considered "bigger and better".
(ii) any insistence on this unproven, experimental model over the proven and successful model of a Royal Commission is made knowing that it risks making things worse, not better;

(e) calls on the Morrison Government to establish a Royal Commission into Veterans’ Suicide, with a clear start and end date; and

(f) invites the Royal Commissioner to recommend that a standing, permanent capability be established to oversee reform, should the Commissioner see fit to do so.

**Senator DUNIAM** (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (12:21): I seek leave to make a short statement on this motion.

**The PRESIDENT:** Leave is granted for one minute.

**Senator DUNIAM:** I thank Senator Lambie and Senator Patrick for bringing this motion in. The death by suicide of any Australian Defence Force member or veteran is tragic for the family, for the defence and veteran community and, indeed, for the wider Australian community. The government is committed to taking action to prevent these deaths. The Morrison government will soon establish a new National Commissioner for Defence and Veteran Suicide Prevention to inquire into the deaths by suicide of former and serving ADF members. Like a royal commission, the national commissioner will have powers to undertake full inquiries into suicides and suspected suicides of former and serving ADF members, identify the issues that may be contributing to those suicides and make recommendations to the government about actions to prevent future suicides. Unlike a royal commission, this will be a permanent and ongoing function. The government will soon announce the national commissioner and pass legislation this year, which will be available for consultation.

**Senator GALLAGHER** (Australian Capital Territory—Manager of Opposition Business in the Senate) (12:23): I seek leave to have Senator Kitching's name added to the motion.

Leave granted.

**The PRESIDENT:** The question is that motion No. 703 be agreed to.

The Senate divided. [12:27]

(The President—Senator Ryan)

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**AYES**

Ayres, T
Brown, CL
Chisholm, A
Di Natale, R
Farrell, D
Gallacher, AM
Green, N
Hanson-Young, SC
Lines, S
McCarthy, M
O'Neill, D
Pratt, LC
Sheldon, A
Sterle, G
Walsh, J
Watt, M
Bilyk, CL
Carr, KJ
Ciccone, R
Dodson, P
Faruqi, M
Gallagher, KR
Hanson, P
Lambie, J
McAllister, J
McKim, NJ
Patrick, RL
Rice, J
Siewert, R
Urquhart, AE (teller)
Waters, LJ
Whish-Wilson, PS

**NOES**

Antic, A
Brockman, S
Chandler, C
Cormann, M
Duniam, J
Henderson, SM
Hume, J
McGrath, J
McLachlan, A
O'Sullivan, MA
Remnick, G
Ruston, A
Askew, W
Canavan, MJ
Colbeck, R
Davey, P
Ferravanti-Wells, C
Hughes, H
McDonald, S
McKenzie, B
Molan, AJ
Paterson, J
Reynolds, L
Ryan, SM
Police

Senator CANAVAN (Queensland—Deputy Leader of the Nationals in the Senate) (12:30): Before moving notice of motion No. 704, I would like to inform the Senate that I add Senators Scarr, Rennick, Askew, McDonald and Antic as co-sponsors of this motion. I, and also on behalf of Senators Davey, Molan, Dean Smith, Scarr, Rennick, Askew, McDonald and Antic, move:

That the Senate—
(a) recognises the hard work, dedication and sacrifice of the over 80,000 state and federal police officers in Australia;
(b) notes that, in 2018-19, over 9,000 police officers were injured in the line of duty throughout Australia, more than one officer every hour;
(c) further notes that the 2018 'Answering the call' national survey, found that over 24 per cent of police officers reported that they are sometimes or often physically assaulted when undertaking work duties; and
(d) condemns those calling for the defunding of our essential police forces, including the views expressed by NSW Greens Legislative Councillor Mr David Shoebridge, who has stated that "That's what #defundthepolice could look like here in NSW".

Senator McKIM (Tasmania—Deputy Leader of the Australian Greens in the Senate) (12:30): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator McKIM: The call to defund the police is actually a call for increased funding into social supports—things like housing, things like education, things like childcare, things that are genuine public goods. For those members, particularly senators from Tasmania, I urge you to read the comments of Deputy Commissioner of Tasmania Police Mr Scott Tilyard, reported in the Examiner earlier this week, where he said it is absolutely 'worth considering' defunding the police as long as those funds are reinvested into areas of public services which I just mentioned. So it is important that people understand the context, and this is about justice reinvestment.

The PRESIDENT: Order. Senator Smith.

Senator Dean Smith: With your indulgence, Mr President, I'd like to add my name to Senator Canavan's motion, as the son of a policeman, and others might like to as well.

The PRESIDENT: Senator Canavan, are you happy with that? Yes. Senator Canavan, are you happy with that? Yes. Could I ask those senators who wish to add their names to the motion to please stand, and I will seek leave of the Senate. I see Senators Duniam, Ruston, Cormann, McKenzie, Reynolds, Lambie, Hume, Seselja, McGrath, Chandler, O'Sullivan, Patrick, Colbeck—you'd like me to add Senator Griff? I'll take it—McLachlan, Fierravanti-Wells, Henderson, Van, Hughes, Paterson, Brockman; I believe that's everyone. Do I have the leave of the Senate and the mover of the motion?

Leave granted.

The PRESIDENT: The question is that motion No. 704, in the name of Senator Canavan and others, be agreed to.

The Senate divided. [12:37]

(The President—Senator Ryan)

AYES

Antic, A
Ayres, T
Bilyk, CL
Brockman, S
Brown, CL
Canavan, MJ
Carr, KJ
Chandler, C
Ciccone, R
Colbeck, R
Cormann, M
Davey, P
Dodson, P
Duniam, J
Farrell, D

Ayes .....................52
Noes .....................8
Majority...............44
AYES

Fierravanti-Wells, C
Gallagher, KR
Hanson, P
Hughes, H
Kitching, K
Lines, S
McDonald, S
McKenzie, B
Molan, AJ
O'Sullivan, MA
Patrick, RL
Remnick, G
Ruston, A
Scarr, P
Sheldon, A
Sterle, G
Urquhart, AE
Walsh, J

Gallacher, AM
Green, N
Henderson, SM
Hume, J
Lambie, J
McCarthy, M
McGrath, J
McLachlan, A
O'Neill, D
Paterson, J
Pratt, LC
Reynolds, L
Ryan, SM
Seselja, Z
Smith, DA (teller)
Stoker, AJ
Van, D
Watt, M

NOES

Di Natale, R
Hanson-Young, SC
Rice, J
Waters, LJ

Faruqi, M
McKim, NJ
Siewert, R (teller)
Whish-Wilson, PS

Question agreed to.

Stillbirth

Senator URQUHART (Tasmania—Opposition Whip in the Senate) (12:42): At the request of Senators Keneally, McCarthy, Bilyk, Polley, Rice and Molan, I move:

That the Senate—
(a) notes that:
(i) six babies a day in Australia are stillborn, and the rate of stillbirth in Australia has not changed in 2 decades,
(ii) the Senate Select Committee into Stillbirth Research and Education heard many stories from parents and grandparents of stillborn babies about the silence around stillbirth and the solitary nature of this particular grief, and
(iii) the Committee made recommendations to improve bereavement support for parents and that the Government has accepted or accepted in principle all recommendations from the Committee’s report;
(b) acknowledges that social distancing restrictions, which have been necessary during the COVID-19 crisis, will have compounded the grief and sorrow for families mourning their stillborn babies; and
(c) extends condolences and sympathies to the families of stillborn babies in Australia, especially during the COVID-19 crisis.

Question agreed to.

Regional Australia

Senator McKENZIE (Victoria—Leader of the Nationals in the Senate) (12:43): I, and also on behalf of Senators Canavan, Davey, McDonald and McMahon, move:

That the Senate—
(a) notes that:
(i) regional Australia is a fundamental pillar of our economy, and will play a critical role as we emerge and rebuild from the economic impacts caused by COVID-19,
(ii) our regional, rural and remote areas punch well above their weight; they represent just under a third of the national population, yet contribute two thirds of our national income,
(iii) regional Australians have had to endure the COVID-19 pandemic in the wake of a devastating summer of bushfires, and
(iv) the courage demonstrated by those in our regions as they continue to persist and resist, time and again, characterises the best of what it means to be Australian; and
(b) commends the Liberal and Nationals Government on:
(i) continuing to recognise and respect the challenges faced by our regional communities, and letting those in bushfire-affected communities know that they have not been forgotten by this Government,

(ii) supporting these communities as they recover and rebuild through the $448.5 million Regional Bushfire Recovery and Development Program, and

(iii) ensuring that our regions are better prepared than ever before the next bushfire season—attributing over $37 million towards strengthening communications across rural fire depots and evacuation centres.

The PRESIDENT: Senator Watt, we are allowing people to speak to other seats due to the spacing arrangements—which probably need a bit of work!

Senator WATT (Queensland) (12:43): I deliberately wanted to stay here for this. I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator WATT: Unfortunately, this motion is just another example of the shameless spin and marketing that we've come to expect from a government that has left bushfire victims behind. We all know that the government's bushfire recovery efforts have been lousy. Just ask the 96 per cent of people in bushfire-hit regions who haven't received help or the two-thirds of bushfire victims in New South Wales who are still waiting for the debris on their properties to be cleared. This government continues to overpromise and underdeliver. Just a quarter of the notional $2 billion fund has got out the door, six months after the bushfires—just one quarter. The Liberals' and Nationals' response to bushfire recovery has been slow, it's been inconsistent and it's been confusing for thousands of Australians who just want to get on with their lives in the land they love. It says so much about the Morrison government, and particularly the National Party, that, instead of getting on with the job and actually helping bushfire victims, they just move self-indulgent motions to give themselves a pat on the back. It's a disgrace, and they should actually help bushfire victims instead of just doing more marketing. (Time expired)

Senator RICE (Victoria—Deputy Australian Greens Whip) (12:44): I ask that the question be put separately on parts (a) and (b) of the motion and I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator RICE: Part (a) of this motion, recognising what regional Australia has gone through, the Greens support, because regional Australia has gone through a massive amount in the last six months. There was the huge summer of bushfires; in fact, there was a spring and summer and autumn of fires, unprecedented fires, fires that covered a proportion of Australia never seen before. And then there was the COVID pandemic as well hitting these regions—hitting their local tourism areas, hitting their ability to function. We absolutely as Greens support regional Australia. But the gall of this government to pretend that they are working in the interest of regional Australia!

On bushfires, you have people in East Gippsland who are still living in tents. People in East Gippsland and other fire affected areas have not been able to access support. The gall of them to do that! (Time expired)

The PRESIDENT: The first question is that paragraph (a) of motion No. 707 be agreed to.

Question agreed to.

The PRESIDENT: The question is that clause (b) of motion No. 707 be agreed to.

The Senate divided. [12:50]

(The President—Senator Ryan)

Ayes ................. 29
Noes ................. 28
Majority ............. 1

AYES

Antic, A
Brockman, S
Chandler, C
Cormann, M
Duniam, J
Hanson, P
Hughes, H
McDonald, S
McKenzie, B
Molan, AJ
Paterson, J
Reynolds, L
Ryan, SM
Seselja, Z

Askew, W
Canavan, MJ
Colbeck, R
Davey, P
Fierravanti-Wells, C
Henderson, SM
Hume, J
Granth, J
McLachlan, A
O'Sullivan, MA
Rennick, G
Ruston, A
Scarr, P
Smith, DA (teller)
AYES

Van, D

NOES

Ayres, T
Brown, CL
Chisholm, A
Di Natale, R
Faruqi, M
Gallagher, KR
Hanson-Young, SC
Lambie, J
McKim, NJ
Pratt, LC
Sheldon, A
Sterle, G
Walsh, J
Watt, M

Bilyk, CL
Carr, KJ
Ciccone, R
Farrell, D
Gallacher, AM
Green, N
Kitching, K
Lines, S
O’Neill, D
Rice, J
Siewert, R
Urquhart, AE (teller)
Waters, LJ
Whish-Wilson, PS

Question agreed to.

BUSINESS

Rearrangement

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (12:52): by leave—I move:

That:

(a) if by 2 pm on Thursday, 18 June 2020, the following bills have not been finally considered:

National Skills Commissioner Bill 2020
Health Insurance Amendment (Continuing the Office of the National Rural Health Commissioner) Bill 2020
Treasury Laws Amendment (2020 Measures No. 3) Bill 2020
Australian Prudential Regulation Authority Amendment (APRA Industry Funding) Bill 2020 and six related bills
Education Legislation Amendment (2020 Measures No. 1) Bill 2020
Great Barrier Reef Marine Park Amendment (Coronavirus Economic Response Package) Bill 2020
Therapeutic Goods Amendment (2020 Measures No. 1) Bill 2020

(b) the routine of business from not later than 3.30 pm shall be consideration of the bills listed above only, and the questions on all remaining stages shall be put without debate;

(c) paragraph (b) of this order shall operate as a limitation of debate under standing order 142;

(d) divisions may take place after 4.30 pm for the purposes of the bills only; and

(e) following the conclusion of consideration of the bills, the Senate shall return to the routine of business.

Senator WATERS (Queensland—Leader of the Australian Greens in the Senate) (12:52): I move:

That, at the end of the list of bills in paragraph (a), add:

Coronavirus Economic Support and Recovery (No-one Left Behind) Bill 2020.

I will speak to the substance of our amendment to the motion, which is to add the Coronavirus Economic Support and Recovery (No-one Left Behind) Bill 2020 to the hours motion. The reason it’s important that we deal with this bill before we leave here today is that, in fact, many people have been left behind by this government. They’re the inconvenient ones and the ones that this government loves to stick the boot into.

Far from us being ‘all in this together’, there are in fact huge cohorts of people who have missed out on JobKeeper, on the coronavirus supplement to jobseeker and on other worthwhile funding they deserve. So the Greens have moved this bill, the no-one left behind bill, and we’ve moved it in both chambers. It would expand JobKeeper to everyone who is a casual worker. We know that a good 50 per cent of the people who are missing out on that support are young people and that many casual workers, a disproportionate number, are women. We think that casuals who have been working for less than 12 months should get that support. They should be allowed to access JobKeeper—and not only casual workers but temporary visa holders. We know that this government has a problem with people who have a different skin colour, but temporary visa holders deserve our support. They
have come here, they are working to help support our economy and this government has left them out in the cold and excluded them from JobKeeper.

This would expand JobKeeper to universities. We've seen this government take billion after billion from universities. They have been hit incredibly hard by the economic fallout from coronavirus. University employees deserve to have JobKeeper available to them.

This bill would also extend the coronavirus supplement of $550 a week to people on the disability pension and to people on carer payment. These people are deserving anyway of additional support, but coronavirus has hit them particularly hard. It's really unfair and unjust that they haven't been able to access the $550 coronavirus supplement. They deserve it. This generosity needs to be extended to that cohort of folk. This bill would do that, which is precisely why we would like to bring it on for debate and for a vote today.

Lastly, this bill talks about funding particular industries, because we do have a chance to rebuild stronger than we were. We have a chance to rebuild in a more sustainable and a more economically fair way. The government has set up an overpaid commission to advise it to invest in gas infrastructure, because most of the people on that advisory board are in the gas industry and stand to benefit personally from some of those projects because this government doesn't have any conflict-of-interest rules for that body. We think that, unlike that proposal simply to pollute the climate and wreck our land and water with more dirty gas, we should rebuild in a sustainable way. We think we should be creating jobs for the transition to a low-carbon economy. So part of the reason for this bill is to say that the minister should have a manufacturing fund of $12 billion, the minister should have a $2 billion contribution to ARENA, the Renewable Energy Agency, and the minister should also invest $6 billion in the transmission network.

An honourable senator interjecting—

**Senator WATERS:** I'll come to arts and entertainment in a minute. The reason we need that transmission network and that funding for ARENA is to make sure that we can transition smoothly to 100 per cent renewable energy as quickly as possible and that we don't have outdated infrastructure stopping that transition. This is a great job-creating move. It's a great way to address the climate crisis and the economic crisis and the jobs crisis. It actually solves all three issues that the nation is currently facing, and it does so in a way that will create jobs and help people whilst also protecting the climate and modernising our grid and shoring it up into the future. There are no downsides to doing that—except that the renewable energy companies don't often donate to this government. Perhaps that's why the government hasn't thought to do it, so far.

The last bucket of money we've sought support for is, of course, for the arts and entertainment sector. My colleague Senator Hanson-Young has been incredibly tenacious on this issue. We think that at the very least a $2.3 billion fund should be dedicated specifically to the arts and entertainment sector. These folk, who kept our spirits alive in the face of the bushfires, who performed concerts and made artworks that helped people cling to hope in the darkest of times were, of course, the hardest hit when coronavirus came knocking. Again, it's no surprise that many of those workers are not eligible for the JobKeeper supplement because of the seasonal nature, or the casual nature, of their work. They've been doubly hit, and it's about time that this government actually started investing in and being proud of our Australian arts and entertainment industry, rather than perhaps showing the cultural cringe that we're seeing. This is exactly why we're moving that the Greens Coronavirus Economic Support and Recovery (No-one Left Behind) Bill 2020 be added to the list of bills for debate today.

I want to note with some happiness that it seems that the advocacy of my colleague Senator Siewert has, we hope, influenced the government to continue some of the jobseeker support past that cliff that it's due to fall off. We will be asking for details of that, of course, but I want to pay tribute to Senator Siewert for her many, many years of advocacy—firstly, for raising the rate and, in more recent times, for retaining the rate so that we don't have a widening gap between rich and poor in this nation, particularly when we are in a global pandemic. This is our chance to rebuild in a way that's fair, in a way that stimulates the economy and in a way that actually protects our environment and looks after our community. Surely that's the first job of government.

We look forward to the debate on that bill. It will be very interesting to see whether the government want to let the bill come on for debate. There are no prizes for guessing that they're probably going to shut us down, because, gee, they love doing that. We saw earlier today that they teamed up to gag the crossbench from raising inconvenient and politically sensitive issues in motions. So perhaps they're going to gag this bill and exclude it from coming on for debate as well. We're kind of used to that, but it still doesn't make it okay. This is meant to be a house of democracy, where we raise issues that our constituents ask us to raise, where we represent our states, where we represent the nation's interest and where we look to the future, not just to who took us out for lunch and donated to our re-election campaigns. It feels an awful lot like that is what happens at that end of the chamber. We
are not expecting support for this bill to be debated, but it actually deserves to be debated, because it will help a lot of people and it will set this country up for a more sustainable recovery from a global pandemic.

**Senator CORMANN** (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (13:01): I move:

That the question be now put.

**The PRESIDENT:** The question is that the question be now put.

The Senate divided. [13:05]

(The President—Senator Ryan)

<table>
<thead>
<tr>
<th>ARES ...............30</th>
<th>NOES ...............8</th>
</tr>
</thead>
<tbody>
<tr>
<td>Majority ............22</td>
<td></td>
</tr>
</tbody>
</table>

**AYES**

Abetz, E
Askew, W
Canavan, MJ
Colbeck, R
Davey, P
Fieravanti-Wells, C
Henderson, SM
Hume, J
McDonald, S
McLachlan, A
O’Sullivan, MA
Payne, MA
Ruston, A
Scarr, P
Urquhart, AE

**NOES**

Di Natale, R
Hanson-Young, SC
Rice, J
Waters, LJ

Question agreed to.

**The PRESIDENT** (13:07): The question now is that the amendment moved by Senator Waters be agreed to.

Question negatived.

**Senator CORMANN** (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (13:07): I move:

That the question be now put.

Question agreed to.

**The PRESIDENT** (13:08): The question now is that government business orders of the day, as shown on today’s Order of Business, be considered from 12.45 pm today and government business be called on after consideration of the bills listed in paragraph (a) and considered till not later than 2 pm today.

Question agreed to.
BILLs

Australian Prudential Regulation Authority Amendment (APRA Industry Funding) Bill 2020
Authorised Deposit-taking Institutions Supervisory Levy Imposition Amendment Bill 2020
Authorised Non-operating Holding Companies Supervisory Levy Imposition Amendment Bill 2020
General Insurance Supervisory Levy Imposition Amendment Bill 2020
Life Insurance Supervisory Levy Imposition Amendment Bill 2020
Retirement Savings Account Providers Supervisory Levy Imposition Amendment Bill 2020
Superannuation Supervisory Levy Imposition Amendment Bill 2020
Second Reading

Consideration resumed of the motion:
That these bills be now read a second time.

Senator CAROL BROWN (Tasmania) (13:08): I rise to speak on behalf of the opposition in support of this package of bills which provide for the funding of the Australian Prudential Regulation Authority, APRA, through industry levies. I note that the bills are supported by industry stakeholders and are broadly designed to enable APRA to more fairly distribute the burden of levies across the entities it regulates. They will address current circumstances that result in larger entities paying less as a percentage of APRA's costs and smaller entities paying more. In particular, the current situation disproportionately affects customer owned banks. The levies collected from entities are used to fund activities including supporting the integrity and efficiency of markets and promoting the interests of consumers in markets.

APRA holds a critical place in our financial regulatory system. No more has this been seen than through the evidence provided to the Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry. I remind the Senate that this is the banking royal commission that the government opposed so strongly that it voted against it 26 times. The evidence provided to the commission was overwhelming. Commissioner Hayne noted that members of the public submitted over 10,000 complaints about financial services entities by using the commission's web form. In addition, there had been many thousands of telephone calls and emails to the office of the royal commission. Only a few of these complaints could be fully examined by the commission, and so it undertook the significant task of choosing a selection of cases deemed to be reasonably illustrative of the kinds of conduct about which members of the public had complained.

The conduct identified and described by the commission included conduct by many entities that had taken place over many years, causing substantial loss to many customers but yielding substantial profits to the entities concerned. Very often the commissioner found that the conduct had broken the law or, at the very least, had fallen short of the kind of behaviour the community expects, and is entitled to expect, of financial services entities. The commission found selfishness, avarice and greed, often aided and abetted by institutionalised incentives for such behaviour. Consumers were kept in the dark about what was being done with their money, obscured by the complexity of the system and the conduct, with none of these actors looking after the interests of the consumer. These are the same consumers the government sought to disregard by opposing the banking royal commission in the first place.

Crucially, Commissioner Hayne found financial services entities that broke the law were not properly held to account. APRA is one of the critical bodies charged with holding our financial services industry to account. It must be well funded, and these bills ensure that it has an ongoing source of funding from the entities it regulates. But there is no point funding a regulator if it does not have the tools it needs to do the job. Labor was highly disappointed by the government's decision to further delay implementation of the banking royal commission's recommendations, in an announcement that has all the hallmarks of what we've come to expect in recent weeks—shoved out on a Friday afternoon after the Prime Minister has disappeared from view.

It is a failing of the Morrison government that the banking royal commission recommendations were not implemented in full before the COVID-19 crisis. The only reason they have not been implemented is the government has dragged its feet. After receiving the banking royal commission's final report, the Prime Minister and the Treasurer, Mr Josh Frydenberg, took six months to release an implementation timetable. One year after the report landed on their desks, the government has only completed six of the 76 recommendations made by Commissioner Hayne. The Australian public also have expectations that the banking royal commission recommendations will be implemented.

CHAMBER
Labor supports a strong banking system, in the knowledge of the role the banks are playing in the current crisis to put measures in place. With almost half the workforce on JobKeeper or jobseeker, consumers need to be sure they are protected from financial misconduct. We join with consumer groups in holding the government to account until it keeps its promise to implement the recommendations, and we call for delays in implementing the royal commission recommendations to be limited to no more than six months. This will enable regulators like APRA to do their job with the legislative tools they need to protect consumers. Labor supports the bills.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (13:13): I want to thank Senator Brown for that thoroughly well thought through and very well researched contribution today. It never ceases to amaze me how on top of her brief Senator Brown is with regard to the legislation we deal with at this point on a Thursday. As a fellow Tasmanian, it makes me proud to see her really shine in here and present the opposition's point of view. Thank you, Senator Brown, for your contribution today.

It is a pleasure to rise and make a contribution in summing up the debate on the seven pieces of legislation before us, the Australian Prudential Regulation Authority Amendment (APRA Industry Funding) Bill 2020 and associated bills. As Senator Brown has indicated, the package we're dealing with here is broadly supported by industry. There has been a great degree of consultation undertaken in preparing this legislation and in the work that has led up to the creation of this package of bills. The bills we are debating here will ensure that there is a legislative framework for financial institutions' supervisory levies, and that they keep up with what is a fast-paced and ever-evolving industry. We have seen over recent years, through the royal commission and other associated Senate inquiries, just how much this industry changes, how dynamic it is and how swiftly things move in this place. It is important that we have a legislative framework and, indeed, support for regulators that does keep up with those fast-paced changes and events.

It is important to point out how much the recent events we have experienced in this country, and indeed globally, have highlighted how important larger institutions are in the financial services sector—I think you would agree, Mr Acting Deputy President—and that it's absolutely critical that the amount of regulation applied here reflects the importance of those institutions. Through addressing legislative impediments, which is something I'm very, very passionate about—making sure we in this chamber don't impose regulation unnecessarily—we streamline what we do here, in order to unlock economic potential and investment and to create jobs. Particularly in regional communities like Tasmania, as Senator Brown would agree, we have to make sure legislative impediments and red tape—any regulatory burden—are only so much as they need to be, not any more, and not undue in their application.

By removing the legislative impediments, the bills will enable even the largest institutions to be levied their fair share of APRA's costs, which I think is right, to make sure that we get the balance right in relation to this. The bills will also ensure that there are no more deferrals of levies on those institutions that create the greatest regulatory burden. In turn, our country will see its prudential regulator appropriately funded in continuing to address financial stability, in protecting the Australian community. We need to make sure that there are appropriate resources available for this very important work, to ensure that those who need protection and the services of this regulatory authority do receive them. We need to make sure they are well resourced and they can act swiftly—going back to my initial comments about how dynamic this environment is, how fast changing it can be, and that they are able to keep up. So, appropriate resourcing is required, but, of course, striking a balance to ensure that we are not unduly burdening any entity, large or small, with too great a cost. Ensuring that these entities continue to operate is important, so the balance is important. It is only fair that all sizes of institutions pay their proportionate amount of the costs associated with running the entity we're talking about here.

As stated, industry has supported the changes that are being made through these bills. The amendments will provide certainty for many institutions during this very, very unfortunate and unprecedented coronavirus crisis. I think that's an important point to reflect on here. Industry is best placed to give us advice on how best we can proceed and how we can ensure that the future is clear for them. They can make decisions about how they operate and the costs associated with doing that. They can provide certainty to those entities they interact with—certainty is key and this legislation provides precisely that.

As the financial sector continues to evolve, the nature of regulation will also need to keep up the pace. Therefore, regulatory activities in regard to prudentially regulated institutions are required to be adept. This is the point I've been making through this contribution: we need to be nimble and agile. We can't wait years to respond to whatever set of circumstances it is that this sector is dealing with. We need to be able to respond swiftly to head off at the pass unintended consequences or things that may have an adverse impact on one part of the economy or another. The amendments will ensure the costs of regular regulatory activities, which the Commonwealth collects through APRA, can continue to be collected in a dynamic regulatory environment. Again, I commend Senator

CHAMBER
Brown for her thoroughly well-thought-through contribution to this debate and for her support of the bill, and indeed the opposition's support of the bill. I commend the bill to the Senate.

Question agreed to.
Bills read a second time.

**Third Reading**

The ACTING DEPUTY PRESIDENT (Senator Gallacher) (13:20): No amendments have been circulated. Does any senator require a committee stage? If not, I shall call the minister to move the third reading.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (13:20): I move:

That these bills be now read a third time.
Question agreed to.
Bills read a third time.

**Education Legislation Amendment (2020 Measures No. 1) Bill 2020**

**First Reading**

Bill received from the House of Representatives.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (13:21): I move:

That this bill may proceed without formalities and be now read a first time.
Question agreed to.
Bill read a first time.

**Second Reading**

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (13:22): I move:

That this bill be now read a second time.

I seek leave to have the second reading speech incorporated in Hansard.
Leave granted.

The speech read as follows—

The Education Legislation Amendment (2020 Measures No. 1) Bill 2020 demonstrates the Government's commitment to the higher education and vocational education and training (VET) sectors, and ensures that higher education remains accessible and affordable to students, even during these difficult times.

Schedule 1 of the Bill makes amendments to the Higher Education Support Act 2003 as part of implementing the Government's decision to extend the unique student identifier (USI) regime to all higher education students. The Bill will assist in standardising student identifiers across the tertiary education sector by requiring students accessing Commonwealth assistance to have a USI. Starting in 2021, new students can apply for a student identifier, and from 1 January 2023, all enrolled students must have a USI to be eligible for Commonwealth assistance. These amendments will improve the Government's data matching and identity verification capabilities, which will make the administration of the tertiary education sector more efficient and effective for students and providers.

Schedule 1 of the Bill also amends the VET Student Loans Act 2016 to require that, from 1 January 2021, a student's application for a VET student loan (VSL) must include the student's USI. This is consistent with the position that from 2021 all new domestic higher education students will receive a USI, and with the current VET Student Loans application requirements, which require an application to include the student's USI if one has been assigned.

Schedule 2 to the Bill introduces a measure to validate certain HELP loans and VET student loans by allowing the Secretary of the Department of Education, Skills and Employment (department) to determine that certain students who, due to having multiple Commonwealth Higher Education Student Support Numbers (CHESSNs), have exceeded the HELP loan limit and allow these students to repay the resulting excess debt amount through the income contingent repayment system.

From 3.5 million unique student records, only a small group of 475 students are affected. The measure is limited to loans incurred prior to the commencement of the amendment. The amendment avoids adverse financial outcomes for both students and providers that would arise from invalidating the loans, in recognition of the fact that these students were assigned multiple CHESSNs in error.

Since this issue has been identified, the Australian Government has updated the technology it uses to manage student enrolment information, including improving its data matching capability. These IT upgrades will prevent this issue recurring in the future.
Schedule 3 of the Bill clarifies that a student's HELP balance is taken to be reduced immediately after the census date for HECS-HELP, FEE-HELP, VET-FEE-HELP assistance, and immediately after the census day for VET student loans (VSL). This amendment will ensure consistency across HELP and VSL by deeming the point in time at which a student's HELP balance is reduced to be the census date or day.

Schedule 4 of the Bill amends the Higher Education Support Act 2003 to support full-fee paying students to start or continue their studies, and in turn to support universities and other higher education providers to continue teaching. As part of the COVID-19 Higher Education Relief Package announced on 12 April, Schedule 4 to the Bill removes the loan fee that applies to undergraduate students accessing a FEE-HELP loan to pay for their studies. The loan fee exemption will apply for a six month period, for units of study with census dates from 1 April 2020 to 30 September 2020.

So that Australians can continue to upskill and retrain, this measure will reduce the cost of study for full-fee paying students in Semester 2 2020. Prospective undergraduate FEE-HELP students who may be considering commencing or returning to study may be incentivised to study in Semester 2, encouraging continued student enrolment for providers. The Bill gives effect to the Government's commitment to provide certainty to the higher education sector, so the sector can remain agile while meeting the needs of industry and contributing to the economy.

Schedule 5 to the Bill contains minor technical amendments to improve the clarity and operation of the Higher Education Support Act, including to amend the definition of a 'course of aviation' to include an 'approved course' as defined under the VET Student Loans Act 2016, and update a university name.

These amendments demonstrate the Government's commitment to the higher education sector, and to ensuring that workers in Australia are able to continue to upskill and retrain, even during the COVID-19 pandemic.

I commend the Bill.

Senator CAROL BROWN (Tasmania) (13:22): The Education Legislation Amendment (2020 Measures No. 1) Bill 2020 includes provision for full-fee-paying university students to have the 25 per cent loan fee waived for six months, due to COVID. The bill also gives the Secretary of the Department of Education, Skills and Employment the power to determine certain students who, due to having more than one Commonwealth Higher Education Student Support Number, have exceeded the HELP loan limit and allows these students to repay their resulting excess debt amounts through the taxation system.

The bill extends the unique student identifier regime to all higher education students by requiring all VET student loan recipients commencing on 1 January 2021, and all students from 1 January 2023, to have a USI in order to be eligible for Commonwealth assistance under HESA. The bill also includes a range of measures that are technical in nature. Labor welcomes the small fee relief—for that small proportion of full-fee-paying undergraduate students—that a six-month waiver in loan fees will provide. It is right to ensure that students who have exceeded the student loans cap due to the administrative glitch can repay the debt over time rather than be pursued for lump sums they may find difficult to repay.

Labor has supported the expansion of the unique student identifier across higher education and understands that this should reduce the likelihood of such mistakes happening again. Labor will support this bill.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (13:24): On this legislation, again I'd like to commend Senator Brown for her thoughtful contribution as a Tasmanian and a big supporter of the University of Tasmania and the good work that it does. I could see the passion in Senator Brown's contribution. I thank her for so fiercely advocating, on behalf of the opposition, for Labor's support for the legislation we are dealing with now. I too am pleased to be able to make a contribution to this debate on the Education Legislation Amendment (2020 Measures No. 1) Bill 2020, an important piece of legislation, which I'll talk to now.

This bill, as stated, implements part of the Higher Education Relief Package, which is part of the government's response to the COVID-19 pandemic. I think it's important to highlight that this pandemic, as I did indicate in the previous debate, is something that is unprecedented. Certainly, in my lifetime and in the lifetimes of most of the occupants of this chamber, we have not experienced anything like it—the swift nature of the outbreak and indeed the government responses. I have to say I am truly thankful that our government was in a position to be able to respond in the way that it has in terms of the support that has been provided to all sectors. I know that there have been differences of opinion in relation to the application of that support—and we're not going to get into that now because that is not the debate that we are currently having. But it is important to note that support was required right across the economy, and the education sector, our tertiary education sector in particular, was no exception.

Under this bill, for a six-month period, from 1 April to 30 September, the loan fee that applies to undergraduate students accessing FEE HELP—that is, a loan—for their studies will be removed. Undergraduate full-fee-paying students who may have been affected by the COVID-19 crisis will be given an incentive to begin or continue to study in semester 2 of 2020, thus supporting higher education providers through continued student enrolment. We
need to ensure that there is continued turnover in a business or a university, like any other entity, so that there is continued revenue. That is what sustains these entities. This is what makes them able to pay the salaries they need to pay. This is what makes them viable into the future. We are able to support those affected by the crisis through support packages like this, where the loan fee, as I said before, is deferred.

Those sorts of measures are important so that we can encourage enrolment and so that we can keep people engaged with the education system. Through this measure, the government demonstrates its commitment to ensuring Australians are able to upskill and retrain, even in these difficult times. I think that is important as well. Sadly, because of this crisis, there are a lot of people who have been disengaged from their employment for one reason or another, which is of course something we've tried to avoid through JobKeeper and associated packages. Providing Australians with an opportunity to augment their skills or to train in a completely different sector, particularly in essential services—as has been outlined by a number of measures put in place by this government and, indeed, with the support of many in this chamber—is important so that we do have continued activity in the economy and right across the country.

The bill also enables the implementation of the government's decision to extend the unique student identifier, otherwise known as the USI, to all higher education students. By replacing the existing student identifiers with the USI, students and providers will have access to a single identification system. To support a single identifier across the tertiary education system, the bill will require students accessing Commonwealth assistance to have a USI. With almost all students in tertiary education using the USI, we will be able to monitor and collect unprecedented data to better inform education programs and policies. In addition, through the USI, students will be able to move between VET and other higher education more easily, which I think is a great outcome, encouraging ongoing engagement in education and lifelong learning, personal development and career aspirations.

This is an important point regarding the capacity in this day and age for Australians of any age, any background, to participate in the education system, be it through VET or a university. As Senator Brown would know, the University of Tasmania has a great range of associate degrees that catch that area in between a full degree and, say, a TAFE education, which has catered to many more thousands of, in our case, Tasmanians—a fantastic thing. Supporting that through unique initiatives which streamline the system to enable better data collection so government can respond to the changing landscape within our education sector is a fantastic initiative. Data is important to be able to make good decisions not just for government and not just for policy-makers but also for universities and other providers of education to understand exactly what is going on within their institutions, which are often large in number and which employ and educate a great many people. It's a very important initiative, one I feel very strongly about and one I am pleased to be supporting.

This bill also introduces measures to validate loans for students who have been assigned multiple Commonwealth higher education student support numbers to prevent unfavourable financial outcomes for providers and students. Following the passage of this legislation, the Department of Education, Skills and Employment will make best efforts to contact affected students as soon as is practical. I know, having worked with this department on many occasions and with the senior executives at Senate estimates, that the department will work quickly in partnership with education providers across the country to ensure that this is implemented seamlessly, and I look forward to seeing the work rolled out.

Correspondence will contain information on their situation and the effect of the legislation that we are debating—and hopefully passing very soon—and will include information on how to challenge debts that may be inappropriate or, indeed, incorrectly allocated to their CHESSN. Additional information on managing financial hardship and the income contingent nature of the HELP scheme will be provided to ensure that students are aware of their obligations and any course for redress or relief where required. I think it's important, when dealing with these sorts of schemes and the information contained in them and in trying to achieve the outcome sought here, to have that information so that students do feel comfort and have a clear indication of the pathways available to them. I know that the Minister for Education has written to the opposition to confirm this. It is with pleasure that I thank the opposition for their constructive engagement on this bill. It's great to see. This bill also clarifies the point in time that a student's HELP balance is taken to be reduced in the legislation to ensure that there is consistency across the HELP and VET student loans programs, and it makes minor amendments that streamline and improve the operation of the Higher Education Support Act.

All of these things contained together in this package—support to education providers, which are the institutions that are in operation; most importantly, support to those who benefit from the work that providers do, who are the students of these institutions; the streamlining of identification processes; the streamlining of the debt programs and how they are managed and how we interact with the users of those programs—have been well crafted in consultation with the various sectors that work in this space: namely, the universities but also other post-secondary education providers. I do commend, again, the opposition for their input and for the work that's
been put in. I commend the officers of the department and the minister for their work on this legislation. I commend the bill to the Senate.

Question agreed to.

Bill read a second time.

Third Reading

Senator KITCHING (Victoria) (13:34): As no amendments to the bill have been circulated, I shall call the minister to move the third reading unless any senator requires that the bill be considered in Committee of the Whole.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (13:34): I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

Great Barrier Reef Marine Park Amendment (Coronavirus Economic Response Package) Bill 2020

Second Reading

Consideration resumed of the motion:

That this bill be now read a second time.

Senator DODSON (Western Australia) (13:35): Labor welcomes the Great Barrier Reef Marine Park Amendment (Coronavirus Economic Response Package) Bill 2020 as it provides relief for the Great Barrier Reef tourism operators who have been hit hard by the COVID-19 pandemic. This bill supplements an earlier measure to waive the environmental management charge from 1 April 2020 to 31 December 2020. Combined, these measures effectively ensure that the EMCs are waived for the entire 2020 calendar year. We’re also pleased that the Minister for the Environment has assured Australians that there’ll be no reduction in the revenue that goes to the management of the Great Barrier Reef Marine Park as a result of this amendment.

While Labor welcomes this relief for tourism operators in the north and far north, the government has been woefully lacking when it comes to supporting tourism and the reef in the long term. To support tourism, the government needs to support the reef, and to support the reef the government should work towards the overall health of the reef. Importantly, it should resist the deniers in its ranks and commit to serious action on climate change at home and show leadership internationally. The most recent mass bleaching event was the most extensive. Tragically, it was the third event to have taken place in only five years. How can Australians have faith in this government, which protects the reef, if the government can’t even be honest about the major threats to it like climate change?

We need a strong reef because it supports 64,000 jobs, brings in $6.4 billion a year and is worth $56 billion. The reef is one of the best tourism experiences on the planet, and it's right on our doorstep. Those considering a visit to the north or the far north should be assured that, despite the Morrison government's lack of environmental action, there is still a great deal of beauty and wonder to be experienced on the Great Barrier Reef. Not only will you get to see the amazing natural diversity and beauty of the reef—one of the world's seven natural wonders—but you will be supporting thousands of jobs in Queensland. I commend the bill to the Senate.

Senator WATERS (Queensland—Leader of the Australian Greens in the Senate) (13:37): I rise to speak on the Great Barrier Reef Marine Park Amendment (Coronavirus Economic Response Package) Bill 2020, which the Greens support. The bill seeks to waive the environmental management charge to the Great Barrier Reef Marine Park Authority to provide financial relief to the tourism industry. But, really, the greatest relief that the government could provide for the reef and the 64,000 people who rely on it for their job and livelihood is to take strong action on the climate crisis.

Four years ago the reef narrowly avoided being listed as 'in danger', and it was a wake-up call to the government that far more needed to be done. Of course the coronavirus pandemic has delayed the World Heritage Committee UNESCO meeting that would've assessed whether the government had done its homework. But, sadly, we know things are not looking good.

On 7 April the ARC Centre of Excellence for Coral Reef Studies released the key findings of their aerial study of the reef and confirmed that the Great Barrier Reef has experienced what is now its fifth bleaching but the third mass coral bleaching in just a five-year period. They also found that a quarter of the reefs within the marine park
experienced severe coral bleaching over the past summer, and in fact the recorded bleaching is the most widespread, having for the first time struck all regions of the reef—northern, central and now the southern sectors.

It's no surprise that the marine park authority has now downgraded its assessment of the long-term health of the reef from 'poor' to now 'very poor'. The government delegation to the World Heritage Committee, however, lobbied for climate change not to be a relevant consideration when thinking about whether the site should be put on the 'in danger' list.

The government has prioritised the management of the reef by giving half a billion dollars to a small charity, which was shrouded in controversy and lacked transparency. The UN scientific reports have confirmed that, if we see a temperature rise of 1½ degrees, we will lose 90 per cent of coral reefs globally. If we hit two degrees, we will lose all coral reefs globally. We're already at one degree, and in fact the IPCC has us on track for between three and six degrees of warming. So, if you really want to help the reef and the people who rely on it for their livelihood, take action on the climate crisis, take on your fossil fuel donors and do the right thing to protect those jobs and protect our reef.

**Senator RENNICK** (Queensland) (13:40): Tourism is one of the industries that have been most affected by the current pandemic due to the restrictions on travel. For Queensland, this is particularly dire as it relies on tourism more than any other state, with tourism bringing $27 billion into the economy and employing one in nine people. The Great Barrier Reef is just one of the many tourist locations in Queensland that are suffering at this time.

This bill, the Great Barrier Reef Marine Park Amendment (Coronavirus Economic Response Package) Bill 2020, makes amendments to the Great Barrier Reef Marine Park Act 1975 that will waive the requirement for reef permit holders to remit the environmental management charge for the quarter from 1 January 2020 to 31 March 2020. This will help alleviate some of the financial pressure on tourism in the Great Barrier Reef by lifting this tax and allowing businesses to keep more of the money they earn during a time when their income is considerably less than normal. This bill comes off the back of the government's Coronavirus Economic Response Package Omnibus Bill 2020, which waived the charge from 1 April to 31 December of this year. This amendment, therefore, is only an extension of what the government has already done and comes from calls from current permit holders who have been unable to pay the charge from this year's first quarter. The bill will remove this additional financial pressure. Although permit holders are no longer remitting their charge, the government will ensure that the money spent on the management of the Great Barrier Reef Marine Park will remain the same.

This bill will provide a very welcome relief to the reef and to small businesses, but it is ultimately a short-term solution. While international travel is still a long way off, what the state really needs is interstate travellers to get the tourism industry back on its feet. This remains an impossibility as long as Premier Annastacia Palaszczuk stubbornly refuses to open the state's borders. The July school holidays are a busy time for Queensland tourism, as visitors from the south come up to enjoy the warmer weather. The amount of business that will be lost if borders stay closed over these important holidays could spell the end for many small businesses, including those in the Great Barrier Reef.

The government's aim with restrictions has always been to curb the spread of infections and flatten the curve. This has been achieved, with the cases having significantly decreased since their peak in late March, and the number of active cases in Queensland is in the single digits. Yet Annastacia Palaszczuk seems to want a full eradication of the virus, saying that she will not open the border unless there are no local cases in New South Wales and Victoria, which could be as late as September, or maybe even never. This is a ridiculous and unsustainable goal and nothing but meaningless grandstanding on the part of the Premier. The goal was never to eradicate the virus, and the experts say this isn't possible in Australia anyway. While New South Wales and Victoria do have more cases than Queensland, their numbers also continue to fall, and the curve is most assuredly flattened. The Premier's medical argument is becoming less feasible by the day as Queensland continues to report no new cases.

The real reason the Premier is keeping the borders closed is that she has an election coming up in October and she thinks she can win more political points by pretending that she cares more about people's lives when they are no longer in any real danger. As a matter of fact, the lives that are in danger now are those of our small business people, who are suffering poverty and homelessness and watching their businesses slowly decline. There are measures in place to deal with any new infections that come, including widespread testing and contact tracing. It's more than safe to open the borders. Do we stop driving because there are accidents on the roads or stop going out in the sun because people get skin cancer? No. This entire pandemic has been about weighing the cost of infections against the damage done to the economy.
In this situation, the cost to the Queensland economy far outweighs the health risk of opening the border. It is vital to the Queensland economy to get the tourism industry back up and running as soon as possible. But, while the borders remain closed, estimates say Queensland is missing $2 billion per month. The destruction that the Premier's decision will cause to people's livelihoods will be far worse than anything caused by the virus. The coronavirus is serious, but life cannot stop indefinitely because we are afraid or because Annastacia Palaszczuk wants to look like she's doing more than anyone else. This popularity contest she's trying to play with Queenslanders is in her own interests rather than the interests of the people in her state and is causing real harm to real people. Her stubbornness in keeping borders closed is slowly destroying people's lives and an entire industry. This is what happens when leaders look out for their own interests, in order to hang onto power, over the interests of the people they are supposed to serve.

Support this bill to provide relief for an industry that is doing its best to get by in these unprecedented times and to support the small local businesses represented by those in the Great Barrier Reef—that is the backbone of this country. But, more importantly, support the opening of the Queensland border to really help tourism and all the jobs and livelihoods it represents. I commend the bill to the Senate.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (13:46): I too am pleased to make a contribution on the Great Barrier Reef Marine Park Amendment (Coronavirus Economic Response Package) Bill 2020. I thank senators who have made a contribution to this debate—Senator Dodson, Senator Waters and Senator Rennick. It is an incredibly important issue. Everyone has touched on the importance of the tourism industry. Everyone has touched on how significant an employer this industry is to, in particular, the regional communities within the state of Queensland that run up and down alongside the Great Barrier Reef. I don't think anyone in this chamber has ever understated the importance of that industry and what it means to the tens of thousands of Queenslanders who actually work in that industry.

The bill we are debating today, as others have outlined, makes amendments to the Great Barrier Reef Marine Park Act 1975, which enables the waiver of the environmental management charge from 1 January 2020 through to 31 March 2020. Waiving the charging of that fee will provide financial relief to the many tourism business operators that work in that geographic area and, indeed, other relevant permission holders impacted by the coronavirus pandemic. There is a lot of talk of economic stimulus in the form of stimulus payments, taxpayers' money being handed on to a third party—a household, a business, a community group or whoever it might be—and a lot of those measures do have their place. But we are talking about businesses that are doing it tough. We are talking about businesses that, overnight, went from being fully booked to nothing. Every boat that went out onto the reef and every hotel back on shore was full, particularly as we led into the Easter holidays. So we have said: 'We are not going to charge these fees. That is money going back to you.'

We did the same in the fisheries space, with the Australian Fisheries Management Authority. I know that is a separate entity, but I think it is important to highlight that we need to provide support that is appropriate—like relief for the private sector from the burden of government charges like this. Where possible, I think we should do it. It is a move that has been welcomed by the Queensland tourism industry. I have worked hard with groups like Tourism Whitsundays and Advance Cairns. Warren Entsch, the member for Leichardt, and Mr Christensen, who has a seat nearby, have invited me to speak to those groups to understand from them exactly the hardships that tourism operators in those regions are facing. These changes are very welcome by them.

I do dispute the claims that were made by Senator Waters in her contribution earlier around support for the reef. In one statement she said we were doing nothing; in the next she said we were providing half a billion dollars to support the reef and then referred to the entity that was in charge of administering that funding as an entity ‘shrouded in controversy’. I'll tell you what: the only reason there was any controversy is that political parties like the Australian Greens besmirched the characters of those who were in charge of administering that charity and the funds that were being handed over. So, to say that nothing's happening—wrong. And to say that the people who are doing it in the form of this charity are doing nothing—again, wrong.

This bill will ensure that there will be no reduction in revenue that goes to the management of the Great Barrier Reef. Indeed, we've just talked about half a billion dollars worth of funding that is going into supporting the work that needs to be done in the reef. It supports our tourism industry and it is a massive win for that sector. I commend the bill to the Senate.

Question agreed to.

Bill read a second time.
Third Reading

The ACTING DEPUTY PRESIDENT (Senator Kitching) (13:51): No amendments have been circulated. Does any senator require a committee stage? If not, I shall call the minister to move the third reading.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (13:51): I move:
That the bill be now read a third time.
Question agreed to.

Bills read a third time.

Therapeutic Goods Amendment (2020 Measures No. 1) Bill 2020

Second Reading

Consideration resumed of the motion:
That these bills be now read a second time.

Senator DODSON (Western Australia) (13:51): Labor support the Therapeutic Goods Amendment (2020 Measures No. 1) Bill 2020 because we support Australians having access to medicines and therapeutic devices in a timely, affordable and, importantly, safe way. I commend the bill to the Senate.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (13:52): I thank Senator Dodson for that contribution and for the opposition's support for the bill. It was thoroughly well thought through, very well researched and delivered with passion, can I say, Senator Dodson! But being to the point and succinct is also welcome in this chamber, so I commend Senator Dodson and the Labor Party for their contribution to this debate. This is an important debate and it is, as Senator Dodson says, something that we must progress. So it is my pleasure indeed to make a contribution to the debate on the Therapeutic Goods Amendment (2020 Measures No. 1) Bill 2020.

This bill amends the Therapeutic Goods Act to implement a range of measures to support the health and wellbeing of Australians, something that I'm sure not a single senator in this place doesn't agree with being a priority. It is something we are all passionate about. In particular, this bill introduces measures to improve access to therapeutic goods for Australians, encourage innovation, reduce the regulatory burden and enhance patient safety through removing a barrier to efforts to alleviate medicine shortages—all very, very important measures and something that I'm sure, as Senator Dodson summed up so succinctly, we all support in this place.

In relation to improving access to therapeutic goods, the bill amends a number of medical device definitions to more closely align Australia's regulatory framework for devices with the European Union framework, which I think is a great outcome, as most devices supplied in Australia are manufactured overseas. I mentioned innovation in my opening remarks. I would love to see change; I would love to see more innovation in the med-tech sector and see more of this happening onshore here in Australia, where we can support young Australians who want to work in this industry. Through the innovation that this bill will support, we will see more of that. As I say, given that most devices that are supplied in Australia are manufactured overseas, by reducing the differences between these two frameworks, the EU and Australia, we're going to minimise delays in device sponsors and manufacturers seeking marketing approval in Australia after they've received their European approvals. That streamlining, that removal of red tape, is something that I know the sector will welcome. I know that those who work here in the sector—and indeed those who work on behalf of European companies—would also welcome that streamlining and removal of red tape.

The bill we're debating right now enables the secretary to provide early scientific advice to sponsors of registrable medicines, mainly prescription and over-the-counter medicines, about prescribed aspects of the medicine's safety, quality or efficacy, to assist sponsors to better understand the level and nature of information needed to support a successful application for marketing approval. It goes to patient safety and, indeed, ensuring that there is integrity in our pharmaceutical industry and the delivery of medicines to those who need them most—and I will commend the Morrison government for all the work that has been put into adding medicines to the Pharmaceutical Benefits Scheme. Through the sound economic management of the Treasurer, Josh Frydenberg, and the Minister for Finance, Senator Cormann, we can afford to put medicines on the PBS, many of which would be covered, I imagine, under what we're talking about here. Providing safety, but, above all, providing access to medicine, is something that this government is very proud of and that this bill supports our capacity to do.

This measure will reduce delays in access to new medicines that stem from industry uncertainty about aspects of supporting information for such products, particularly for generic medicines in relation to bioequivalence studies, and the advice will guide sponsors and help them to reduce the incidence of rejections and the time and
cost of developing evidence that is not needed. That is something that will reduce burden and unnecessary work in the regulatory space.

The bill also removes a barrier for promising new medicines to access the new provisional registration pathway which was introduced in 2018 to provide access to medicines that provide a major therapeutic advance over existing treatment options for very serious conditions. Other measures in the bill address issues of delay and interruption for the operators of clinical trials who need to make variations to the terms of their approvals; improve flexibility for authorised prescribers seeking to supply unapproved therapeutic goods to their patients; and encourage innovation—again, a very important point—and investment through the introduction of targeted data protection regimes for clinical trial data for assessed, listed medicines. The bill also enhances patient safety by removing a criminal offence that has been the subject of concerns that it may be a disincentive to sponsors of potential alternative products to a medicine that is in shortage from identifying if they were able to arrange for the supply of their products to help alleviate the effects of the shortage.

I thank senators for their contributions to the debate on this bill. In particular, I thank Senator Dodson for his very well thought through, well researched and passionate contribution—in particular, noting the importance of innovation and investment, providing certainty to this industry and so to the many thousands of Australians who work in it—people who actually want to make a difference in the lives of Australians who benefit from medical technologies and from medicines. The streamlining and speed with which the secretary is going to be able to provide that is important. Given we are about to go to the second reading vote, I just really want to highlight how big a supporter the Morrison government is of ensuring that more of this happens onshore in Australia. While working with our partners in Europe and elsewhere, we want to make sure more of this happens here. A lot of this will go to that. So, again, in thanking Senator Dodson for his impassioned contribution, I commend this bill to the Senate.

Question agreed to.

Bill read a second time.

Third Reading

The PRESIDENT (13:58): I understand no amendments have been circulated to this bill, so, unless anyone asks for one, I will call the minister to skip the committee stage and go to the third reading.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (13:58): I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

QUESTIONS WITHOUT NOTICE

COVID-19: Employment

Senator GALLAGHER (Australian Capital Territory—Manager of Opposition Business in the Senate) (13:59): My question is to the Minister representing the Prime Minister, Senator Cormann. Today's release of labour force figures for May shows a further 227,700 jobs were lost, bringing the total of jobs lost since March to 835,000. How many of these job losses could have been prevented if the government had extended JobKeeper?

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (13:59): Indeed, today it was announced that employment fell by almost 227,000 jobs in May 2020, including 89,100 full-time jobs and 138,600 part-time jobs. It's another sad day, but we of course knew this was coming. In case the opposition missed it, we're dealing with a once-in-a-century pandemic and the very significant health and economic consequences of that pandemic here in Australia and around the world. If you compare Australia's performance in terms of the health response as well as in terms of the economic impact and the jobs impact, we are performing comparatively well—which obviously doesn't take away from the fact this is a very difficult time for lots of Australians. We've always been upfront about the fact that, as we work our way through this crisis, many Australians, sadly—

The PRESIDENT: Order! Senator Gallagher, on a point of order?

Senator Gallagher: On relevance—the question was: how many job losses could have been prevented if the government had extended JobKeeper? We've only got 54 seconds left for the answer.

The PRESIDENT: That was at the conclusion of the question. I consider the minister directly relevant if he is talking about the labour force figures that you commenced the question with. I'm listening carefully to his answer.
Senator CORMANN: This is a pretty serious moment for our nation, and I think I should be allowed to provide an explanation of the position of the government. This is a very difficult time for many Australians, in particular those who through no fault of their own have lost their jobs. What the government has set out to do, working with governments around Australia, is get on top of the health threat by slowing down and suppressing the spread of the virus by providing support to businesses, to ensure as many Australians as possible can remain connected to those businesses. We've also of course provided significantly enhanced transitional support to those Australians who have lost their jobs. Anyone who doesn't get support through JobKeeper is of course, consistent with appropriate arrangements, able to access jobseeker payments.

The PRESIDENT: Order, Senator Cormann! Senator Gallagher, a supplementary question?

Senator GALLAGHER (Australian Capital Territory—Manager of Opposition Business in the Senate) (14:02): A total of 2.3 million workers were affected by either losing their jobs or working reduced hours in May, reflecting a fifth of the entire workforce. How many more Australians will lose their jobs in September, when Mr Morrison snaps back JobKeeper?

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:02): I would say in response to the last part of the question that we will continue to make responsible decisions, as we have done so far, to ensure the strongest possible economic recovery and that Australians have the best possible opportunity to get back into work and to get ahead. These are not easy considerations. These are not easy decisions. You might want to pretend that there are some magic bullets that can somehow make it all go away, but we are doing the absolute best we can to ensure the strongest possible economic recovery on the other side of this and that people get back into jobs as quickly as possible. Of course, it is already happening. As restrictions on the economy are being eased, people are able to get back into some of those jobs that had been lost. Of course, more people would be able to get back to work if some states would open their state borders. (Time expired)

The PRESIDENT: Senator Gallagher, a final supplementary question?

Senator GALLAGHER (Australian Capital Territory—Manager of Opposition Business in the Senate) (14:03): Minister, the underutilisation rate now stands at 20.2 per cent, which is a new record high. In the face of the first recession in 29 years and the highest unemployment figures in 20 years, why is Mr Morrison so determined to snap back and leave people behind?

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:04): I completely reject the premise of the last part of the question. We are very focused on making sure no-one is left behind. In case the opposition hasn't noticed, we are going through a pretty difficult period as a result of something we didn't cause. Workforce participation levels before the COVID-19 pandemic hit were the highest on record—in particular, the female participation rate was at its highest level ever. We've been hit by a pretty devastating virus. That has had a pretty devastating effect on our economy and on economies around the world. But you know what? In Australia, the Australian people know that, compared to other countries around the world, we are actually doing comparatively well. That doesn't mean that people aren't feeling hardship and difficulties. Of course they are, and we are focused on making sure that we get back into the strongest possible position as soon as possible.

COVID-19: Employment

Senator MOLAN (New South Wales) (14:05): My question is to the Minister for Employment, Skills, Small and Family Business, Senator Cash. In light of the unprecedented economic situation caused by the COVID-19 pandemic, can the minister update the Senate on the Australian labour figures for the month of May and what steps the Morrison government is taking to drive our economic recovery from the impact of the COVID-19 pandemic?

Senator CASH (Western Australia—Minister for Employment, Skills, Small and Family Business) (14:05): I thank Senator Molan for his question. As the Leader of the Government in the Senate has stated, Australia and Australians have shown great resilience in the face of COVID-19, which has caused a worldwide health and economic crisis. The labour force figures released today, for the month of May, were not unexpected. They continue to reflect the negative impact that COVID-19 is having on the labour market, but, in particular, because the survey period in which the labour force figures were taken was the first two weeks of May, they were actually taken in the situation where we had the height of the COVID-19 lockdown restrictions.

Whilst it is clear that the economic fallout from COVID-19 will continue for some time, the government has moved quickly to protect both the health and the jobs of all Australians and put in place substantial measures to help cushion the impact of COVID-19. While today's ABS figures highlight the devastating effects of COVID-19, it is important to note, as the Leader of the Government in the Senate has stated, that Australia did enter this crisis
from a position of economic strength and record employment. Total employment in Australia now stands at 12.15 million. The unemployment rate today has risen to 7.1 per cent. Every single job loss as a result of COVID-19 is devastating, but what it does highlight, as Minister Cormann has stated, is the imperative to open up our economy. The states need to open their borders. That is what now needs to happen, and the Prime Minister has been very, very clear in this regard.

The PRESIDENT: Order, Senator Cash. Senator Molan, a supplementary question?

Senator MOLAN (New South Wales) (14:07): How are the government's record economic stimulus measures supporting our economy, keeping Australians in jobs and building the lifeline businesses needed to endure the economic crisis created by COVID-19?

Senator CASH (Western Australia—Minister for Employment, Skills, Small and Family Business) (14:08): Having flattened the health curve in relation to COVID-19, the Prime Minister has made it very clear we are now fighting unemployment in Australia. That is the very clear message that we can all take today from today's labour force figures. But our No. 1 priority as a government is to support the economy to grow, and that is why we need all states and territories to open their borders, because that will mean that people can start travelling, businesses can get back to work and they can create more jobs for Australians, and that is what we are all about. That is why, as a government, we have also invested a record $260 billion, equivalent to 13.3 per cent of GDP, into the economy. The measures that we have implemented have provided the essential support that many businesses have needed to get them through the COVID-19 crisis.

The PRESIDENT: Order. Senator Molan, a final supplementary question?

Senator MOLAN (New South Wales) (14:09): How will the government's five-year JobMaker plan chart a course for economic growth and recovery and create jobs for Australians?

Senator CASH (Western Australia—Minister for Employment, Skills, Small and Family Business) (14:09): Again, getting people back into jobs, ensuring that the economy is able to reopen so that it can grow—that is where we need to start. As the Prime Minister outlined in his address at the National Press Club recently, our JobMaker plan is critical to lifting growth, and not just for the next few months, not just for now. We have a plan for Australians. We're going to bring them with us as we reopen the economy, at least for the next five years. That's our JobMaker plan. In particular we're going to be supporting skills and industrial relations reform. Why? Because we need this not only to improve our workplace productivity but also to ensure that employers are getting the skilled workforce that they need. And, of course, there's the great work that the minister for trade is doing in pursuing free trade agreements, building new relationships, giving more businesses the opportunity—

(Time expired)

Employment

Senator STERLE (Western Australia) (14:10): My question is to the Minister representing the Prime Minister, Senator Cormann. I refer to an article in today's Australian Financial Review entitled 'Old jobs may have to go in PM's recovery plan'. Minister, which are the old jobs that the PM has given up on?

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:10): We haven't given up on any jobs. But—you know what—we're not living in a socialist-command controlled economy. Jobs are generated by businesses around Australia, not by government. The Prime Minister is just being honest with the Australian people. I remember a former Prime Minister who said something pretty similar in an interview with Kerry O'Brien. I think his name was Paul Keating. He was asked about all the jobs that were lost when tariffs were reduced. 'What do you think about that?' He said, 'There are more new and better jobs as a result of economic reform.' What we are focused on is more new and better jobs.

There will be some jobs which will not come back, and it will be better for the Australian people if they can find genuine, good-quality jobs in a strongly recovering economy on the other side. That is of course what everyone in this chamber should want to see. We can't be looking backwards. Sadly what has happened has happened. It has been devastating. It has been difficult. Some businesses, sadly, will not be able to recover. That is a fact of life. We cannot pretend to the Australian people; we will not do that. You go right ahead and pretend to the Australian people that, through government edict, through socialist policies, you can somehow preserve every job in the economy, no matter what. That is not the truth. In a free market economy, genuine jobs will be created by genuine, viable, profitable businesses, and that is what we want to see on the other side: successful, profitable businesses that will hire more Australians again, businesses that have the confidence to invest in their future success because they know that the framework is right to get us to the other side of this crisis. We should never pretend to the Australian people that somehow governments can artificially protect every single job in the economy in the context of the sort of crisis that we've just dealt with. Just think about it, reflect on it.
Paul Keating understood this; clearly you guys have gone so far to the left that even Paul Keating would be ashamed of you now.

The PRESIDENT: Senator Sterle, a supplementary question?

Senator STERLE (Western Australia) (14:12): It is reported that the Morrison government is giving up on keeping Australians in their jobs and that it plans to shift them to the jobseeker payment in September. Minister, which of the three million Australians currently relying on JobKeeper has Mr Morrison given up on, planning to force them onto welfare?

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:13): You clearly didn't listen to a single word I said in response to the primary question, not a single word. We want every single Australian to have the best possible opportunity to get back into work, back into a job. We absolutely want every Australian to have the best possible opportunity to get back into work. But we are dealing with the economic impact of a once-in-100-year global pandemic. Australia, comparatively speaking, is performing better than many others, which is not to say that Australians aren't—

The PRESIDENT: Senator Wong, on a point of order.

Senator WONG: It's a point of order on direct relevance. The question was in relation to reports that the government is planning to shift people from JobKeeper to the jobseeker payment. We've seen nearly 830,000 Australians lose their jobs since March. We would like an answer to the question: which of the three million Australians on JobKeeper is the government planning to shift onto welfare?

The PRESIDENT: I would contend it is a very broadly worded question, Senator Wong. I've allowed you to restate it, but a question that has what I might call contestable language can be answered in a similar fashion. I think the minister is being directly relevant, given that. Senator Cormann.

Senator CORMANN: The truth is, as the Australian people understand, we're dealing with an incredibly difficult situation. We've had to provide crisis-level support to the economy, to business and to jobs. That was temporary, crisis-level support. There are two very significant decisions on the economic front that we will have to make as a country in the next few weeks and months. One is how to transition in the best possible way out of the crisis level of temporary support to the economy in a way that ensures Australians are not left behind, and the other one— (Time expired)

The PRESIDENT: Senator Sterle, a final supplementary question?

Senator STERLE (Western Australia) (14:15): At the same time that Mr Morrison is forcing Australians off JobKeeper and onto jobseeker, he is cutting the rate of jobseeker. Minister, can the government confirm that it is intending to force millions of Australians who currently have jobs to live on as little as $40 a day from September?

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:15): It has always been very clear that the crisis-level temporary support through JobKeeper and the enhanced jobseeker payment—that is, including the COVID supplement—is in place for six months. Treasury is in the process of reviewing the JobKeeper arrangements and also the interaction with jobseeker. There will be decisions over the next few weeks and over the next month or so in relation to how best to transition out of the temporary level of support. Ultimately, the objective ought to be that businesses around Australia are able to pay for their employees' wages out of their income rather than on the basis of taxpayer support. That has got to be the objective. But we'll continue to make responsible decisions. The next part of it, of course, is the need to ensure we reform the policy settings such that we can have the strongest possible and most sustained possible recovery and economic growth trajectory on the other side.

Pensions and Benefits

Senator SIEWERT (Western Australia—Australian Greens Whip) (14:16): My question is to the Minister for Families and Social Services, Senator Ruston. Minister, yesterday in question time you said that the new rate of jobseeker under the coronavirus supplement was temporary and time-limited—that is, it finishes. Today the media are reporting that jobseeker will be permanently increased. Can you confirm that the rate of jobseeker and youth allowance will be permanently increased from the end of September? If that's the case, when was this decision made?

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (14:17): I probably would caution the senator opposite who asked the question about taking her policy direction from the media. Perhaps she might like to listen to what I've said in here on successive
occasions and also to the responses that have previously been provided to the questions asked of Senator Cormann by the opposition, which have clearly outlined—

Honourable senators interjecting—

The PRESIDENT: Senator Siewert on a point of order?

Senator Siewert: I honestly cannot hear the minister's answer.

The PRESIDENT: You're not the only one. We have had a request from a colleague to be able to hear the answer, so I'm going to ask all senators to keep that in mind when they interject in a disorderly way.

Senator RUSTON: As I was saying to Senator Siewert when she didn't hear my response, the answers that have been provided in this place by Senator Cormann to previous questions clearly outline the responsible action that this government is taking to make sure that we put everything in place to support Australians through this coronavirus pandemic. At the same time, we have a responsibility to get our economy going again to make sure that we can create the jobs. We'll get businesses back to work and create the jobs so that Australians who find themselves at the moment without work or the JobKeeper payment are able to get back to work.

The PRESIDENT: Order! Senator Siewert on a point of order?

Senator Siewert: This is information that we heard yesterday—most of it. I asked a specific question: is it the case that jobseeker will now be permanently increased from the end of September?

The PRESIDENT: That was the conclusion of your question, Senator Siewert. I believe the minister is being directly relevant to parts of the question. She is talking about the allowance. It may not be the answer senators seek. There is an opportunity to debate that after question time.

Senator RUSTON: As the Prime Minister responded today at his press conference in relation to a very similar question to the one Senator Siewert asked, the most important thing that we can do as a government is make sure that we work to get the economy reopened. What we won't do is get ahead of ourselves. I think that is exactly what you are doing here. You're getting ahead of yourself and are getting yourself overly excited about a report that was in the paper this morning.

Senator Siewert, you've been here long enough to understand that you cannot always believe everything that you read in the paper. What you should do is take your policy direction from the answers I give you when you ask me questions, and perhaps take some note of what Senator Cormann has said in response to a similar question asked by those opposite. Also, maybe you should listen to the Prime Minister's press conferences, like this morning's, when he did a press conference with Senator Cash, so that you can get a clear understanding straight from the horse's mouth, so to speak, about government policy.

The PRESIDENT: Senator Siewert, a supplementary question?

Senator SIEWERT (Western Australia—Australian Greens Whip) (14:20): Is the minister saying that they are not going to be increasing the jobseeker payment permanently, given that two media outlets, The West Australian and The Australian Financial Review, on the same day conveniently ran the same story—what, they weren't worded up?

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (14:20): I have no idea what the basis of some of these spurious stories is. Can I just say—

Senator Siewert interjecting—

Senator RUSTON: If you would like to listen to my answer, I'm happy to give it to you.

Senator Siewert interjecting—

The PRESIDENT: Order! Senator Siewert, you asked for silence before.

Senator RUSTON: Senator Siewert, as I said in my answer to the previous question, you probably need to do two things—a bit of advice. One is not to listen to everything you read in the paper, and the other is that I'd prefer you didn't verbal me. Much of what you say is actually what you said yesterday, not what I said yesterday. What I would like to reiterate is that I stand by everything that I said to you yesterday, Senator Siewert. The coronavirus supplement that was put in place in March, as a time limited temporary payment to assist Australians who found themselves in a job market that basically closed overnight, was a temporary measure. That remains the case.

The PRESIDENT: Senator Siewert, a final supplementary question?

Senator SIEWERT (Western Australia—Australian Greens Whip) (14:21): I will take the minister's advice and re-read the articles in the media; they seemed pretty clear to me. But they also said that the government is
talking to backbenchers over dinner. I'm wondering whether the backbenchers are suggesting a rate to the government?

**Senator RUSTON** (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (14:22): I just draw to the attention of the chamber that Senator Siewert said that I had told her, in a previous question, to read the paper. I didn't actually say that; in fact, I said, to the contrary, to not believe everything you read in the paper. Actually listen to my responses to your questions, and listen to Senator Cormann and the Prime Minister.

In relation to who has dinner with whom in the government, I have no idea. I'm sure we all have dinner with each other on a regular basis. What I can say, Senator Siewert, is that this government takes very seriously its responsibility to look after Australians who are finding it very difficult at the moment because of the impact the coronavirus pandemic has had on all Australians. We were all devastated to see the figures that Senator Cash had to announce this morning. As she said, they were not unexpected but they were nonetheless devastating.

**Food Labelling**

**Senator PATRICK** (South Australia) (14:23): My question is to Senator Colbeck, in his capacity as health portfolio minister and the chair of the Australia and New Zealand Ministerial Forum on Food Regulation. I ask these questions on behalf of Senator Griff. I refer to the documents provided by Ministers Colbeck and Littleproud in response to Senator Griff's order for the production of documents on FSANZ's proposals for mandatory pregnancy warnings on packaged alcohol. The OPD shows Minister Littleproud received advice from the Department of Agriculture, Water and the Environment that discusses industry concerns but still concludes: 'The department is of the view that there is a lack of evidence to support concerns raised by portfolio alcohol industries.' Why did the federal government use its vote in the forum on food regulation to ask FSANZ to review its proposal, because of concerns raised by industry, when even the department concludes that the industry concerns are exaggerated?

**Senator COLBECK** (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (14:24): I thank the senator for his question. He raises a very important issue. My colleagues sitting around the table with me—food ministers—had, as senators are aware, a very serious conversation with respect to this issue. We listened closely to all perspectives and came to the view that the one thing we wanted to do, as a result of our considerations with respect to alcohol labelling, was move from a situation where we had voluntary labelling on alcohol containers to a compulsory one. That was one of the decisions we made. But we also did consider some of the representations that had been made to us by a range of stakeholders, and we asked FSANZ to do some additional work, which it's currently doing. FSANZ will report back to us next week. There's another meeting of the food ministers council next month, which will, I hope, make a final decision to form compulsory labelling for pregnancy warnings on alcohol receptacles. I sincerely hope that that's the case, and that's the conversation that I have. I understand that FSANZ, off the back of the meeting in March, has been back talking to all sides of this discussion—the medical professionals, those who are lobbying in respect of better management of alcohol labelling around FASD—because we all want to see the incidence of FASD stamped out completely. It's something I think we can do and we should do. That's why we are so firm in our view that there should be compulsory labelling—moving away from the circumstance of the voluntary system that's in place right now. We will consider the report provided to us by FSANZ, when we come to that meeting, and hopefully make a final decision.

**The PRESIDENT:** Senator Patrick, a supplementary question?

**Senator PATRICK** (South Australia) (14:26): You've talked about meeting with stakeholders and so forth, and you've suggested that you're going in a particular direction, but the OPD suggests that the cost proposals were deemed 'an unreasonable cost burden'. The federal government represented only one of the votes, yet the forum has come to that conclusion. How did it come to that conclusion, and why did you vote that way? (Time expired)

**Senator COLBECK** (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (14:26): Senator Patrick is correct. The Commonwealth government has only one vote on that forum, and that forum voted, by majority, to ask FSANZ to do some additional work. So, in other words, the Commonwealth and enough states and territories made a decision to do some further work. I know that FSANZ has been back to industry to check some of the figures that they provided with respect to the potential cost impact on them. I'm certain that that evidence will be provided in the reporting that FSANZ brings back to food ministers when it reports back to us formally later this month. That will be considered as a part of the overall discussion at that food ministers meeting. I think it's on about 21 July. My sincere hope is that once we get through the report that comes back from FSANZ to food ministers, which is due next week, we'll be in a position to move to— (Time expired)

**The PRESIDENT:** Senator Patrick, a final supplementary question?
Senator PATRICK (South Australia) (14:27): Minister, you talk about engagement with a whole range of stakeholders, yet the OPD suggests that there were only two meetings with the alcohol industry: one on 27 February and another on 3 March. Perhaps that doesn't contain all the information. Could you provide the chamber, perhaps on notice, with all of the stakeholders with whom you've met, including health officials and others apart from industry?

Senator COLBECK (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (14:28): I'm more than happy to provide on notice any further information I can to the chamber. On the comment that I made with respect to FSANZ going back to industry and other stakeholders, I know that has been occurring, because I've been talking to FSANZ over recent weeks to understand where those negotiations and those discussions have been, to understand some of the costs that have been supplied, particularly by industry to FSANZ, and the justification of those costs. I think that's an important thing for us, as ministers, to understand when we consider these matters. I do acknowledge the comments that you've made, Senator Patrick, with respect to the cost of FASD to the broader community. Clearly, without even justification of the costs that industry is putting up, the cost to society from FASD is way more than the cost to industry, and so that is something that seriously needs to be considered as part of our discussions. As I said, I sincerely hope that we have permanent labels— (Time expired)

COVID-19: Employment

Senator HUGHES (New South Wales) (14:29): My question is to Minister for Families and Social Services, Senator Ruston. The Morrison government has a proud record of supporting Australians with a disability to participate in the social and economic life of our nation. Can the minister advise the Senate as to how the government is driving our economic recovery from the COVID-19 pandemic and supporting people with autism to find and keep a job?

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (14:29): I thank Senator Hughes for her question. The Morrison government is absolutely committed to getting as many people with a disability into employment as we can. But despite the improvements we've seen over the past seven years, there still remain many barriers to employment for people who live with autism. There are still way too many people with autism who are either unemployed or underemployed. That's why, as part of the election campaign in 2019, we made a commitment to support people with autism to not just find a job but to keep a job. We know that people who live with autism have a wide range of strengths and skills, and we need to make sure that we get the message out to employers about the benefits that they can achieve for their businesses and the long-lasting improvements they can have in their businesses by employing people with autism.

Just last week, Senator Hughes was part of an announcement around funding for two new projects that will encourage businesses to become 'autism-confident employers'. Firstly, doughnut bakery and social enterprise Krofne, along with Whitmur Advisors and GenU Training, have received $200,000 to work together to develop two accredited training programs for the hospitality industry. So people with autism will be able to undertake training to help them navigate the fast paced and often rapidly changing environment in a real-world situation. With more than 50 per cent of its workforce being people with intellectual disabilities, Krofne bakery is a leader in the Canberra region for disability employment—and I know that Senator Zed Seselja is a great supporter of this business and what they do. The Krofne bakery started in the first place because the owners' son has Down syndrome and they decided it was very, very important that their child had a meaningful job that he loved. I'm reliably informed, not just by—

The PRESIDENT: Order, Senator Ruston. Senator Hughes, a supplementary question?

Senator HUGHES (New South Wales) (14:32): Can the minister update the Senate on the national expansion of the successful Dandelion program?

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (14:32): We already know, through our figures, that there will be a growing number of young people leaving school with autism. The fact is that autism is the highest represented category in the NDIS. It's very important that this government continues to focus on helping this particular group of people to successfully transition out of school and into employment. That's why the Dandelion program, which has been a fantastic success in conjunction with DXC Technology, will receive further funding of $1.5 million so that we can expand this particular project. Work has already commenced on developing a suite of autism specific training tools for disability employment service providers, and participants and employers, which will target disability employment service providers so that they can understand the specific benefits of supporting people with autism into a work environment.
The PRESIDENT: Senator Hughes, a final supplementary question?

Senator HUGHES (New South Wales) (14:33): Thank you, Minister Ruston—as a very confident autism employer, it is very much appreciated. How is the disability employment service program supporting Australians with a disability to find work in the wake of the COVID-19 pandemic?

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (14:33): Disability employment service providers play a very, very important role in assisting people who live with disability to get jobs and to stay in jobs. As part of the original announcement by the government in March supporting people with disability and recognising the challenges that the COVID crisis was going to present to them, we announced a $61 million funding package to support disability employment services to ensure that they were able to continue to provide support to people with disability through this unprecedented time.

Disability service providers are reporting strong numbers of people who are being placed into employment and supported in jobs for in excess of 26 weeks. We know that if we can get somebody into work for a longer period of time, the chances of them remaining in employment are so much higher than they otherwise would be.

Fiscal Policy

Senator CICCONE (Victoria—Deputy Opposition Whip in the Senate) (14:34): My question is to the Minister representing the Prime Minister. On Monday the Prime Minister and the minister said that the government would not be pursuing excessive austerity. Does the minister believe that forcing 3.5 million Australians off JobKeeper in September is excessive austerity?

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:34): What we have done over the last few months is provide historic crisis-level fiscal support to the economy, to business, to working Australians and indeed to those Australians who, sadly, lost their job. It's a program that's been put in place for six months. It was always very clear that this was a temporary program. But of course we are considering very carefully how we most appropriately transition back into a situation more akin to normal.

The objective is to maximise the strength of the economic recovery on the other side. That is what we're focused on, to get as many Australians back into work as possible, to get as many jobs back as possible, to get as many Australians as possible back into a genuine job and able to earn a living and ensure that they have the best possible opportunity to get ahead. Australians can be absolutely confident that we'll make sensible decisions, responsible decisions, as we have done throughout this crisis so far. Of course, when the relevant decisions are made about next steps and the next phase, we'll make the relevant announcements.

The PRESIDENT: Senator Ciccone, a supplementary question?

Senator CICCONE (Victoria—Deputy Opposition Whip in the Senate) (14:36): Does the minister believe that removing the coronavirus supplement in September and forcing as many as five million Australians to live on as little as $40 a day is excessive austerity?

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:36): I would refer the good senator to my answer to the primary question. We are focused on making sure that we get as many Australians as possible back into work as soon as possible. Of course, if some of the states that are persisting with state border closures were to open their borders, even more people would be able to get into work sooner. We need to ensure that we make decisions today to maximise the strength of the economic recovery. Maximising the strength of the economic recovery will ensure that more Australians get back into work sooner. That is what all of us should be working on together.

The PRESIDENT: Senator Ciccone, a final supplementary question?

Senator CICCONE (Victoria—Deputy Opposition Whip in the Senate) (14:37): Does the minister believe that the cuts to the pension, family payments, hospitals and schools et cetera in the 2014 budget were excessive austerity?

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:37): The 2014-15 budget helped ensure that we went into this crisis from a position of comparative fiscal strength. If we hadn't made the hard decisions over six years to fix the mess that you guys left behind, we would have been in a weaker position to deal with this crisis. The Australian people know that it is thanks to the work of our government over the last six years repairing the budget, repairing the absolute mess that you left behind, that we were in a position to provide support to the economy, to provide support to business, to provide support to those Australians who are working for a business that is struggling through this period and, indeed, to provide unprecedented support to those Australians who lost their job. I can't
believe that the Labor Party tactics committee in the Senate would be so brazen as to ask such a question—what chutzpah!—when clearly it is now proven how important it was that we did the hard yards fixing the fiscal mess that you guys left behind.

**Infrastructure**

**Senator CANAVAN** (Queensland—Deputy Leader of the Nationals in the Senate) (14:38): My question is to the Minister representing the Minister for Infrastructure, Transport and Regional Development, Senator Cash. Can the minister outline to the Senate how the Liberal-National government's infrastructure pipeline, including the Roads of Strategic Importance initiative, is supporting Australian jobs and assisting regional communities, businesses and producers in their post-pandemic recovery?

**Senator CASH** (Western Australia—Minister for Employment, Skills, Small and Family Business) (14:38): I thank Senator Canavan for the question. As Senator Canavan well knows, the Liberal-National government support rural and regional Australia, because that is exactly what is in our DNA. In terms of our commitment to regional transport infrastructure, Senator Canavan, you'd be aware that, since 2013-14, it now totals more than $30 billion. This is of course delivering real outcomes for regional communities. What's it doing? It's improving roads and rail to better connect regional communities.

Programs which regional Australia is benefiting from include: the Black Spot Program, Roads to Recovery, the Bridges Renewal Program, the Heavy Vehicle Safety and Productivity Program, and of course, as Senator Canavan has referred to, the $4.5 billion Roads of Strategic Importance initiative. This program, the government's Roads of Strategic Importance initiative, is a major program for supporting and developing the transport networks across key corridors in regional Australia. The program itself primarily supports network improvements, which involves packages of investment to raise the standard of roads, including feeder roads, to provide more reliable road networks. The corridor approach provides more reliable road networks, improves access for high-capacity vehicles, better connects regional communities and of course facilitates tourism opportunities, and those tourism opportunities will be further facilitated if, obviously, states and territories would actually open up their borders.

Senator Canavan, in terms of Queensland in particular, it is benefiting now from over $1 billion of committed funding under the Roads of Strategic Importance initiative, and this includes key investments, including the Mount Isa to Rockhampton corridor upgrade and the Townsville to Roma corridor upgrade.

**The PRESIDENT:** Senator Canavan, a supplementary question?

**Senator CANAVAN** (Queensland—Deputy Leader of the Nationals in the Senate) (14:40): Great news from the minister. Can the minister also inform the Senate on how projects like the Yeppoon-Rockhampton road duplication and the sealing of the Springsure-Tambo road will increase safety and boost tourism for these communities?

**Senator CASH** (Western Australia—Minister for Employment, Skills, Small and Family Business) (14:41): As Senator Canavan would be aware, the government has committed $64 million to the Yeppoon-Rockhampton road duplication, and this project will deliver targeted upgrades, including duplicating sections of Yeppoon Road. In terms of the project, it is expected to deliver increased economic productivity by reducing cost to industry through better network efficiencies. It will improve road safety by reducing unsafe overtaking and the associated risks of head-on collisions. It will also increase route capacity to accommodate future growth in traffic volume through increases in economic activity in the region.

Regarding the Springsure to Tambo project that Senator Canavan raised, this is another great example of the investment by the Liberal-National government where we have committed $40 million, which will directly support local producers. We understand that this type of investment will assist regional Australia.

**The PRESIDENT:** Order, Senator Cash. Senator Canavan, a final supplementary question?

**Senator CANAVAN** (Queensland—Deputy Leader of the Nationals in the Senate) (14:42): Can the minister inform the Senate of what can be done to fast-track many of those great road projects you've mentioned under programs like the Roads of Strategic Importance program and to inject much-needed money into regions hurt by the COVID-19 pandemic and help local communities?

**Senator CASH** (Western Australia—Minister for Employment, Skills, Small and Family Business) (14:42): In the Liberal-National government, we understand that we need to work closely with states and territories to fast-track infrastructure where and when possible. In fast-tracking infrastructure, you create jobs, as with our recent announcement in terms of creating around 66,000 jobs. On 29 April, the Deputy Prime Minister announced that works to seal roads, build overtaking lanes, upgrade intersections and improve safety will start sooner rather than later under an agreement reached between the Australian and the Queensland governments on 22 jointly funded regional road projects worth, Senator Canavan, $185 million. These early works projects will be delivered on
corridors identified under the Roads of Strategic Importance initiative, and delivering early works through this initiative will give regional Queensland communities access to new projects and of course much-needed jobs.

The PRESIDENT: Order, Senator Cash. Senator Ayres.

COVID-19: Employment

Senator AYRES (New South Wales) (14:43): My question is to the Minister representing the Prime Minister, Senator Cormann. ABS figures show that payroll jobs in the accommodation and food services sector have fallen by nearly 30 per cent since March. Before COVID-19, more than 4,200 people in Eden-Monaro worked in cafes, restaurants and accommodation, in towns like Bega, Murrumbateman, Tumut and Queanbeyan. Can the minister confirm how many of these 4,200 jobs are old jobs that Mr Morrison has given up on?

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:44): I would just again say that I reject the premise of that final part of the question. We want every single Australian to have the best possible opportunity to get back into work. Let me say that of course the food and accommodation services have been particularly hard hit. We are dealing with a one-in-a-hundred-year global pandemic with devastating impacts all around the world, including here in Australia, but we are performing comparatively better than other parts of the world. But let me say, you talk about tourism and hospitality services across Eden-Monaro. They would be in so much better a position if only the Queensland state Labor government opened those state borders and those people from Brisbane who want to go to the snow in Eden-Monaro could go and—

The PRESIDENT: Order, Senator Cormann. Senator Watt, on a point of order?

Senator Watt: My point of order goes to relevance. It seems the minister needs to be reminded that Eden-Monaro is not in Queensland; it is in New South Wales.

The PRESIDENT: Order! I'm not going to rule on that point of order. To be fair, I was not listening at that point. I was taking advice from one of the whips. I will continue to listen to the minister's answer. Senator Cormann.

Senator CORMANN: It is clear that those socialists over there don't understand the implications of closed state borders. The closed state borders mean Queaslanders are restricted from going into the snow in Eden-Monaro without going back into quarantine for a couple of weeks.

Honourable senators interjecting—

Senator CORMANN: Clearly, this is why the Labor Party always stuff up the economy, because they don't understand the basic fact that closed borders actually restrict economic activity. There would be more jobs in Eden-Monaro if the people of Brisbane could go to the snow in Thredbo and, indeed, if they could go to all the fantastic restaurants and accommodation facilities all around the seat of Eden-Monaro. It is the state Labor government in Queensland that is holding those jobs back and the state Labor government in Queensland should open those borders now.

The PRESIDENT: Order. I'm going to ask senators on both sides to take a breath and count to 10 when I start naming them and calling them to order. Senator Ayres, a supplementary question?

Senator AYRES (New South Wales) (14:46): It is always somebody else's fault. Retail expert Queensland University of Technology Professor Gary Mortimer has warned that many retailers may not reopen once support is removed. He said: 'Retailers will see this as a chance to cut off the dead wood in their networks.' How can the more than 7,000 sales assistants and hospitality and retail managers in towns like Queanbeyan, Jindabyne, Cooma or Eden tell if they have one of the old jobs that Mr Morrison has turned his back on?

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:47): Even for a socialist, that is twisted logic. People in shops will get their jobs back when consumers go back into those shops to buy products. That is how you get jobs back. Somehow he seems to think that by government edict you can sort of prop up these jobs and people. What, they sit on their chair? Clearly we want the economy to recover as strongly as possible. We want businesses to be back in business and successful and a profitable environment as soon as possible. We want businesses to have confidence to invest and hire more Australians. But it has got to be on the basis of genuine activity, not because the government somehow provides an edict that says 'this now shall be a job'. In a free market economy, there is a bit more to it. Our government is making sure we have the best possible policy settings in place to ensure that people all around Australia, including in Eden-Monaro, have the best possible opportunity to get back into work if they have lost their job and, indeed, to remain in work if they have a job. (Time expired)

The PRESIDENT: Senator Ayres, a final supplementary question?
Senator AYRES (New South Wales) (14:48): Before COVID-19, one in 10 workers in the capital region were out of work or looking for more work. How can the Australian people trust the government to manage the recovery when regional Australians were already being left behind before the pandemic?

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:48): When we came into government in 2013, we inherited a weakening economy, rising unemployment and a rapidly deteriorating budget position. We worked very hard for six years to turn that situation around—

Opposition senators interjecting—

The PRESIDENT: Order on my left. Senator Keneally. Senator Watt.

Senator CORMANN: to record workforce participation, a lower unemployment rate. I mean, your unemployment rate was heading to pass 6¼ per cent.

The PRESIDENT: Senator Wong, on a point of order?

Senator Wong: Mr President, again, on a day we've had nearly quarter of a million Australians lose their job, bringing the numbers to 835,000 since March, I think people in this region deserve this minister answering the question rather than giving a political rant.

The PRESIDENT: With respect, I am not sure. I think the minister, given the tone of the question, is actually being relevant; although I might add that I could barely hear him over my shouting for order. I will ask senators to remain quiet so I may rule on future points of order. Senator Cormann.

Senator CORMANN: The people in Eden-Monaro, and in particular in Queanbeyan, who are quite close to what happens in Canberra, know the mess that you left behind—a weakening economy, rising unemployment and a rapidly deteriorating budget position. They know that we worked hard to turn the situation around and they know that we went into this crisis, which came to us from external factors, in a comparatively stronger position because of the work that we've done over the last six years. Indeed, they know that we will continue to make the responsible decisions moving forward to ensure that every Australian has the best possible opportunity to get ahead. (Time expired)

Telecommunications

Senator DAVEY (New South Wales—Nationals Whip in the Senate) (14:50): My question is to the Minister representing the Minister for Communications, Cyber Safety and the Arts, Senator Reynolds. How are the Liberals and the Nationals in government supporting jobs and economic recovery for regional and rural Australians, including by improving telecommunications access through the Mobile Black Spot Program?

Senator REYNOLDS (Western Australia—Minister for Defence) (14:50): I thank Senator Davey for the question. I also commend her for her commitment to rural and regional Australia. The Morrison-McCormack government recognises the vital importance of mobile phone coverage to Australians living, working and travelling in regional and remote parts of our great nation. That's why we're delivering on our commitment to improve mobile coverage across Australia through our $380 million investment in mobile black spots.

The first five rounds of this program are funding over 1,200 mobile base stations across Australia. Over 800 base stations have been activated and are now delivering real benefits to regional and rural communities right across Australia. The Eden-Monaro communities of Rosewood, Forbes Creek and Yass River Road are examples of how these base stations are delivering better coverage for all Australians. Thirty-four mobile base stations have been funded in Eden-Monaro under the first five rounds of the Mobile Black Spot Program. Twenty-two of these base stations have been completed and are now providing coverage to residents in the electorate.

In addition to the $380 million Mobile Black Spot Program, we are delivering $60 million to the Regional Connectivity Program—but there is yet more. Other initiatives to improve telecommunications for all Australians include a community focused telecommunications grants round, a digital technical hub to provide additional advice and assistance to Australians in regional and remote areas, and trials of alternative technologies that will provide voice telephony services in remote areas. These initiatives are all yet further evidence of the coalition government's unwavering commitment to Australians who live and work in regional, rural and remote areas of our great nation.

The PRESIDENT: Senator Davey, a supplementary question?

Senator DAVEY (New South Wales—Nationals Whip in the Senate) (14:52): In the wake of the summer bushfires, what is our government doing to strengthen the resilience of telecommunications networks in these regional areas?
**Senator REYNOLDS** (Western Australia—Minister for Defence) (14:53): As part of this government's $650 million bushfire recovery package, announced last month, we are investing over $37 million to strengthen telecommunications resilience in bushfire- and disaster-prone areas across our nation. This will ensure that individuals and communities in regional areas of Australia can stay connected during emergencies. Our investment in the telecommunications emergency resilience package contains three key measures to address telecommunications outages during natural disasters. Firstly, there is $80 million to upgrade backup power and also backhaul for mobile base stations and other telecommunications infrastructure. Secondly, there is $10 million for portable facilities that mobile carriers and also NBN Co will deploy to address temporary coverage gaps caused by power outages. Thirdly, there is $7 million to install NBN satellite connections at 2,000 rural fire depots and evacuation centres. *(Time expired)*

**The PRESIDENT:** Senator Davey, a final supplementary question?

**Senator DAVEY** (New South Wales—Nationals Whip in the Senate) (14:54): Finally, to support regional Australians like me through the COVID-19 pandemic, how is the National Broadband Network helping people in these regional and remote areas stay connected?

**Senator REYNOLDS** (Western Australia—Minister for Defence) (14:54): The coalition government is working very closely with NBN Co to ensure that all regional Australians stay connected during this very challenging period. NBN Co is providing an additional 45 gigabytes of data for each standard Sky Muster plan until the end of August. This effectively doubles the average monthly data limit. They've also established a $150 million financial relief and assistance fund to support customers affected by the pandemic. This includes $50 million to help low-income households with school-age children to access the internet.

These initiatives are working. There are now more than 100,000 Australian homes and also businesses who are receiving faster broadband over Sky Muster satellite services.

**Aged Care**

**Senator WALSH** (Victoria) (14:55): My question is to the Minister for Aged Care and Senior Australians, Senator Colbeck. Minister, is there a difference between after tax and before tax?

**Senator COLBECK** (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (14:55): I thank Senator Walsh for the question. There is clearly a difference between after tax and before tax. I think that would be a statement of the obvious. But it doesn't mean 'not subject to tax'.

**The PRESIDENT:** Senator Walsh, a supplementary question?

**Senator WALSH** (Victoria) (14:56): Minister, in your media release of 20 March 2020 you state that the retention bonus for aged-care workers is a payment of up to either $800 for direct care workers or $600 for in-home-care workers after tax. However, the fact sheet on your department's website says these payments are before tax. Minister, how can both of these be correct?

**Senator COLBECK** (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (14:56): As I said in my answer to Senator Walsh's primary question, it does not mean 'not subject to tax'. As I've said in this chamber on a number of occasions this week—and Senator Walsh has acknowledged in her questions a number of times herself—the commitment that this government made to aged-care workers—who I might say are the only group within the Australian economy that have received specific support through the COVID-19 circumstance, in acknowledgement of their importance to managing COVID-19 within the aged-care sector—would be up to $800 and up to $600 for those working in home care. It's very, very important to acknowledge that fact. We've always said 'up to' those numbers. In fact, it's a significant contribution to aged-care workers of up to $1,600 and up to $1,200—*(Time expired)*

**The PRESIDENT:** Senator Walsh, a final supplementary question?

**Senator WALSH** (Victoria) (14:57): Minister, I refer to a worksheet on the tax office website designed for high school students in years 7 to 10. Minister, using this worksheet and applying to it a residential aged-care worker working more than 30 hours per week, being paid at level 4 of the award, isn't it the case that the worker will be $260 worse off during Australia's first recession in 29 years because of your decision?

**Senator COLBECK** (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (14:58): The circumstance of any individual worker and their taxation liabilities will depend on their individual circumstances. I don't pretend to be able to calculate an individual's taxation circumstances, depending on—

**Senator Wong:** A point of order: at which point does this minister take any responsibility?

**The PRESIDENT:** That's not a point of order, Senator Wong. The minister will continue.
**Senator COLBECK:** As I said, the individual tax circumstances of any worker, whether it's in aged care or any other industry across the country, will be determined by their individual circumstances.

**COVID-19: Pacific Islands**

**Senator SCARR (Queensland) (14:59):** My question is to the Minister for Foreign Affairs, Senator Payne. Can the Minister inform the Senate how Australia is working with the Pacific Islands Forum, our Pacific family, to respond to pressing challenges in the region, including the COVID-19 pandemic and its economic impacts?

**Senator PAYNE (New South Wales—Minister for Foreign Affairs and Minister for Women) (14:59):** I thank Senator Scarr for his interest and for the question. Australia, with our Pacific family, has swiftly and effectively responded to the health impacts of COVID-19, and our Pacific regional institutions have been absolutely central to this response.

Yesterday I joined PIF colleagues for the inaugural virtual meeting of the ministerial action group for the Pacific Humanitarian Pathway on COVID-19. The meeting—with my counterparts from Tuvalu, who chaired the meeting; the Cook Islands; Fiji; the Marshall Islands; Nauru; New Zealand; Tonga; and Vanuatu; and also key regional organisations, such as the Secretariat for the Pacific Community, the Pacific Islands Forum Fisheries Agency, the University of the South Pacific, the Pacific Immigration Development Community and the Oceania Customs Organisation—discussed the movement of essential supplies and humanitarian support and personnel in the COVID-19 context. We've strongly supported the Pacific humanitarian pathway initiative of the PIF since its inception, and forums like yesterday's are concrete examples of collaboration in the region to find that collaborative solution to the pressing health, social and economic challenges of the pandemic.

To perhaps illustrate the challenge, when ministers first met to discuss the pathway, there were 1.2 million confirmed cases of COVID-19 worldwide; today, there are over eight million. So our strong, collaborative approach has been vital to helping the region keep infection rates as low as possible. There are currently 322 cases in the Pacific, and that low rate is thanks in part to this excellent cooperation and to the efforts of those governments. Our two largest Pacific neighbours, Papua New Guinea and Fiji, have both gone at least 42 days without a confirmed case, which is very, very important in the minimising of transmission and infection rates.

**The PRESIDENT:** Senator Scarr, a supplementary question?

**Senator SCARR (Queensland) (15:01):** Can the minister advise what were the practical outcomes from yesterday's meeting of the Pacific humanitarian pathway ministerial action group—the practical outcomes for Australia and the region?

**Senator PAYNE (New South Wales—Minister for Foreign Affairs and Minister for Women) (15:01):** We were very pleased to endorse an important set of regional protocols for deploying personnel, for customs and biosecurity, for immigration and for repatriations. That will help a lot with clearance of aircraft and clearance of ships that are transporting medical, humanitarian and technical assistance. The protocols are also going to support the safety of technical personnel for critical responses. That might include Australian medical and logistics experts, for example, in Solomon Islands, in Papua New Guinea and in Fiji. The pathway chair, who is Tuvalu's foreign minister, Simon Kofe, recognised Australia's support to the World Food Programme and the World Health Organization Pacific joint incident management team, which are both central to the regional response to COVID-19. I understand the joint team has received over 350 assistance requests and deployed 40 technical experts across the Pacific to support the collaborative effort in addressing COVID-19.

**The PRESIDENT:** Senator Scarr, a final supplementary question?

**Senator SCARR (Queensland) (15:02):** Could the minister advise the Senate on the impact of COVID-19 on the Pacific Labour Scheme?

**Senator PAYNE (New South Wales—Minister for Foreign Affairs and Minister for Women) (15:02):** The Pacific Labour Scheme is very important to Australia and it's important to our Pacific neighbours. It allows Australian employers to fill labour gaps and it allows Pacific workers to earn remittances to send home to their families. Like other workers, Pacific island workers have had their lives and their work disrupted by COVID-19. There are over a thousand PLS workers in Australia, and, for those who have lost jobs, we have been working hard to help them find new employment or to arrange their safe return home. We've provided all relevant health advice and guidance on COVID-19 restrictions, and other support, including pastoral care and Pacific language information on COVID-19 responses.

I am concerned by recent reports about the situation of some Pacific islanders under the scheme. We are working closely with approved employers, with Pacific governments and with communities to safeguard the welfare of these workers. Senators opposite have also raised this issue, and I want to assure them and to assure the
community that the government is committed to rectifying these issues for a successful and a safe PLS. (Time expired)

Senator Cormann: Mr President, I ask that further questions be placed on the Notice Paper.

STATEMENT BY THE PRESIDENT

Brown, Mr John, OAM

The PRESIDENT (15:03): Senators, as some of you may be aware, today marks the last occasion on which the Senate attendants team will be led by chief Senate attendant John Brown. John joined the Senate department in 2005, after working as a parliamentary security guard from 2001. Prior to working for the parliament, John served in the Royal Navy and then in the Royal Australian Navy. In 2001, John received a Medal of the Order of Australia in the Queen's Birthday honours list for his meritorious service to the Australian Defence Force.

Since 2005, John has served five Senate presidents—Paul Calvert, Alan Ferguson, John Hogg, Stephen Parry and me—and three clerks of the Senate, in Harry Evans, Rosemary Laing and Richard Pye, as well as five ushers of the Black Rod. John has also been present for five openings of the parliament and the initial swearing in of three governors-general and 112 senators.

All of us have firsthand experience of John's enthusiasm and dedication to his role and his leadership of the attendants team. Whether being especially welcoming to new senators, preparing the chamber flags, ringing the bells to commence the day, locking the doors for divisions or launching chamber documents through the pneumatic tubes, John has performed his role with pride and to the highest possible standards. I am sure that all senators will join me in thanking John for his outstanding service to the Senate and wishing him a long and leisurely retirement.

Honourable senators: Hear, hear!

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (15:05): by leave—It's not often that we're able to pause and reflect. When we do, we remind ourselves what an amazing privilege it is for us to be able to serve the Australian people here and to serve our country on their behalf. It's our great honour as elected representatives, but that honour is not just ours. There are many people in this place who serve the Australian people, perhaps in a way that is less public and generally less noticed by the broader public. John Brown is one of those very important, key people who have made such an amazing contribution in this place for such a long time. For almost two decades, John has worked tirelessly in this place, giving outstanding service to the Australian parliament. So, as he prepares to leave this place and begin a well-earned retirement, far from any ringing bells, let us acknowledge John and his service.

Nineteen years ago, John came here to work as a parliamentary security guard, as the President just mentioned. He walked these hallways from 2001 before joining the Department of the Senate in 2005. It is in this capacity, as a chamber supervisor, that John has provided diligent, efficient, and unfailingly courteous service to everyone in this place—so much so that he once played a starring role, as I understand from some of his colleagues, in an ABC documentary about his team's role in the operation of this chamber. Some of us are still trying to work it all out!

He has served five presidents, three clerks of the Senate and five ushers of the Black Rod, and I don't know how many leaders of the opposition and leaders of the government were here during that period—probably too many to mention. John has seen five openings of parliament and the swearing in of three governors-general and 112 senators, and these numbers clearly speak for themselves. John is a pillar of the Senate, and all of us have greatly benefited from his support. Be it directly or indirectly, he has helped make the work we do here possible, and for that we owe him a great deal. We could all pause more often to acknowledge people like John, because people like him make this place tick and enable us to do the job we do on behalf of the Australian people.

While many of us may be familiar with John's work in this place, his service to Australia began long before he arrived here. John spent many years in the Royal Navy and then the Royal Australian Navy, serving with such distinction that he received an Order of Australia Medal in 2001 for his meritorious service to the Australian Defence Force. So, on behalf of the government, I would like to express our gratitude for John's dedication and service to the Senate and to our country. He's an unsung hero of this chamber who leaves an indelible mark. We wish him a happy and healthy retirement, much of which, I'm reliably informed, he will spend at the wheel of his beloved MX-5.

Senator WONG (South Australia—Leader of the Opposition in the Senate) (15:09): by leave—I rise on behalf of opposition senators to speak on the occasion of John Brown's last day in the Senate. John has served us here for many years—he didn't quite make 20—all but 13 months of that time as supervisor. He has led the team of chamber attendants superbly, and he has served this extraordinary institution with great distinction. We do rely
on chamber attendants. From circulation of amendments to guarding the doors, and all the many tasks behind the scenes that many do not appreciate, they ensure this place actually runs. They walk that tightrope between providing us with assistance and not straying into the spotlight. On a sitting day, they're here well before most others arrive and they are packing up after most have left.

John, you've brought great discipline and unity to the team of chamber attendants; I think that is reflected in the pride with which they do their work. You've led by example—unfailingly courteous, respectful and cheerful—and you have demonstrated a great ability to have the attendants working as a team. They do us, the Senate and you proud.

As Senator Cormann said, John's abilities were recognised well beyond the walls of the chamber. He had more than a little role—a starring role—in Annabel Crabb's documentary about the operation of Parliament House. John's is a life of service to the nation: some 30 years of service in the Royal Australian Navy and nearly 20 years in this place. We thank him for that.

John is a man who, I'm told, likes his machines, especially his cars. I'm reliably advised that he owns one of the best sets of wheels in the Senate car park. When we had a chat about his retirement plans, he told me one of his plans for the future was to drive across the Nullarbor. I thought that might be a little monotonous but I figured, 'You've sat through 20 years of the Senate, so you'll be fine!'

John has been the captain of the Senate ship for nearly two decades—certainly the entirety of my period in the Senate to date. I say on a personal note: we will miss you. Your great pride in serving serves as an example to all of us. Walking onto the floor of the Senate is a privilege. It is one you have always honoured. We thank you and we wish you well.

**Honourable senators:** Hear, hear!

**Senator SIEWERT** (Western Australia—Australian Greens Whip) (15:12): by leave—I'd like to associate the Greens with the comments of the President, the Leader of the Government in the Senate and the Leader of the Opposition in the Senate, and add ours.

John, thank you for your years of dedicated service. You have been here longer than most of the senators in this chamber right now. You've seen a lot go on in this place. Those of us who have had to sign documents remember your gold pen. I think we're about to see it—the famous gold pen with which we always sign our bills and anything else that we have to sign, when you require us to sign something. It takes a particular kind of dedication to continue to work in this place for so long. In this place you have mentored many attendants who follow your dedication, support and guidance. We wish you the best. I understand you are going to be spending a lot more time with your grandchildren—something that I can deeply understand. I would like to add, though: drive across the Nullarbor. I have done it many times. Ignore Senator Wong's comments about it being boring; it is glorious, particularly as it leads to my home state. We all wish you well into the future.

**Honourable senators:** Hear, hear!

**Senator McKENZIE** (Victoria—Leader of the Nationals in the Senate) (15:13): by leave—On behalf of National Party senators past and present—Boz, Barnaby, Nigel and all their teams—thank you, John, for your and your team's support of us. Your warm, genuine service has reminded us of home; we're often far from home. Thank you for the patriotism that you are. You served our country in the Defence Force, and here in a very different type of service. You lived that every day. There is your ability to decipher weird hand gestures—for the *Hansard*, I'm miming lowering the lectern—such as 'I need the EM for the bills'. Thank you for sharing that capacity. On behalf of all National Party senators past and present, John, have an awesome time. Spend lots of time out in the regions, and you will always be welcomed with open arms for a quiet sherbet and a chat.

**Honourable senators:** Hear, hear!

**Senator HANSON** (Queensland) (15:14): by leave—I won't say too much. I think it's all been said. I concur with my colleagues in what they've said with regard to John. I was very saddened when I heard of his retirement today, because every day that I walk in here I see his face and the smile on his face, and I think it's just a pleasant attitude that someone has in doing their work, as if they're really happy to come to work. I don't necessarily have that every day! But it's nice to see it in someone else's face.

John mentioned he wants to get over to Margaret River. He hasn't been there. I hope he gets there and to other beautiful places in the country. You've got to come up to Queensland. There are some fantastic places there as well. I just hope you have a very healthy, happy, long retirement with your grandchildren, with your wife and with your family. I'm just terribly jealous because, after so many years working in this chamber, you probably know a hell of a lot more than I do, and more than most of us in this chamber do, about procedure. So I wish you could transfer that to me! I think you've enjoyed your time here, watching the politics of it and seeing what's happened. I
think you're going to take a lot of wisdom with you, and it's been an absolute honour being here to be served by you and your staff. So thank you very much.

Senator FIERRAVANTI-WELLS (New South Wales) (15:16): by leave—John, on a personal note and on behalf of my husband, John Wells, under whom you served when he was commanding officer of HMAS Tobruk, can I just place on record our congratulations to you and our thanks for your service not just in this place but in the Royal Australian Navy. You were a loyal servant in Her Majesty's Navy, and I know that you took great pride in that service. On behalf of my husband, John, and me, thank you and best wishes for the future.

The PRESIDENT: I thank senators for their contributions and observations.

QUESTIONS WITHOUT NOTICE: TAKE NOTE OF ANSWERS

COVID-19: Employment

Senator WATT (Queensland) (15:17): I move:

That the Senate take note of the answer given by the Minister for Finance (Senator Cormann) to a question without notice asked by Senator Gallagher today the economy.

Of course, today we saw some deeply horrifying statistics come out about the state of unemployment in our country. Today what we found out was that unemployment in Australia has hit 7.1 per cent, the highest unemployment rate we have seen in Australia for nearly 20 years. Those figures can be measured in so many different ways. What it means is that just in one month we saw 227,000 Australians lose their jobs, and of course that comes on the back of more and more job losses that had occurred in Australia after COVID-19 hit in the early months of this year. What we've seen in total since March is the loss of 835,000 jobs across Australia. That's far more than just a set of numbers. That's families without income. That's graduates without career prospects. That's skills going down the drain, unable to be used.

There were so many shocking statistics revealed today about the state of unemployment in Australia. What we know is that, in the month of May alone, we saw 2.3 million Australians either lose their jobs or lose working hours. In addition to the 7.1 per cent of Australians who are now unemployed, we have a record high 20.2 per cent of Australians who are underemployed, who want more work but are unable to find the level of work that they're looking for. There are terrible statistics, again, for youth unemployment, for the number of women who've lost their jobs and for the male participation rate. In pretty much every way you look at it, these unemployment figures are incredibly bleak.

The most worrying thing is that these numbers are set to get worse, not just as some sort of coincidence, not because of uncontrolled events and not just because of COVID-19, but because of decisions that this government is actively making to hold back support to Australians who desperately need it. It's as a result of this government's own decisions that the unemployment rate has got so high and is set to get worse and that we will see so many Australians struggle in the months ahead. You really have to think about this government's priorities. Due to this data being released today, we now know that more than one in four Australians is either unemployed or underemployed. Yet all this government can talk about is cutting back on JobKeeper and jobseeker support. So rather than actually being out there desperately working day and night to get people into work, this government's priority, at a time when unemployment and underemployment have never been so high, is to work out ways that it can scale back support. That is exactly the kind of excessive austerity that this Prime Minister has said he won't engage in—but he and his backbench are preparing to engage in this and make survival so much harder for so many Australians.

I wish that in the coming weeks this government, as it has important decisions to make, actually listens to some of its more sensible backbenchers, particularly from my home state of Queensland, who are saying JobKeeper and jobseeker need to be extended. This is going to be an incredibly important test of this government over coming weeks—to see whether it adopts pragmatic measures that will keep Australians at work, that will keep money in the homes of Australians, or follows its traditional ideology and cuts back on that support.

We have seen so many disturbing signs that this government is not going to be able to avoid its ideological blueprint. Just today, the Prime Minister has said old jobs may have to go. Rather than working day and night to make sure all of the jobs we have lost this year get restored, this Prime Minister is already giving up on a whole heap of jobs. What are the old jobs that may have to go? Are they the retail workers? Are they the hospitality workers? Are they the manufacturing workers? Are they the mining workers? Are they the aged-care workers? Are they the disability care workers? Labor will not give up on jobs and we will keep fighting for those jobs to be restored. (Time expired)

Senator DAVEY (New South Wales—Nationals Whip in the Senate) (15:22): I rise to speak on Senator Watt's take note motion. I thank Senator Watt for giving me the opportunity to explain what our priorities are. Our
priority is exactly to address the issue that Senator Watt has raised. Yes, it is dreadful that the unemployment figures are high. But, let's face it, we have gone through a global pandemic like we've never seen before. When we compare the impact our economy has felt to others around the world, we have actually come out of this relatively well. I don't deny that the unemployment figures are devastating. But what I will say is that our government is very well placed to address that.

Our JobMaker plan is to get Australia employed again, to get Australia moving again, to help rebuild our economy. We are doing it because we have an eye on the future. We have announced that we are commencing formal negotiations with Britain for a free trade agreement. That will open up markets. That will help us to broaden our export capacity, which helps our regional employment. We can get our agricultural produce into Britain. If we can do that directly, it will be a fantastic outcome for regional Australia. We are fast-tracking infrastructure spending. That is jobs in construction, that is jobs in the regions, that is jobs in our states. I cannot believe that those on the other side shake their heads at our plan to build infrastructure. That's what they've been telling us to get on and do for the last four years. We are doing it. We are getting on with the job of getting people back in employment.

Today we are about to pass the National Skills Commissioner Bill. That is designed to identify the skills gaps across our country and develop the education and training programs so that people are job ready and job fit. This can only be a good thing. The Prime Minister has committed to a plan to lift economic growth over the next five years by more than one percentage point above trend to beat the expected pre-COVID-19 GDP by 2025. We have a plan—we have an economic plan and a JobMaker plan—and we are committed to working on that to deliver it. All levels of government, business and the community must rethink how these systems can better contribute to our recovery from this pandemic.

Senator Watt said, "What old jobs are we turning our back on?" We are not turning our back on any old jobs, but what we are embracing is the need to adapt. Our economy needs to adapt and our job markets need to adapt, and we are embracing that adaptation. We are not about stagnating this nation. We are not about relying on the old. We are about rising to the challenges of the future, rebuilding our economy and getting on with the job of getting Australians back into a job. I will not apologise for the commitment that this government, the government I am part of, has to getting people employed again.

We need to bring common sense and cooperation back into this debate. We showed, in fighting COVID-19, that unlocking infrastructure and investment is part of the recovery process. Let's not forget Australia entered the COVID-19 crisis from a position of economic strength. That is strength that this government was able to create. Had those on the other side been in government, I dread to think what would have happened and how we would have been able to afford to address this pandemic.

To minimise the economic impacts and position our economy to recover on the other side of the crisis, we have provided $260 billion in financial support for the economy. That's around 13.3 per cent of GDP. We are reviewing where we are at right now. It is appropriate that we take the time to review it. We're not pre-empting the outcome of that review. The Treasurer will update everyone in July, and that is the right thing to do. We need to take time to review the position we're in and move forward. I am very proud of our position, the position our government has got us to in this nation, to get ready to put people back to jobs.

Senator Ayres (New South Wales) (15:27): You can see from Senator Davey's remarks, and you could certainly see from Senator Cormann's performance today in question time, what the government's plan really is for the Australian economy. They can't wait to get to snapback, when millions of Australian workers and hundreds of thousands of Australian firms will be forced off JobKeeper, with millions of people off to Centrelink, onto the unemployment queues. They're not going to tell the people of Australia about it until after the Eden-Monaro by-election. It's their secret plan to put off hundreds of thousands of lost jobs. Millions of Australians right now are looking for work or are underemployed, but the main game for this lot is always all about the slogans, never about the substance. It's always about the marketing, never about the delivery. What they are all about is keeping it all on the down-low, getting their way through the winter break, getting their way through the Eden-Monaro by-election, without telling the people of Eden-Monaro what they are really going to do. We know what they are really going to do, because they have made it very, very clear.

The millions of workers who are on JobKeeper will be pushed across to Centrelink, left to the mercy of the market. All of the rhetoric, all of the carry-on, all of the smugness from the Leader of the Government in the Senate, the Minister for Finance, cannot obscure the truth of their secret plan for jobs in Eden-Monaro, their secret plan for jobs in Australia, which is that they are going to leave the Australian economy to the market forces; they are going to leave ordinary Australians who've been relying on the JobKeeper scheme to Centrelink, to the unemployment queues, and we will see from this government more economic failure, more policy failure and more policy stagnation.
BILLS

National Skills Commissioner Bill 2020
Second Reading

Consideration resumed of the motion:
That this bill be now read a second time.

The PRESIDENT (15:30): In accordance with the resolution agreed to earlier today, I will now put the questions required to dispose of the remaining items of business in that order. I will deal first with the National Skills Commissioner Bill 2020. The question is that the bill be read a second time.

Question agreed to.

Bill read a second time.

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (15:31): I table a supplementary memorandum relating to the government amendments to this bill.

The PRESIDENT: The question is that the amendments on sheet QP108 circulated by the government be agreed to.

Government’s circulated amendments—
(1) Clause 5, page 4 (line 11), after "investment in VET", insert "VET in regional, rural and remote Australia".
[functions]
(2) Clause 7, page 5 (line 4), omit "and".
[functions]
(3) Clause 7, page 5 (after line 4), at the end of paragraph (1) (a), add:
(vi) opportunities to improve access, skills development and choice for regional, rural and remote Australia in relation to VET; and
[functions]

Question agreed to.

The PRESIDENT: I will now deal with the amendments circulated by the Australian Greens.

Senator FARUQI (New South Wales) (15:31): Our amendment on sheet 8975 is very similar to the government amendment which has just passed, and it was one that Dr Helen Haines introduced in the other place. I seek leave to withdraw that amendment.

Leave granted.

The PRESIDENT: The question now is that the amendment on sheet 8977 revised, circulated by the Australian Greens, be agreed to.

Australian Greens’ circulated amendment—
(1) Clause 9, page 6 (after line 16), after subclause (3), insert:
Requirement for vocational education and training representative
(3A) There must be at least one member of each advisory committee who is employed by or is a representative of a body established to provide vocational education or training under one of the following:
(a) the Technical and Further Education Commission Act 1990 (NSW);
(b) the Education and Training Reform Act 2006 (Vic.);
(c) the TAFE Queensland Act 2013 (Qld);
(d) the Vocational Education and Training Act 1996 (WA);
(e) the TAFE SA Act 2012 (SA);
(f) the Training and Workforce Development Act 2013 (Tas.);
(g) the Canberra Institute of Technology Act 1987 (ACT);
(h) the Charles Darwin University Act 2003 (NT).

Note: To avoid doubt, a member appointed by the Minister under paragraph (h) must be employed by, or a representative of, the University in relation to its function of providing trade, technical or other vocational education.
[advisory committees—TAFE body representative]

The Senate divided. [15:36]
Question negatived.

The PRESIDENT (15:39): The question is that the opposition amendment on sheet 8978 be agreed to.

The opposition circulated the amendment—

(1) Clause 9, page 6 (after line 16), after subclause (3), insert:

Requirement for representatives nominated by employer and employee representative groups

(3A) On each advisory committee there must be at least:

(a) one member who has been nominated for appointment by the Australian Council of Trade Unions; and

(b) one member who has been nominated for appointment by an employer organisation (within the meaning of the Fair Work Act 2009).

The Senate divided. [15:39]

(The President—Senator Ryan)
AYES

Patrick, RL
Rice, J
Siewert, R
Urquhart, AE (teller)
Whish-Wilson, PS

Pratt, LC
Sheldon, A
Sterle, G
Walsh, J

NOES

Antic, A
Birmingham, SJ
Brockman, S
Cash, MC
Colbeck, R
Davey, P (teller)
Hanson, P
Hume, J
McGrath, J
McMahon, S
O'Sullivan, MA
Remnick, G
Ruston, A
Scarr, P
Smith, DA

Askew, W
Bragg, A J
Canavan, MJ
Chandler, C
Cormann, M
Duniam, J
Henderson, SM
McDonald, S
McKenzie, B
Molan, AJ
Paterson, J
Reynolds, L
Ryan, SM
Seselja, Z
Stoker, AJ

Question negatived.

Third Reading

The PRESIDENT (15:41): The question now is that the remaining stages of the bill be agreed to and the bill be now passed with the amendments.

Question agreed to.

Bill read a third time.

Health Insurance Amendment (Continuing the Office of the National Rural Health Commissioner) Bill 2020

Bill received from the House of Representatives.

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (15:42): I move:

That this bill may proceed without formalities and be now read a first time.

Question agreed to.

Bill read a first time.

Third Reading

The PRESIDENT (15:42): The question now is that the remaining stages of this bill be agreed to and that this bill be now passed.

Question agreed to.

Bill read a third time.

Treasury Laws Amendment (2020 Measures No. 3) Bill 2020

Bill received from the House of Representatives.

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (15:42): I move:

That this bill may proceed without formalities and be now read a first time.

Question agreed to.

Bill read a first time.

Third Reading

The PRESIDENT (15:43): The question now is that the remaining stages of this bill be agreed to and the bill be now passed.
Question agreed to.
Bill read a third time.

COMMITTEES
Northern Australia Committee
Membership

The PRESIDENT (15:43): Order! I have received a letter from a party leader seeking a variation to the membership of a joint committee.

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (15:43): by leave—I move:

Northern Australia—Joint Standing Committee
Discharged—Senator McMahon
Appointed—Senator Canavan.

Question agreed to.

Rural and Regional Affairs and Transport References Committee
Government Response to Report

Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (15:44): I present the government's response to the report of the Rural and Regional Affairs and Transport References Committee on its inquiry into aspects of road safety in Australia. I seek leave to incorporate the document in Hansard.

Leave granted.

The document read as follows—

Australian Government response to the Rural and Regional Affairs and Transport References Committee Final and Interim Reports on: Aspects of road safety in Australia
June 2020

Introduction
This is the Australian Government Response to the Rural and Regional Affairs and Transport References Committee's (the committee) Inquiry into Aspects of Road Safety in Australia Interim and Final Reports.
The Interim Report was published on 3 May 2016 and the Final Report was published on 26 October 2017.
Since the release of the committee's reports there have been a number of road safety initiatives progressed by the Australian Government with the state and territory governments.
In May 2018, the Council of Australian Governments (COAG) Transport and Infrastructure Council (Council) endorsed the National Road Safety Action Plan for the final three years of the National Road Safety Strategy 2011-2020 (NRSS), which includes a number of actions that focus on targeting infrastructure funding towards initiatives to reduce trauma on our roads.
On 12 September 2018, the Australian Government received the report of the independent Inquiry into the NRSS, which provided advice on how governments can work together to take stronger and more effective actions to reduce road trauma. The Inquiry report made recommendations covering a wide range of areas such as road safety leadership, resourcing, performance monitoring and innovative technology. The report included recommendations for action by the Australian Government as well as a number of recommendations requiring coordinated efforts across all levels of government.
In November 2018 the Council agreed to develop a response to those recommendations for which all governments are responsible. The final response and implementation arrangements for the Inquiry recommendations will be published by December 2019.
The Australian Government has undertaken a Review of National Road Safety Governance, as recommended in the NRSS Inquiry report, in consultation with the states and territories. The review was endorsed by the Council in August 2019 and published on the NRSS website: www.roadsafety.gov.au. An Office of Road Safety has been established in the Department of Infrastructure, Transport, Regional Development and Communications (the Department).
This Australian Government Response addresses the committee's recommendations in both the Interim and Final Reports.

RESPONSES TO THE COMMITTEE'S RECOMMENDATIONS
Interim Report
Recommendation 1
The committee recommends that the Commonwealth Government commit $150,000 for three years from 2016-17 to fund the continued operation of the Australian Trauma Registry.
The Australian Government supports this recommendation.
The Australian Government has committed $300,000 to fund the Australian Trauma Registry until 2021-22. The Registry is an important source of data on people who are severely injured as the result of road crashes, among other causes.

**Recommendation 2**

The committee recommends that the National Transport Commission amend the model Australian Road Rules to mandate a safe passing distance for drivers overtaking cyclists of one metre where the speed limit is 60 kilometres per hour or lower and 1.5 metres where the speed limit is higher.

The Australian Government supports this recommendation in principle.

The adoption and application of road rules is a matter for the state and territory governments. Safe passing distance rules have been adopted in all states and territories, with the exception of Victoria.

The National Transport Commission (NTC) is responsible for reviewing and updating the Australian Road Rules (ARR) as part of its maintenance of legislative reforms. The NTC convenes an ARR Maintenance Group (ARRMG) which consists of representatives of the state and territory police and road traffic authorities. This group provides advice and makes recommendations to the NTC on changes to the ARR. The Commonwealth participates in the ARRMG through the Department of Infrastructure, Transport, Regional Development and Communications. The ARRMG has considered the proposal to amend the ARR to prescribe a minimum passing distance when overtaking bicycles. However, no consensus proposal has been agreed by the states and territories at this stage.

**Recommendation 3**

The committee recommends that the National Transport Commission re-establish a national consultative committee on motorcycle safety.

The Australian Government does not support this recommendation, but supports effective communication with motorcycle groups and other road user groups.

Current stakeholder consultation arrangements are flexible and efficient and allow the Government to engage with motorcycling groups and other stakeholders on specific issues as they arise.

For example:

- The Department consulted extensively with motorcycle groups before releasing a discussion paper and Regulation Impact Statement (RIS) to consider the case for mandating Antilock Brake Systems (ABS) on motorcycles.
- Motorcycle groups have the opportunity to inform and comment on NTC-led reforms that impact motorcyclists through public consultation processes and relevant NTC advisory groups.
- The Australian Motorcycle Council attended the first in a series of road safety stakeholder roundtables in September 2019, held by the Office of Road Safety. Peak motorcycle groups will be invited to participate in consultative activities supporting the shaping of road safety policy.

**Recommendation 4**

The committee recommends that the National Transport Commission develop and implement a national strategy for motorcycle safety.

The Australian Government does not support this recommendation.

The NRSS is an overarching framework which complements the strategic road safety plans of state, territory and local governments and the work of other stakeholders. Under the Safe System approach, separate national road safety strategies for different road user groups are not necessary, as the interventions are expected to benefit multiple groups.

The Action Plan contains a number of specific actions, as well as some broader ones, that will benefit this group of vulnerable road users. Specific actions include introduction of a rating scheme for motorcycle protective clothing and strengthening of Graduated Licensing Systems (GLS) for motorcycle riders. Benefits to riders are also expected through broader actions such as targeting infrastructure funding and speed reduction measures to reduce trauma on regional roads and at urban intersections; the development of network-wide safety plans; and the implementation of safer speeds and improved enforcement.

In developing the next national road safety strategy and action plan through the Council, governments will consider what action is required to further support safer outcomes for motorcyclists.

**Recommendation 5**

The committee recommends that the Commonwealth Government commit increased financial support to Australasian New Car Assessment Program (ANCAP) over the forward estimates.

The Australian Government supports this recommendation.

The Australian Government has committed an additional $6.64 million in funding for the Australasian New Car Assessment Program (ANCAP) from 2018-19, bringing the total to $8.84 million from 2016-17 to 2022-23.

**Recommendation 6**

The committee recommends that the Commonwealth Government work with state and territory governments to ensure that display of Australasian New Car Assessment Program (ANCAP) safety ratings becomes mandatory at point of sale.
The Australian Government notes this recommendation. ANCAP is a consumer information program that is not subject to stringent regulatory processes. This flexibility allows ANCAP to respond quickly to market innovation and to progressively raise the requirements for its rating levels. Mandatory ANCAP safety ratings at point of sale would require all makes and models of vehicles to be subjected to ANCAP rating tests, imposing a substantial cost to business and creating a unique Australian requirement that would be out of step with the global market. It may also effectively change ANCAP into a regulated scheme that would then be subject to RIS processes, undermining the complementary benefit of a flexible scheme.

Recommendation 7
The committee recommends that the Commonwealth Government continues to fund Monash University Accident Research Centre to produce the Used Car Safety Ratings.

The Australian Government supports this recommendation. The Australian Government has been providing funding to the Monash University Accident Research Centre (MUARC) to produce the Used Car Safety Ratings (UCSR) annually for over 20 years. The Department of Infrastructure, Transport, Regional Development and Communications is discussing funding for the UCSR from 2019-20 onwards with ANCAP, which is taking overall responsibility for the UCSR and will engage MUARC to continue this work.

Recommendation 8
The committee recommends that the Australian Design Rules be immediately amended to require all new light vehicles sold in Australia from 1 June 2017 be fitted with automatic emergency braking technology.

The Australian Government supports this recommendation in principle. From 2018, ANCAP aligned protocols for its safety ratings to those used by Euro NCAP, with AEB becoming a mandatory requirement towards achieving a five star rating. ANCAP has advised that 54 per cent of new cars and light commercial vehicles sold in Australia now offer AEB as a standard feature. AEB is available on a range of makes, models and vehicle types including on lower cost models such as the Kia Picanto ($17,290) and Mazda 2 ($18,540).

AEB for both light and heavy vehicles is a priority in the Action Plan for 2018-2020, and a Regulation Impact Statement (RIS) for heavy vehicle AEB was released for consultation in August 2019. The Department is preparing a RIS for AEB for light vehicles, in parallel with the finalisation of an international standard through the United Nations World Forum for the Harmonization of Vehicle Regulations. The Department expects to release the RIS in early 2020.

Recommendation 9
The committee recommends that Commonwealth Government increase funding to the Black Spot Programme and increase the percentage allocated to regional and remote areas.

The Australian Government supports this recommendation. The Australian Government has already committed $100 billion for infrastructure investment over the next ten years. This includes an additional $2.2 billion from 2019-20 for the Local and State Government Road Safety Package, which will provide:

- an additional $1.1 billion for the Roads to Recovery Program, which supports investment in road maintenance and safety;
- an additional $550 million for the Black Spot Program, which targets known high-risk locations and reduces on average serious crashes by 30 per cent;
- an additional $275 million for the Heavy Vehicle Safety and Productivity Program to improve the safety and efficiency of heavy vehicle operations; and
- an additional $275 million for the Bridges Renewal Program to fund the replacement of bridges to make roads safer by reducing travel times.

The Black Spot Program Notes on Administration (NoA) state that funds will be allocated on a 50:50 basis between rural and urban areas, where nominations allow. The Government is able to approve a greater proportion of funding for regional and remote areas should such funding levels be recommended by the Black Spot Consultative Panels established in each jurisdiction to review project proposals.

Recommendation 10
The committee recommends that the definition of 'black spot' be revised to account for the dispersed nature of accidents in regional and remote areas.

The Australian Government notes this recommendation and considers there is sufficient flexibility in the Program to fund these types of projects. The Australian Government notes that the Black Spot Program is already able to fund projects that treat lengths of road and that up to 30 per cent of program funds can be used for projects where there is an assessed risk that serious crashes are likely. Eligible network-wide projects in a specific area are also able to be nominated. For example, several projects for bicycle safety treatments at various roundabouts in Cairns have been funded under the Program.
The committee recommends that Commonwealth, state and territory governments work with police agencies to increase the number of point-to-point speed cameras in regional and remote areas.

The Australian Government supports this recommendation in principle, noting that responsibility for speed cameras lies with the states and territories.

In Australia's federal system, the state and territory governments have direct responsibility for traffic regulation and enforcement, including decisions about the use of speed cameras. The Action Plan includes specific action for state and territory governments to increase the deployment of point-to-point speed cameras on Australian roads (action 7). Most jurisdictions have now implemented at least some point-to-point speed cameras or have plans to do so.

Recommendation 12
The committee recommends that the Australian Curriculum includes road awareness training for both primary and secondary school students.

The Australian Government notes this recommendation.

The Australian Curriculum identifies the knowledge, understanding, skills and capabilities that will enable learners to live and work successfully in the 21st century.

Developed by the Australian Curriculum, Assessment and Reporting Authority (ACARA) and endorsed by all levels of Australian governments, the nationally agreed Foundation to Year 10 Australian Curriculum (the Curriculum), sets the expectations for what all Australian students should be taught, regardless of where they live or their background.

While the Australian Government works collaboratively with all states and territories, individual education authorities and schools are responsible for and have the flexibility to adapt the curriculum to ensure education programs can be tailored to meet the needs of their teachers and students. This provides flexibility to cater for emerging issues and local context. Further information about the Curriculum is available at www.australiancurriculum.edu.au.

As schools and school systems throughout the country implement the Australian Curriculum in ways that best meet the needs of their students, the flexible and comprehensive nature of the Curriculum provides strong support for initiatives such as road safety. This flexibility enables state and territory education authorities and individual schools to identify and make decisions on training and programs used such as road safety, to support implementation of the Australian Curriculum.

The Australian Curriculum includes content on safety that it is expected all students at appropriate intervals across the continuum of learning from Foundation to Year 10 will learn about. Topics include safety at school, safe practices at home, and in road or transport environments. Schools and teachers teach young learners to navigate a range of health-related sources, services and organisations, particularly in relation to becoming actively engaged in their own and others' wellbeing, using health, safety and physical activity resources for the benefit of themselves and their communities. A range of resources including for road safety have been developed by ACARA to support implementation of the Australian Curriculum.

The Australian Curriculum addresses and balances a wide range of competing demands for content. The Australian Curriculum was reviewed and enhancements endorsed by all Education ministers in September 2015. ACARA is scheduled to provide advice to education ministers on the potential scope for refinements of the Australian Curriculum in 2019-20. The endorsement of all education ministers is required before changes to the Australian Curriculum can be made.

Recommendation 13
The committee recommends that the Commonwealth Government in the 2018-2020 National Road Safety Strategy Action Plan commit to the introduction of accredited post-licence driver education programs.

The Australian Government notes this recommendation.

Driver licensing and education is primarily the responsibility of state and territory governments. The Australian Government contributed funding, with the Victorian and New South Wales governments and other partners, to the P Drivers Project. The P Drivers project was a large-scale trial of a post-licence driver education program for young P-plate drivers aged 18 to 22 years. The project—the first of its kind undertaken anywhere in the world—aimed to implement and assess a new approach to driver education seeking to raise awareness about risk factors, improve decision making and provide novice drivers with insight into their skill limitations, through experiential learning. The aim of the trial was to test whether the program reduced the number of crashes and fatalities involving young, inexperienced drivers and promoted safe driving behaviour. A report detailing the results of the P Drivers Project is expected in late 2019 or early 2020.

Recommendation 14
The committee recommends that Austroads work with state and territory driver licensing authorities to introduce compulsory first aid training as a condition of receiving a learner's permit or renewing a driver's licence.

The Australian Government notes this recommendation.

The Department of Infrastructure, Transport, Regional Development and Communications brought this recommendation to the attention of the state and territory road agencies through the Austroads Registration and Licensing Task Force. Most jurisdictions have given consideration to the inclusion of first aid training requirements at some stage but none has done so to date. The prevailing view is that they did not favour placing an additional requirement on learners, which would increase the cost of licensing and not directly relate to learning to drive safely. They also noted the lack of evidence that basic first aid training would reduce the number of deaths and serious injuries.
Recommendation 15

The committee recommends that Australian Skills Quality Authority conduct an audit of all heavy vehicle driver training facilities (registered training organisations) in Australia.

The Australian Government notes this recommendation.

The Government is committed to reducing regulatory burden and red tape.

In the context of regulation of the vocational education and training (VET) sector, the Government has implemented a risk-based approach to regulation under the National Vocational Education and Training Regulator Act 2011 (NVETR Act).

As the national VET regulator, the Australian Skills Quality Authority (ASQA) conducts regular scans across the VET sector, allowing for consistent or emerging issues of a systemic nature to be identified and addressed appropriately.

ASQA's approach to regulation seeks to make an efficient use of resources to effectively identify and target the most serious risks and patterns of systemic non-compliance, while minimising costs on regulated entities. In doing so, ASQA focuses regulatory action on providers that are considered higher risk. The Risk Assessment Framework under section 190 of the NVETR Act sets out:

- a suggested process for ASQA to monitor, and where necessary respond to, risks of non-compliance with the VET Quality Framework;
- processes that can be used to determine arrangements for assessing registration applications;
- how registered training organisations (RTOs) may be individually measured for risk exposure; and
- an approach where RTOs that either present a low risk of non-compliance or consistently deliver high-quality training and assessment services will receive minimal regulatory scrutiny. RTOs that are assessed as higher risk in terms of the likelihood of adverse impacts on quality outcomes receive more regular monitoring.

Recommendation 16

The committee recommends that all visa holders undergo driver skill tests before their heavy vehicle driving licences are recognised in Australia.

The Australian Government supports this recommendation in principle, noting that responsibility for heavy vehicle driver licensing lies with the states and territories.

The Australian Government supports improving Australia's driver competency frameworks, to ensure they are fit-for-purpose, and provide our communities with assurance that those tasked with transporting freight or passengers by road are appropriately skilled to do so.

Austroads released its Review of the National Heavy Vehicle Driver Competency Framework in May 2018. The Review noted weaknesses in the arrangements for national accreditation standards, particularly around compliance and enforcement. In response to the findings and recommendations of the May 2018 report, and taking into account feedback received, Austroads continues its investigation and program of work in pursuit of improvements to heavy vehicle licensing and safety.

Recommendation 17

The committee recommends that the Western Australian and Northern Territory governments continue to work with the National Heavy Vehicle Regulator towards their adoption of the National Heavy Vehicle Law.

The Australian Government supports this recommendation in principle, noting that responsibility for heavy vehicle driver licensing lies with the states and territories.

The Australian Government is continuing to work collaboratively with the state and territory governments on the harmonisation of the heavy vehicle regulatory framework in Australia. The NTC is currently undertaking a review of the HVNL. Cooperative work with the National Heavy Vehicle Regulator (NHVR), Western Australian and Northern Territory governments is ongoing, with a long term objective to these jurisdictions participating in national heavy vehicle regulatory arrangements in the future. The Western Australian and Northern Territory governments collaborated in the process of developing the HVNL, and continue to work with the NHVR to harmonise cross-border inconsistencies.

ADDITIONAL RECOMMENDATIONS FROM THE AUSTRALIAN GREENS

Recommendation 1

We recommend that the Australian Government through the Department of Infrastructure and Regional Development should allocate dedicated funding to the improvement of cycling and pedestrian infrastructure

The Australian Government notes this recommendation.

The Australian Government is committed to upgrading roads to ensure they are safe and less congested through the $100 billion investment pipeline. For relevant infrastructure projects, this can include the addition or refurbishment of cycle and pedestrian paths and other upgrades to promote active travel.

The Australian Government will continue to work with state, territory and local governments to encourage active transport, and participates as an observer on the Cycling and Walking Australia and New Zealand group.

Recommendation 2

We recommend that the Australian Government actively encourage state and territory governments to reduce speed limits to 30 kilometres per hour on local roads and roads with a high volume of pedestrians and cyclists.
The Australian Government notes this recommendation, recognising that the setting of speed limits is the responsibility of the states and territories.

The Action Plan for 2018-2020 includes an action (action 6) calling for jurisdictions to reduce speed limits to 40km/h or lower in areas with high pedestrian and cyclist usage, with 30km/h limits to be considered for high-risk pedestrian and cycling areas. Most states and territories have implemented speed limits of 40 km/h or lower in areas with high levels of pedestrian and/or cyclist usage.

**Recommendation 3**

We recommend that the Australian Government review the implementation of measures to improve the safety of pedestrians proposed by the *National Road Safety Strategy 2011-2020*, informed by current statistics on road death and injury by pedestrians.

The Australian Government supports this recommendation in principle.

Comprehensive Implementation Status Reports on the progress of the NRSS and supporting Action Plans are prepared for Transport Ministers. The most recent Implementation Status Report was published on the National Road Safety Strategy website at www.roadsafety.gov.au in November 2017. No Implementation Status Report was prepared in 2018 as a new Action Plan was endorsed in May 2018. The Office of Road Safety is currently preparing the next Implementation Status Report, expected to be provided to the Transport and Infrastructure Council in early 2020.

**Recommendation 4**

We recommend that the Australian Government allocate funding to the collection of meaningful national data to enable evidence-based decision making on measures to improve safety and participation rates for walking and cycling.

The Australian Government supports this recommendation in principle.

At the national level, the Australian Government is supporting and funding the collection of meaningful data through the following projects.

The Australian Government's Smart Cities and Suburbs program is already supporting trials of new technologies to better capture information about walking and cycling patterns to improve safety and increase participation. For example, $118,235 was committed to Bendigo's Smart Active Transport project to develop a platform using satellite surface temperature data to enable pedestrians and cyclists to map low temperature routes on hot days. This project will benefit the community by facilitating active travel despite temperature variables and will benefit the council by providing information on frequently used routes to better target investment in urban greening efforts.

The Bureau of Infrastructure, Transport and Regional Economics (BITRE) compiles a national collection of crash data from states and territories and produces reports on national road fatality statistics, including fatalities of pedestrians and cyclists. These are available from www.bitre.gov.au.

Unlike the national road fatality data series, there is not yet a national crash-based serious injury series that would allow national reporting of serious injuries, including pedestrian and cyclist serious injuries. An Austroads project (A National Approach to Measuring Non-Fatal Crash Outcomes) managed by BITRE, is developing a national linked data series.

Stage 1 of this project, which aimed to prove feasibility and produce one year of linked data, has been completed and a report was published by Austroads in March 2019. Stage 2 has now commenced. The objective of stage 2 is to obtain the necessary permissions and perform linkage for jurisdictions that could not be included in the pilot; and develop a linked serious injury series from 2008 to the most recent year of available data.

**RESPONSES TO THE COMMITTEE'S RECOMMENDATIONS**

**Final Report**

**Recommendation 1**

The committee recommends that the Minister for Infrastructure and Transport initiate discussion on road trauma funding at the Council of Australian Governments Transport and Infrastructure Council (TIC) with a view to encouraging effective investment in road trauma funding across the nation.

The Australian Government supports this recommendation in principle.

On 2 August 2019, the Transport and Infrastructure Council agreed to make road safety a standing item for all of its meetings and in relation to funding agreed:

- to require the application of Safe System principles and safety treatments to all investments in road infrastructure planning, design and construction;
- to improve the existing road network through the prioritisation of mass action programs to deliver proven treatments; and
- to work with local governments to improve engagement and resourcing for road safety.

To date the Council has discussed a range of issues including the approach to the next national road safety strategy, drug driving, driver distraction as well as opportunities to better utilise funding to reduce road trauma. The Communique from each meeting can be found at: www.transportinfrastructurecouncil.gov.au.

**Recommendation 2**
The committee recommends that the Australian Government commit to a robust set of national minimum safety standards for all vehicles, including second hand vehicles and the government fleet, as part of its proposed reform of the Motor Vehicle Standards Act 1989.

The Australian Government supports this recommendation.

On 27 November 2018 the Road Vehicle Standards Act 2018 and accompanying Acts were passed by the Parliament. The new Road Vehicle Standards Act 2018 will replace the existing Motor Vehicle Standards Act 1989 with a modern and flexible regulatory framework that will improve community safety, reduce compliance costs to business and expand consumer choice.

The new legislation will continue to ensure that road vehicles and road vehicle components provided in Australia meet national minimum safety standards, as well as anti-theft and environmental standards, so consumers are provided with a choice of road vehicles that meet the safety and environmental expectations of the community.

The legislation achieves this by regulating the first provision of road vehicles in Australia including allowing limited second-hand vehicle importation that meets objective criteria. It is also well prepared for future developments in international road vehicle standards to address technologies expected to improve road safety, such as autonomous vehicle technology and intelligent transport systems.

The legislation package includes several new elements that will improve community assurance of vehicle safety through compliance with the required standards. They include:

- A modern suite of compliance monitoring and enforcement tools to deter and detect non-compliant behaviour;
- The establishment of a network of independent Authorised Vehicle Verifiers who will inspect every new or second hand road vehicle that enters Australia through the Registered Automotive Workshop (concessional standards) pathway before it is provided to the market; and
- The introduction of road vehicle recall powers for the minister responsible for vehicle standards. The new legislation extends the current recall provisions contained in the Australian Consumer Law to allow for the recall of road vehicles and road vehicle components that are not consumer goods and for non-compliance with any national vehicle standard.

The new legislation will substantively commence on a date to be fixed by Proclamation, but no later than 1 July 2021. The associated Road Vehicle Standards (Consequential and Transitional Provisions) Act 2018 includes a further 12-month transitional period to allow businesses to adapt to the new arrangements. The Acts are available from the Federal Register of Legislation: www.legislation.gov.au.

Recommendation 3

The committee recommends that the Australian Government explore methods to introduce Australian Design Rules (ADRs) in a timely manner to ensure that Australia benefits from, and keeps pace with, international developments in vehicle safety technology.

The Australian Government supports this recommendation.

The Department of Infrastructure, Transport, Regional Development and Communications is exploring options to streamline the process for legislative and regulatory changes to vehicle safety standards to improve the uptake of new safety technology in the Australian new vehicle fleet, and will endeavour to align Australian regulations with the proposed European regulatory package to commence within a similar timeframe.

The Australian Government initially encourages through consumer programs, then mandates if justified, the latest developments in vehicle safety technology. It considers the ADRs to be in broad alignment with those of other developed nations, although there are some issues that can add time to the process of developing vehicle standards. These include Australia having a mixed vehicle fleet with vehicles originating from a range of markets, and the need to ensure that any standards adopted are suited to the operating conditions for vehicles in Australia.

The Government will continue to harmonise the ADRs with international regulations and remove unique local content where possible. To facilitate this, there is an ongoing program to adopt individual UN regulations under the UN 1958 Agreement, particularly those related to international whole vehicle type approval. This ensures that regulatory barriers to the latest technology are reduced and costs are minimised for the consumer. This program allows the Australian Government to focus on mandating the most critical technologies.

Recommendation 4

The committee recommends that, if not adequately addressed through the recommendations of the Migrant Workers’ Taskforce, the Department of Immigration and Border Protection comprehensively review visa arrangements to address systematic or organised abuse in the transport industry.

The Australian Government notes this recommendation.

Australia’s temporary visa program is designed to deliver long-term benefits to Australia. Australia has a range of temporary visas available which are purposely designed to allow the entry of people to Australia to visit, study or work for economic, social or cultural purposes.

Migrant Worker Taskforce
The Migrant Workers' Taskforce (the Taskforce) was established by the then Minister for Employment, Senator the Hon Michaelia Cash, in October 2016. The Taskforce was initially envisaged to last for 16 months, but this was extended by six months. The Taskforce held its last meeting on 25 September 2018.

The Taskforce was established to investigate how the Australian Government might better protect migrant workers. Membership of the Taskforce included a range of Commonwealth regulatory and policy agencies, including the Department of Home Affairs and the Australian Border Force, to ensure a whole-of-government focus.

The Taskforce made 22 recommendations in its final report (Report), which the Government accepted in-principle. The Migrant Workers’ Interagency Group (Interagency Group) has been established in response to recommendation 1 of the Taskforce Report, which was for Government to establish a whole of government mechanism to further the work of the Taskforce following its completion. The Interagency Group met for the first time on 30 October 2019.

Addressing exploitation concerns
Temporary visa holders may work in any capacity permitted by the law and in accordance with any work conditions on their visa. Under the Migration Act 1958 (the Act), Australian employers have a responsibility to only employ workers who can legally work in Australia and to check whether a visa has work restrictions, including limitations to the number of work hours. Employers are also responsible for ensuring all other legislation, including licensing requirements, is complied with.

The Department of Home Affairs is committed to educating employers of their legal obligation to check any foreign national working for them, has a valid visa that provides appropriate permission to work. To help employers check if a foreign national has work rights, the Department of Home Affairs provides a free service that gives information regarding the work entitlements of the prospective employee. The Visa Entitlement Verification Online (VEVO) service also provides information to visa holders about their current immigration status and associated work conditions.

The Department of Home Affairs actively encourages self-compliance by providing and promoting information via different mediums such as social media platforms including Facebook and Twitter, "push messaging" via e-mail, targeted fact sheets and specialised sections for businesses on the Department of Home Affairs website including the Employer Hub and the Industry Hub. The Australian Border Force undertakes targeted compliance activities in respect of visa holders or employers systematically and deliberately engaged in illegal activity. A range of sanctions can be applied depending on the situation and in proportion to the significance and extent of the breach. These include administrative warnings, infringements and civil penalties, as well as criminal offences which carry significant fines.

All temporary visa holders with work rights who are employed in Australia have the same protections under employment law as any other worker in Australia. The Department of Home Affairs provides temporary visa holders who are permitted to work on their visa, with information from the Fair Work Ombudsman (FWO) about their workplace rights, in visa grant letters. The FWO website also has information on workplace rights available in 27 languages.

Employer sanctions and Government reforms to employer sponsored skilled migration visas
The Department of Home Affairs administers sanction frameworks under the Act to deter illegal work hire practices and sanction employers and labour suppliers who persist in non-compliant behavior. Each of these frameworks has graduated tiers of sanctions to encourage employers and other entities to comply with migration legislation. These requirements uphold the integrity of Australia’s migration system and protect Australian workers and employers who employ and pay their workers in accordance with their obligations under the Fair Work Act 2009.

On 18 April 2017, the Government announced that the Temporary Work (Skilled) visa (subclass 457 visa) would be abolished and replaced with the completely new Temporary Skill Shortage (TSS) visa in March 2018.

- The TSS visa program will consist of a Short-Term stream of up to two years and a Medium-Term stream of up to four years, and will support businesses in addressing genuine skill shortages in their workforce. It will also contain a number of safeguards which prioritise Australian workers. Further information can be found at: www.homeaffairs.gov.au/Trav/Work/457-abolition-replacement.

This new visa is part of the Government's reform package to strengthen the integrity and quality of Australia’s temporary and permanent employer sponsored skilled migration programs.

Student visa program
All student visa applicants must demonstrate that they are seeking to enter Australia for the purpose of study and that they will abide by the conditions of their student visa, including limitations on work rights.

All student visa applicants must agree to respect Australian values during their stay in Australia and obey the laws of Australia, if granted a visa.

Student visa applicants must also declare or provide evidence that they have sufficient funds to pay for their course fees, travel and living costs for themselves and family members while in Australia. The financial requirements are designed to reduce the risk of international students experiencing financial hardship while in Australia.

In addition, the Genuine Temporary Entrant requirement was introduced in 2011 as an integrity measure to ensure the student visa program is used as intended, and not as a way for international students to maintain ongoing residence in Australia. Further information can be found at www.homeaffairs.gov.au/Trav/Stud/More/Genuine-Temporary-Entrant.

Visa cancellation
Under the Act, the Australian Government manages the entry and stay of non-citizens in Australia and in this context reserves the right to cancel visas upon a range of grounds.

Among other reasons, a visa may be cancelled as a result of a non-citizen providing incorrect information in order to enter Australia, failing to abide by visa conditions, presenting a risk to the community or engaging in criminal conduct, or being convicted of a criminal offence while holding a temporary visa.

- In all of these provisions, any criminal conduct relating to breaches of state and territory road safety laws may be taken into account.
- The current cancellation provisions contained within the Act adequately supports visa cancellation and refusal decisions where a foreign national has committed serious offences, including traffic offences.

Recommendation 5

The committee recommends that all visa holders with heavy vehicle driving licences undergo driver skill tests before their heavy vehicle driving licences are recognised in Australia.

The Australian Government supports this recommendation in principle, noting that responsibility for heavy vehicle driver licensing lies with the states and territories.

The Australian Government supports improving Australia’s driver competency frameworks, to ensure they are fit-for-purpose, and provide our communities with assurance that those tasked with transporting freight or passengers by road are appropriately skilled to do so.

Austroads released its Review of the National Heavy Vehicle Driver Competency Framework in May 2018. The review noted weaknesses in the arrangements for national accreditation standards, particularly around compliance and enforcement. In response to the findings and recommendations of the May 2018 report, and taking into account feedback received, Austroads continues its investigation and program of work in pursuit of improvements to heavy vehicle licensing and safety.

Recommendation 6

The committee recommends that legislation in South Australia, Western Australia and Northern Territory be amended (consistent with other state and territory jurisdictions) to ensure that overseas drivers who fail a driving test are no longer allowed to use their overseas licence to drive in Australia.

The Australian Government supports this recommendation in principle, noting that this is a decision for those state and territory governments.

Austroads has recently completed a Review of Australia’s Overseas Driver Licensing Policy. The review includes analysis of the safety of overseas drivers on Australian roads and challenges associated with the conversion of an overseas licence for an Australian licence. The review concluded that a number of threshold actions are required to manage the challenges identified and deliver a more robust framework for managing overseas drivers in Australia.

Recommendation 7

The committee recommends that the Australian Government convene a series of industry-led roundtables to make recommendations to government to establish an independent industry body which has the power to formulate, implement and enforce supply chain standards and accountability as well as sustainable, safe rates for the transport industry.

The Australian Government does not support this recommendation.

On 18 April 2016, the Government introduced legislation into the Parliament repealing the Road Safety Remuneration Act 2012. The legislation successfully passed the Parliament and the Road Safety Remuneration System, including the Tribunal and the orders it made, ceased to operate on 21 April 2016. The Government has committed to never re-establish the Tribunal or a similar body that sets mandatory rates of pay for owner drivers and small transport businesses.

The Government’s decision to abolish the System was informed by two independent reviews and extensive feedback received from industry participants. The reviews, conducted by Jaguar Consulting and Pricewaterhouse Coopers, recommended that the Tribunal be dismantled as they could establish no conclusive link between safety outcomes and rates of remuneration.

Following the release of the review reports, the then Department of Employment consulted more than 150 industry participants from across Australia. The overwhelming feedback from these consultations was to abolish the Tribunal. Industry participants were of the firm view that the Tribunal did not improve safety and instead caused financial damage to owner drivers and uncertainty for an entire industry.

This was supported by the Australian Small Business and Family Enterprise Ombudsman’s inquiry into the effect of the Road Safety Remuneration Tribunal’s Payments Order on Australian small businesses. The Ombudsman concluded that safety in the road transport industry should not be addressed by setting mandatory rates of pay.

The Australian Government is committed to investing in safety initiatives that have a direct impact on improving safety outcomes for the transport industry. The Government is providing $22 million over four years to the NHVR to progress a package of practical initiatives that will improve safety in the heavy vehicle industry.

Funding of initiatives in 2016-17 and 2017-18 included: chain of responsibility education for industry, improved heavy vehicle monitoring capability, the development of a Master Industry Code of Practice, establishing the Heavy Vehicle Confidential Reporting Line, piloting new livestock transfer infrastructure, and developing safer freight networks in areas identified as higher risk.
In 2018-19, funding is supporting the expansion of the National Safety Camera Network, fatigue management courses and safety education and awareness raising campaigns, such as the #GetTruckWise campaign.

As noted by the committee, the NHVR has the power to formulate, implement and enforce supply chain standards and accountablility. The Australian Government has worked proactively with the states and territories on amendments to the HVNL to require all responsible parties in a goods or services supply chain to take reasonable steps to prevent breaches of road transport laws, including those relating to fatigue and transport operations. These changes took effect in mid-2018. The establishment of a new industry body with powers in relation to supply chains standards would therefore be unnecessary and duplicative.

**Recommendation 8**
The committee recommends that the Australian Government convene a series of industry-led roundtables to make recommendations to government on ways to strengthen the Heavy Vehicle National Law.

The Australian Government supports this recommendation in principle.

The NTC is currently undertaking a comprehensive review of the HVNL legislation. This includes industry consultation via a range of mechanisms including roundtables, access to a series of issues papers and a dedicated review website. Stakeholders have provided a total of 180 formal and public submissions for the NTC's consideration. The NTC expects to release a Consultation Regulation Impact Statement in early 2020.

This process has also been augmented by an expert panel consisting of industry experts to assist the NTC in on a range of matters.

It is expected that the NTC will make recommendations to Transport Ministers in late 2020. **Recommendation 9**

The committee recommends that, informed by industry roundtables, the Australian Government amend the Heavy Vehicle National Law to address issues throughout the supply chain in the transport industry including chain of responsibility, minimum payment terms of 30 days and electronic work diaries.

The Australian Government supports this recommendation in principle.

The Australian Government notes the strengthening of the Chain of Responsibility provisions in the HVNL, which took effect on 1 October 2018.

As noted in response to Recommendation 8, the NTC is currently undertaking a comprehensive review of the HVNL legislation and expects to make recommendations to Transport Ministers in late 2020.

Minimum payment terms are currently outside the scope of the HVNL.

**Recommendation 10**
The committee recommends that the Austroads review consider:

raising the standard required of heavy vehicle drivers under the Heavy Vehicle Competency Based Assessment (HVCBA), with a renewed focus on safety; and

national consistency in relation to heavy vehicle instructor or assessor eligibility, including requiring mandatory industry experience in driving and handling the appropriate vehicle.

The Australian Government supports this recommendation.

See response to Recommendation 5 of the Final Report.

**Recommendation 11**

Following the Austroads review, the committee recommends that the COAG Transport and Infrastructure Council work to ensure that all jurisdictions adopt the revised criteria of the National Heavy Vehicle Driver Competency Framework (NHVDC Framework) as a matter of urgency.

The Australian Government supports this recommendation.

See response to Recommendation 5 of the Final Report.

**Recommendation 12**
The committee recommends that the Australian Skills Quality Authority (ASQA) take a more active role in monitoring the delivery of heavy vehicle training undertaken by registered training organisations and other providers.

The Australian Government supports this recommendation.

ASQA's Regulatory Strategy 2018-20 confirms ASQA's ongoing engagement with heavy vehicle regulators at the national, state and territory levels to understand concerns in this sector. ASQA will continue work commenced in 2017-18, monitoring RTOs and liaising with regulators.

This engagement will enable ASQA to respond more promptly to any concerns transport regulators have with quality of training or assessment leading to heavy transport licenses. In accordance with ASQA's risk-based approach to regulation, this will ensure regulatory scrutiny is applied where heightened risk is identified.

Senator STERLE (Western Australia) (15:44): I move:

That the Senate take note of the document.
This is a report that was done following a very lengthy—I think it was about three years—inquiry into road safety. I was joined in that committee work by Senator Gallacher. I think Senator Brockman was on the committee at the time. Senator Back was on it. The report was called Aspects of road safety in Australia, and it was done in the previous parliament. I want to thank former senator Barry O’Sullivan and the committee for the hard work that was put in. It was a very bipartisan inquiry.

It started off because we had lost the Australian vehicle-manufacturing industry and we thought it could be a good time to start looking at safety standards in vehicles and all sorts of other things. What came out of it was an interesting report. I had seen on the social media—in 2014, I think it was—that Chris Reason from Channel Seven had tweeted about a Scotts Transport B-double, which is two trailers joined together, a bit shorter than a road train, that was on the M5. It was a two-up team from Brisbane running to Sydney, and the drivers had gone down the M5 and couldn’t get into the airport tunnel at Sydney. One driver had refused to get out of the bunk, and the other driver just stood there like a stunned mullet. When he was asked by the reporter, while traffic was banking up behind him at peak hour, whether he shouldn’t at least back the B-double up so he could get out of the way and let traffic flow, his response was that he didn’t know how to. Anyway, it went on and on and on. So we realised that there was a serious problem within the road transport industry.

The report has finally come back. I will always give credit where credit is due, and I’ll go through each of the recommendations when I have the opportunity at a later date, and I will congratulate the government when they have finally done something, if they have done something, but I will be extraordinarily critical if they have not done anything or they have just ignored the report, because road safety should not be political; it should be in the front of the mind of everyone in this building, in this chamber and the other chamber.

There is something I want to just touch on. There was one recommendation that is timely to talk about. I will read the recommendation. I’m not cherry picking; because of the contribution I made in this chamber last week, it is topical right now. The committee—not Labor but the committee, all of us—recommended that ‘Australian Skills Quality Authority conduct an audit of all heavy vehicle driver training facilities (registered training organisations) in Australia’, because we found that there was the odd crook, corrupt RTO. And we found that there was a crook, corrupt RTO up there in Coffs Harbour—whose name escapes me at the moment because it was that many years ago—who had employed their own trainer who recruited fellow countrymen from where he came from, to exploit them. He took money from them and then he trained them and then he had a deal with the Queensland government—and the Queensland government were not implicated in this; they were as clean as anything—because they had a mutual recognition agreement, where heavy vehicle licences were handed out like confetti at a wedding. To cut a very long story short, there were about 120 of them, and 80 of them gave their licences back when the Queensland government wanted to send out show-causes as to why they should keep them. There were a handful—I think 20 or 30—who actually kept their licences because they could drive, but the rest had all been given their licence for a small fee to the corrupt, crook RTO.

Anyway, what has come back is that the Australian government has noted this recommendation. They’re not going to do anything about it; they’ve noted it. This is what the government said. I’m talking about skills here—having our heavy vehicle drivers trained properly. The government says it is committed to reducing regulatory burden and red tape. Since when has training heavy vehicle drivers to be safe on our highways—not only so they don’t kill themselves but so that they don’t kill some other poor devil coming the other way or driving alongside them—been red tape and a regulatory burden?

It really irks me. I have to talk about this recommendation because of the contribution I made in here last week. I have the court transcript of that shocking situation in Melbourne back in 2017. Truck driver Samandeep Singh couldn’t stop the overloaded truck. The brakes were faulty. He knew they were faulty. It even says so in the transcript. I’m not making this up. It was shoddy workmanship from an unqualified mechanic. He was working for a crook—a ratbag, rotten-to-the-core trucking company by the name of Ermes Transport, who were contracting to Civic Transport Services, who are all over Australia. Their website says they do everything from cars, couriers and trucks through to B-double operators. They’ve got them all. He was working for this company, and these crooks were working for Civic Transport Services. This poor truck driver—let alone First Constable De Leo, who was killed on her way to work, sitting on her motorbike, and the torment to both those families. The man has covered himself in tattoos. He’s a walking monument to the police officer. He’s tattooed himself with her police number. He’s tattooed himself with the date that he unfortunately killed her because of the faulty truck, which had no brakes and was loaded incorrectly.

I could go on all day about this. The nation needs to know about this. It says in the court transcript here that the judge said to Mr Singh: ‘Very briefly stated, you obtained your heavy rigid vehicle licence in August of 2016 after a one-day course.’ I drove road trains from Perth to Darwin for 12 years, but I wouldn’t dare to think that I know everything. A one-day course! That was with the crook Ermes Transport. Then he went to Civic Transport.
Services, which employed the crooks at Ermes Transport, and did a course there. A course on what? What the hell? Who is training? What are their qualifications?

Unfortunately, no-one has prosecuted the crooks at Ermes Transport or gone further up the chain. What I did find out is that there were 11 trucks that this crook Ermes Transport owned. I don't know if they were all working for Civic—they probably were. And that's before I even start on Civic Transport Services. I'm coming back for them as well. Make no mistake about that. The police couldn't prosecute, but there were 11 trucks that all got an improvement notice or some notice to fix the truck because it wasn't working. How many more people have to be killed on our roads?

Our truckies are the salt of the earth. We should be bowing to our truck drivers and thanking them for the job that they do. They are essential workers. They're at the front line. In my heart this has been known for three generations. I know what we do as truck drivers. We go about our business quietly. We don't want flowers thrown at our feet. We don't want people saying, 'Oh, we love our truck drivers.' We just want to be paid properly and respected, and we want to get home to our families safely. But every time something goes wrong on the road, it's the truckies' fault.

I come back to the government: is there nobody on that side of the chamber who will listen when I sit up here and say, 'Stop! No more!'? We can't have deaths on our roads that can be avoided. We can't run protection rackets for the ratbags out there that are doing the wrong thing. What do we say to the victims' families—'Oh, that's just another statistic. It's not a work death. It's just another road statistic. It's part of doing business in this nation'? For the life of me, what do I have to do to get the attention of that side of the chamber? Is there not someone in a minister's office who is listening and thinking, 'For Christ's sake, he actually makes sense'?

The DEPUTY PRESIDENT: Senator Sterle!

Senator STERLE: Why aren't we jumping on this? Minister Cash and Minister McCormack, we talk about training. Is no-one going to do something to start saving lives? Accidents happen, but this is trucks being overloaded and not loaded properly. This is truck drivers crookedly or corruptly getting their licences. This is scumbag transport companies doing their own training and stealing work and food off the decent men and women in the transport industry who do the right thing. Where is the Australian Trucking Association? You say you're the voice of the transport industry. You are imposters! If you were the voice of the transport industry, you would be standing alongside me and you would be demanding that something is done in this nation to stop this rot.

Please, someone! I'm starting to think I'm losing the plot. What do we tell the families who have lost loved ones, because someone's got a licence, after one day, and doesn't know what the hell they are doing and then jumps into a bucket of nuts and bolts that have been glued together by an unqualified mechanic? And the employer is still out there doing his thing! Nothing is wrong with him! A young man's life was destroyed—he is in jail for four years—(Time expired)

Senator RICE (Victoria—Deputy Australian Greens Whip) (15:55): I also want to speak on the government's response to the Rural and Regional Affairs and Transport References Committee inquiry into road safety, which I was part of. It seemed like it was quite a long time ago. Given that it's taken that long to get a response from the government, it makes me realise just how seriously—not!—they take the issue of road safety. And here it is, at 4 o'clock on the last sitting day of this session, and suddenly it's just landed. I haven't yet even had a chance to look at the government's response, but I'm pretty sure—and certainly from what Senator Sterle said about some key recommendations from the RRAT inquiry having just been noted—that there's nothing to change the business-as-usual approach to road safety, which has been the ongoing situation and which just has to stop.

We had the RRAT inquiry and the government then had an inquiry into road safety, with some eminent road safety experts chairing that inquiry, that put some really powerful recommendations to government. They said that there needs to be a change in the whole approach, that it's just not good enough to keep on doing the same measures over and over again to try to minimise accidents, to try to improve road safety; there's got to be a complete holistic look at how we eliminate the issues of lack of safe conditions on our roads so that we do not continue to have hundreds of people die on our roads, and thousands, tens of thousands, of people who are severely injured and suffer lifetime consequences from road accidents.

One of the recommendations from the government inquiry was that we should be spending $3 billion a year on road safety, if we are going to be serious about it. That's the context in which to put the government's announcement earlier this week—yes, it's great that there's a commitment to spend half a billion on road safety a year, but it's not going to cut it. It's just not going to be enough to really change the situation so we don't continue to have the deaths. As Senator Sterle said, these aren't just statistics. Every one of the people who dies on our roads, or is severely injured, is a human being. It is the massive consequences and the massive costs for them, their families and their friends, ongoing for their whole lives. This is something that we Australians, and this
government—all of us here—need to seriously look at and say that there needs to be a change. It's not good enough just to say, 'Alright, it's going to take us a year to respond to the road safety inquiry. Alright, we're just going to have another inquiry.' We had the government's inquiry last year, and now we've got the joint standing committee having yet another inquiry. To me, you have inquiry after inquiry after inquiry when you have no commitment to actually do something serious.

Certainly, I commit the Greens to working collaboratively with the government and the opposition to work out how we can get the serious action that is required to eliminate deaths on our roads, to eliminate those accidents. Finally, I particularly want to call out the most vulnerable road users, who are not being considered, who are just being swept away. They are pedestrians and cyclists, who are being killed on our roads at a rate much higher than the proportion of road users that they are. That's because the conditions are just not safe for them. In the case of cycling, we do not have cycling infrastructure that enables people to have the freedom to ride safely. Particularly in these times, we know of the benefits from encouraging more people to ride. In the current context, it means that we won't have the huge crushes on public transport, which are of concern under the COVID pandemic. We've got people that want to ride. We've had almost three times the number of people cycling over the last three months than previously. And how do we get those people to keep riding? They've got to feel safe. They've got to have the money put in to invest in bike infrastructure so that they will feel safe. We have been calling for a number of years that we need to be spending a billion dollars over the forward estimates on cycling infrastructure. Yet this government refuses to even acknowledge that there's a role for government in funding cycling infrastructure. Every time I've raised it in estimates, I just get stonewalled. If we had a government serious about taking action on road safety, investing in that infrastructure is incredibly important. They are the sorts of measures that we need to be seeing from this government if we're going to seriously be tackling the issue of road safety.

Senator GALLACHER (South Australia) (16:00): I too rise to take note of the government response. At the outset, I would like to put on the record that the contribution from Senator Rice in this space has been longstanding and very valuable.

One of the things that is really difficult is what has actually happened with this report. We concluded a report in 2016, I believe; four years later we get a response—four years later a government response. The protocol is that a government response should come within three months. That's a high-hurdle rate but, seriously, four years? One of the recommendations, which has not been accepted, is that the National Transport Commission re-establish a national consultative committee on motorcycle safety. They don't accept that recommendation.

Let me tell you this: 518 motorcyclists have died since the report was handed in, and the government doesn't accept the recommendation that we should have another look at this space! Forty-one have died in my home state, so you've got to think they don't care. The revolving door of transport ministers, or whatever, may well have caused this delay in response, but to say you're not interested when 500 people have lost their lives? The awful reality is—and I wouldn't disagree with Senator Rice on much—deaths are cheap. You can quantify them. An insurance claim will come out. A funeral benefit will be paid. People and families will grieve for a long time, but they're quantifiable.

Serious injuries are unimaginably expensive. The cost to the economy for serious injuries is almost never-ending. We don't actually have a system in Australia where we can quantify that. We don't have a nationally recognised system where we know how many people we're seriously injuring. The economic cost is almost immeasurable added to the human cost.

I've got to say this: it's not easy to be supercritical of the other side because the Australian federal government has done this forever. Think how long it took to get seatbelts in motor vehicles and how long it took to legislate in each respective jurisdiction—nine years to get seatbelt legislation in each jurisdiction in Australia—when we were killing horrendous numbers of people. This is not news. What should be happening is: you have a really good go, a government inquiry, initiated by this government, and two or three eminent people, like Jeremy Woolley, John Crozier and Lauchlan McIntosh. They go out and do the work for you and give you a template of action. Whoever sits in the Deputy Prime Minister's office, or the transport minister's office, ticks off on that; they should have a go. That's the industry. That's the world telling you which way to go. A response four years late, no action, not looking here, talking about things like social licence—we need to get the community to move with us.

I have no idea which way the government's going on road safety. It's a crying shame. We are not going to get better. If we do not travel internationally, which is quite on the cards—a lot of Australians will no longer be travelling internationally for 18 months to two years—guess what? They'll finish work on a Friday night and drive to Melbourne for the footy. They'll watch the footy all day and do whatever they do on Saturday night. Then they'll try and head leadfooted back to Adelaide or wherever for work on Monday. And guess what? They're going to make mistakes, and the road toll is going to get higher, not lower.
When I drove over here to Canberra, the highway from Renmark back to Adelaide after a long weekend was bumper to bumper. Caravans, boats, motorcycles, cars with canoes on top—everybody was on the road. More people on the road, less skill on the road—it's going to need a concerted effort by the federal government and all the respective authorities to ensure people are going to get there safely.

There's huge investment in roads. But, with all of that investment, there's not one cent of it tied to safe outcomes. Have you got appropriate separation? Are you doing audio-tactile line marking? These issues are well known. The bureaucrats can talk to you endlessly about them. But we keep handing out large parcels of money without a tied safety outcome. It really has to stop.

I know other senators have to speak on other matters, so I just want to say this in finishing. We can't avoid this. This is Australians. COVID-19 has shown us how to act cooperatively. The national cabinet that now exists and has delivered an outcome of fewer than 100 Australians' deaths should have a look at road safety in the same way. Why don't you have it as an agenda item? There are a lot more than 100 Australians getting killed on the road, and there's a huge amount of people getting injured every day.

(Quorum formed)

Senator SHELDON (New South Wales) (16:08): I rise to speak on the government's response to the Rural and Regional Affairs and Transport References Committee report, Aspects of road safety in Australia. I just want to go to a few issues. The report is an extremely important report, and it is disappointing that it has taken such a long time for a response.

The transport industry—I'm talking particularly about trucking at this point—is an industry where there have been 901 deaths from truck crashes in the past five years. So far this year, of 78 workplace deaths, 25 were transport deaths. Those are the figures that we actually have from safety departments in various states. But because not every state counts a trucking death as a workplace death, in actual fact you could quite easily, unfortunately and horrified, double those figures.

But it does go to a particularly appalling situation, and that is the way that the industry has been responding to some of these calls. I'm going to mention something about the ACCC as well. This is an industry which has extremely low margins. It's under incredible pressure: some pressure from clients, some pressure from the supply chain. In one study I recall, 25 per cent of drivers were doing more than 72 hours a week. I remember being at one inquiry some years ago, in my previous life, explaining to those senators that, if I were to tie down somebody in a chair—or, if you were to tie down one of your staff in a chair—for five hours before they could have a break, as is what happens with truck drivers, then you'd be put in jail. If you were tying down your staff, giving them half an hour to get out of that chair every five hours and sitting them in that chair for 17 hours, you'd be put in jail. Truck driving is an incredibly dangerous, difficult and demanding industry, with high exploitation. Twenty-five per cent of drivers do more than 72 hours.

In one study, four per cent of drivers were doing more than 92 hours. That wasn't because people were greedy or because they didn't care about the law. It's because of the pressure that comes on the trucking industry. One very brave person—he's an owner-driver, an interstate driver in one of the toughest segments of the transport industry—spoke up on numerous occasions over many years. It's a very tight business that he runs. It's a very difficult business that he runs—highly competitive, at thebeck and call of clients that have little regard to the pressure they apply on the trucking industry. He was quoted recently. I will quote him from a very important article he wrote in what's called Owner Driver. I'm happy to say that Owner Driver is a bit like the Bible for truckies. If you're in a truck stop, that's the first thing you have a look at. In a recent opinion piece, Frank Black said:

This is no time for bottom feeders to seek to profit at the expense of others. We can't afford for rates to be lowered anywhere in the industry.

In harder times, it's more important than ever for us to stick together and stand strong. We all feel the calling of our personal financial needs but undercutting each other to win work will only do harm to us all.

These seem like pretty sensible words, when you think this is the sort of state this industry is in: low margin, submarginal; people doing it tough; poor rates; vehicles not being able to be maintained; decisions about whether you keep your business running or you pay your bills at home; having your trucking business tied in with your mortgage; being away from your families for extremely long hours. All these things are a cocktail of despair in this industry.

But so many drivers put energy into making sure that they make this industry work better, and Frank is one of those people. After Frank said those very sensible words, he received a threatening letter from the ACCC. They not only threatened to charge him but reminded him that those charges carry a jail term of many years. He's an elected representative for truck drivers. They've accused him of a price-fixing cartel. In three jurisdictions in this
country—in Western Australia, in Victoria and in New South Wales—we have legislation that gives some onus of rights to owner-drivers, that are exempt from the ACCC. There is even the Independent Contractors Act, and, for all its deficiencies, it also can exempt collective negotiation of owner-drivers and has on occasions. But the ACCC has tried to shut him down. Why did they try to shut him down? Because some scurrilous individual—and I'm waiting for a response from the Australian Trucking Association over this—decided to do a backhander to Frank Black because he stood up for truckies.

When you stand up for owner-drivers, this is the pile of dirt that gets thrown on top of you. I've got to say this to all those that are sitting back and thinking that they're going to shut people like Frank Black up, and many, many owner-drivers like him—because they won't. I've got to say this to the ACCC. Reach out, have the right arguments, have the discussions, look at the reports, look at the deaths in this industry and then decide whether you should be sending letters to people who are standing up for truck drivers and saying, 'You can't work for a rate that will literally kill you, that will literally send you bankrupt.' If that's illegal, then what sort of dope have we got in the ACCC?

The Australian Trucking Association have now completely distanced themselves from Frank Black. Will they distance themselves from many drivers around this country, small businesses over a long period of time? And now they have dumped on a hard-fighting owner-driver who was on their executive. He doesn't always see eye to eye with them, he doesn't always have the same opinion as them, but he is an elected owner-driver representative on that committee. Doesn't it make you sick to think that the ACCC has nothing better to do than badger and harass a hardworking owner-driver who is saying we should stand up for small-business people, that we should stand by what we've done in legislation in other states? I've been there when Liberal governments and Labor have come together to make improvements to owner-driver protections to protect their goodwill. I've seen occasions where parliaments have come together—and even governments in control of parliaments have come together—and given owner-drivers rights controlled by conservative governments.

The Australian Trucking Association, and the ACCC, have a lot to answer for this. I'm going to go through their executive because, I'll tell you what, every one of them has a tale to tell of stealing from drivers, of employing owner-drivers because they don't want to have a minimum rate so drivers can survive. They have been convicted of all sorts of atrocities in the trucking industry. And they finally thought they had got their man; they thought they would get the ACCC to play the line for them. Well, guess what? I stand with Frank Black and owner-drivers in this country. Unlike the Australian Trucking Association, and unlike the ACCC, I'm not going to see small businesses crushed and I'm not going to see people not being prepared to stand up and call it out when they're being stood over and stood on.

I have had to go to the funerals of truck drivers, and too many of them were owner-drivers. Those deaths were not due to acts of God that occurred; they were due to acts of pressure on those drivers by clients and malicious trucking companies. I'm going to out the Australian Trucking Association for what they are doing. They deserve to be outed because we need to clean this industry up. (Quorum formed)

BUDGET

Consideration by Estimates Committees

Senator McGrath (Queensland—Deputy Government Whip in the Senate) (16:20): I present additional information received by committees relating to estimates:

Budget estimates 2019-20 (Supplementary)—Foreign Affairs, Defence and Trade Legislation Committee—

Hansard record of proceedings and documents presented to the committee.

Additional information received between 25 October 2019 and 15 January 2020—

Communications and the Arts portfolio.

Environment and Energy portfolio.

Additional estimates 2019-20—

Environment and Communications Legislation Committee—

Hansard record of proceedings and documents presented to the committee.

Additional information received between 13 March and 17 June 2020—

Agriculture, Water and Environment portfolio, excluding Agriculture and Water.

Industry, Science, Energy and Resources portfolio, excluding Industry, Science and Resources

Infrastructure, Transport, Regional Development and Communications portfolio, excluding Infrastructure, Transport and Regional Development.

Foreign Affairs, Defence and Trade Legislation Committee—Hansard record of proceedings, documents presented to the committee and additional information.
COMMITTEES

Economics Legislation Committee

Report

Senator BROCKMAN (Western Australia—Deputy Government Whip in the Senate) (16:20): I present the report of the Senate Economics Legislation Committee on the order for the production of documents by the Australian Taxation Office, and I move:

That the Senate take note of the report.

I will make a few brief remarks here and some more fulsome remarks a little later, when we consider the Senate Economics Committee's report on whistleblowers.

I just want to say at this point that it's important, when dealing with very sensitive issues such as this one, that we have respect across the chamber, including with the crossbenchers. I want to acknowledge the role that Senator Patrick has played in initiating and following through on this particular matter. I also wish to thank the minister for complying with the order for the production of documents, albeit with some restrictions on the information due to its highly sensitive nature. I wish to acknowledge all members of the committee for their sensitive handling of that information. It is important, in doing our jobs, that we acknowledge that some information we seek to look at—I know Senator Patrick is very well aware of this—is highly sensitive. In this case it potentially involves the tax records of individuals and matters which were, rightly, internal to the ATO. I think there is a degree to which this place, particularly the committee system, operates with that high level of trust. So I wish to acknowledge all members of the committee, in particular Senator Patrick, for complying with the trusted nature of the information that we were supplied with in looking at this matter and presenting the short report—the one-page report—on the order for the production of documents to the chamber.

When we're dealing with these matters, in a public policy sense it's very important to strike a correct balance. Not only does justice need to be done; justice needs to be seen to be done. When bodies undertake investigations of highly sensitive information, it's very important that there is trust from the general public in the way that that information is handled. As I said, I'll make some additional remarks a little later on when we deal with the whistleblower report.

Senator PATRICK (South Australia) (16:23): I seek leave of the chamber to table some additional information.

Leave granted.

Senator PATRICK: I also rise to take note of the report. This OPD basically sought information in relation to the investigation of a public interest disclosure claim by Mr Richard Boyle, who worked for the ATO in Adelaide. The committee had the responsibility of examining whether or not the investigation occurred properly. The finding of the committee in its report is that the investigation was superficial. I'm going to leave it at that, because of the sensitive nature of it. It was a superficial investigation.

But, in the broader picture, it is really important that, if we are to protect whistleblowers, we've got to have strong legislation in place. When someone does blow the whistle, they need the confidence to understand that the matter will be dealt with properly. That's a really important thing. So, whilst this report relates to one particular member of the public, and his case is very public, we need to make sure that, whenever whistleblowers come forward, people do their job properly. Sometimes that will result in no finding of disclosable conduct. In other cases it might result in disclosable conduct being found and, hopefully, a remedy.

In this situation, on 12 October 2017 Mr Richard Boyle, who worked in the ATO's offices in Adelaide, made a public interest disclosure. It involved, basically, a claim that there had been an unethical directive given by senior leaders in the debt business line of the ATO. What this directive did was to say to ATO officers that, instead of issuing what's called a point-in-time garnishee notice that takes money from a business's account if there's a tax debt, they were to issue what are called enduring garnishee notices, which are very broad and, indeed, ongoing and have the real potential to destroy a business. So there needs to be a much, much higher threshold. The allegation was that the tax office had made this directive in order to be able to meet targets they had for the collection of tax. On 27 October, a short time later, the public interest disclosure was rejected by the ATO. Mr Boyle then, in November of 2017, went to the Inspector-General of Taxation and made a complaint. He redacted all of the information that he wasn't able to disclose to the Inspector-General of Taxation because of secrecy laws, and he lodged a complaint.

Mr Boyle having in effect tried to blow the whistle internally and then go to another authority—albeit not the correct authority; we'll probably talk about this later, but one would think you could go to the Inspector-General of Taxation for tax related matters—the next thing that happened was the airing on television of the ABC Four
Corners program 'Mongrel bunch of bastards'. I apologise; that's the ABC's tag for that particular show. It examined whether the ATO was playing by the rules and acting fairly and ethically, and Mr Boyle appeared on that. That caused the government to announce some internal inquiries, and indeed the Inspector-General of Taxation decided to conduct an investigation into the issuing of garnishee notices by the tax office.

On 4 January 2019 or thereabouts, Mr Boyle was charged. He is facing, I think, something like 161 charges in relation to copying and disclosing taxpayers' information to the media. Now that matter's before the court, and I'm not suggesting whether that occurred or not, but it is a point of fact that he was charged. About four months after he was charged, the Inspector-General of Taxation found that indeed there were anomalies in the Adelaide tax office in relation to garnishee notices. So, in effect, what we saw happening was that a public interest disclosure was made, the whistle was blown, the ATO basically rejected the public interest disclosure, and then, when it was thoroughly investigated by the Inspector-General of Taxation, it was found that there were anomalies. This is the important point.

The ATO's investigation was superficial, and but for the superficial nature of the ATO's investigation into Mr Boyle's public interest disclosure the events that followed—the complaint to the IGT, the media programs, the charges and so forth—would never have occurred. We might see a fairly significant injustice—once again, I'm not going to whether or not the matters before the courts are justifiable. We have a situation where someone has blown the whistle, there was a real problem there and they've found themselves before a court. If the ATO had only done its job properly none of the alleged activities—they're alleged at this stage—would have occurred. In fact, in my view, the tax office would have been in a much better situation in that case. It's an important issue. I thank Senator Brockman for his chairing of this committee. It was a sensitive matter and I think the committee's done a good job in summarising the situation.

(Quorum formed)

Senator GALLACHER (South Australia) (16:32): I rise to make a fairly short contribution on the report tabled by Senator Brockman. The Australian Labor Party is ever vigilant to the fact that whistleblowers need appropriate protections, so it was with great interest that I participated in this inquiry. I think that the comments of Senator Brockman and Senator Patrick have appropriately highlighted the sensitivities around it.

Coming from a very non-legal background and having looked at the evidence, heard the witnesses and asked a few questions, I found it abundantly clear that, even if you followed two separate lines—one might be the whistleblower line and the other might be the ATO line—there was a problem. It may have taken artificial intelligence in the form of an algorithm to produce the statistical aberration that pointed to an overuse of the enduring garnishees, but both lines of inquiry agreed on the same outcome: there was a statistical aberration in the Adelaide office or there was a direct instruction in the Adelaide office which had an unusual outcome. According to the ATO office, that had resulted in them attending, investigating and correcting. I am not anywhere legally qualified enough to give any view on how this process should have been enacted, but it would appear to me that, superficially, it's a bit light on in the way the ATO conducted its affairs. Protection of whistleblowers is fundamental to Australian democracy. Talking about the Australian tax office, there is no other area of government that Australians interact with more often, so we need to make sure that in that space whistleblowers are fully protected and able to make disclosures if the system doesn't allow their appropriate views to be heard.

The ACTING DEPUTY PRESIDENT (Senator Faruqi): I just want to remind senators that the total time for items 14, 15 and 16 concludes in one hour, at 4.45.

Senator WHISH-WILSON (Tasmania) (16:35): The Greens would also like to make a brief comment on the issue being discussed. I was on the inquiry into whistleblowing protections, and I believe that both houses of parliament put in place substantial reform. I have followed Mr Boyle's case very closely over the years. I wanted to add my support to a resolution of this issue and to protecting whistleblowers and thank the committee for their work.

Question agreed to.

Migration Joint Committee Report

Senator CICCONEN (Victoria—Deputy Opposition Whip in the Senate) (16:35): On behalf of the Joint Standing Committee on Migration, I present the report of the committee on the inquiry into migration in regional Australia, and I move:

That the Senate take note of the report.

Back in August last year the Joint Standing Committee on Migration began its work to examine the role that migration plays in many parts of regional Australia and how the Commonwealth can improve on its efforts to
encourage migrants to settle outside of our major cities. This inquiry was important for many reasons. Regional Australia accounts for around 30 per cent of our nation's gross domestic product, and those with a passion for life outside of our major cities, such as me, know that regional Australia hosts an abundance of vibrant and growing industries. Yet, in many regional areas, populations have declined, and this has led to the development of significant skill shortages and security-of-labour concerns.

These persistent issues were highlighted in 113 submissions that were received and over the course of the 11 public hearings that were held. These issues represent a threat to the economic development of regional Australia. Throughout the course of the inquiry, we heard from a raft of stakeholders and individuals about their concerns and experiences. We heard from local councils who desperately needed workers to help their communities. We heard from migrant services and relevant organisations that told us that there is much more to be done to adequately provide for new migrants in regional areas.

One experience that was particularly profound to me was that of two individuals, Arman and Izelle. Both arrived in Australia from South Africa on skilled visas and chose to settle in Mount Gambier because the country feel it presented them with was not too dissimilar to what they were enjoying back home. It was in Mount Gambier where the committee first met them as part of our hearing program in regional South Australia. Arman is a logistics specialist. Izelle is a pharmacy technician. Both came to Australia in the belief that their jobs would be in high demand. Unfortunately, since arriving, they have struggled to find work and to access the support that they need. As I understand it, both have now been offered work and are starting to look at their own business in importing goods to South Australia from South Africa. Beyond the issue of employment, however, one of the specific concerns that was raised was the challenges that they've both faced in accessing housing. Without a rental history in Australia, it took some time to find residential property and any owners that were prepared to offer them a long-term lease.

These are just some of the challenges that many migrants that come to Australia have to face. We know from the submissions that were made to the inquiry that the difficulties of finding work and housing—just like this couple encountered—aren't isolated incidents. Rather, they are common for many migrants, just as it is common for migrants to encounter difficulties accessing other services specific to their needs, or even in having their skills and qualifications recognised by Australian businesses. What is clear from this one example, however, is that more work needs to be done to improve the services offered to people like this couple when they arrive in Australia. There is a role for us to help these new migrants find the work that we know is out there and to assist them in finding long-term accommodation on arrival.

Nonetheless, I am disappointed that we were unable to finish this important work and to present a set of comprehensive recommendations to this place. Migration to regional Australia is an important issue and, as was demonstrated by the volume of submissions received, is of great interest to the community in general. It is my firm view that, despite what we are currently going through with COVID, there are opportunities for us as a parliament to rethink what our migration program should look like going forward. COVID-19 has presented us with a chance to hit the reset button on the migration system and to ensure that the migration that we do have in this country doesn't displace local workers and is properly targeted and there to adequately support the many businesses that need these people. We cannot allow this chance to pass us by, and I'm hopeful that very soon we may finish the job that this inquiry has started. In the meantime, may this report serve as a valuable resource for us in this place as we embark upon making policy in this area.

Question agreed to.

PETITIONS

COVID-19: Asylum Seekers

Senator McKIM (Tasmania—Deputy Leader of the Australian Greens in the Senate) (16:42): by leave—I advise the chamber that this document has been through the whips process and I table the document in the form of a nonconforming petition signed by 19,288 people calling for the release of refugees and people seeking asylum from alternative places of detention due to risks of transmission of COVID-19 and the pre-existing health conditions that many of them suffer from.

DOCUMENTS

Consideration

The following documents were considered:

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

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

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

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

Aged Care Legislation Amendment (Emergency Leave) Bill 2020—Answer to question—Letter to the President of the Senate from the Minister for Aged Care and Senior Australians (Senator Colbeck) providing information concerning a question asked by Senator Siewert on 14 May 2020 during debate on the bill. Motion of Senator Urquhart to take note of document called on. Debate adjourned till Thursday at general business.

Cabinet briefings by the Chief Medical Officer—Answer to question—Letter to the President of the Senate from the Minister for Finance (Senator Cormann), providing information concerning a question without notice asked by Senator Wong on 14 May 2020. Motion of Senator Urquhart to take note of document called on. Debate adjourned till Thursday at general business.

National Bushfire Recovery Agency Fund—Answer to question—Letter to the President of the Senate from the Minister for Finance (Senator Cormann), providing information concerning a question without notice asked by Senator Watt on 13 May 2020. Motion of Senator Urquhart to take note of document called on. Debate adjourned till Thursday at general business.

Ordinary Seaman Edward ‘Teddy’ Sheean—Letter to the President of the Senate from the Minister for Defence (Senator Reynolds), correcting a statement made to the Senate on 13 May 2020. Motion of Senator Urquhart to take note of document debated. Debate adjourned till Thursday at general business.

Death of Work for the Dole participant—Order of 22 March 2017—Letter to the President of the Senate from the Minister for Employment, Skills, Small and Family Business (Senator Cash), responding to the order, and attachment. Motion of Senator Urquhart to take note of documents called on. Debate adjourned till Thursday at general business.

COMMITTEES

Consideration

The following committee reports and government responses were considered:

Economics Legislation Committee—Performance of the Inspector-General of Taxation—Report. Motion of Senator McGrath to take note of report called on. Debate adjourned till the next day of sitting.

Education and Employment References Committee—Report—Jobactive: failing those it is intended to serve—Government response. Motion of Senator Ciccone to take note of document. Debate adjourned till the next day of sitting.

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

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

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

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

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

AUDITOR-GENERAL'S REPORTS

Consideration

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

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

Auditor-General—Audit report no. 30 of 2019-20—Performance audit—Bilateral agreement arrangements between Services Australia and other entities: Across entities. Motion of Senator Siewert to take note of document agreed to.


QUESTIONS WITHOUT NOTICE: ADDITIONAL ANSWERS

Aged Care

Senator HUME (Victoria—Assistant Minister for Superannuation, Financial Services and Financial Technology) (16:45): I table correspondence from the Minister for Aged Care and Senior Australians, Senator Colbeck, to Senator Walsh relating to an answer given during question time on Monday 15 June 2020. I also seek leave to have the correspondence incorporated into Hansard.

Leave granted.

Senator the Hon Scott Ryan
President of the Senate
Parliament House
CANBERRA ACT 2600
17 June 2020
Dear Mr President

I write with regard to a letter I received from Senator Walsh concerning an answer I provided on the retention bonus for aged care workers during Question Time on 15 June 2020, inviting me to correct the record.

The Government's words used during the announcement of the retention bonus were "up to" and "after tax". We did not say "tax free", as Senator Walsh's letter seeks to imply.

I stand by my statement in the Senate.

I have copied this letter to Senator Cormann and Senator Walsh.

Yours sincerely
Richard Colbeck
cc:
Senator the Hon Mathias Cormann, Minister for Finance, Leader of the Government in the Senate Senator Jess Walsh, Senator for Victoria

DOCUMENTS

Community Development Grants

Order for the Production of Documents

Senator HUME (Victoria—Assistant Minister for Superannuation, Financial Services and Financial Technology) (16:45): I table a document relating to the order for the production of documents concerning community development grants.

Abbotsford Service Centre

Order for the Production of Documents

Senator HUME (Victoria—Assistant Minister for Superannuation, Financial Services and Financial Technology) (16:45): I table a document relating to the order for the production of documents concerning the Abbotsford Service Centre.

International Students

Order for the Production of Documents

Senator HUME (Victoria—Assistant Minister for Superannuation, Financial Services and Financial Technology) (16:46): I table a document relating to the order for the production of documents concerning international students.
COVID-19 Briefings

Order for the Production of Documents


Leave granted.

Senator GALLAGHER: I thank the minister for responding to the order for the production of documents. This was an important request from the Senate. As chair of the Select Committee on COVID-19, we've been spending a lot of time when the Senate's not been sitting, scrutinising the government's response to the COVID-19 pandemic and, particularly, the health and economic responses. As part of that, we have been seeking information from the government that helps us to perform that scrutiny and accountability role that the Senate has asked us to do. We have been at times, I think it's fair to say—and members of the committee would support me on this—frustrated by the lack of willingness of our government and, through them, the public service, to provide us with key documents and information that would assist us in our role. Obviously, this is an extremely unprecedented situation, and the economic and health responses have been significant.

The government is taking a very much—I won't call it business as usual; in fact, it's an approach that seeks to project that they are allowing scrutiny while, at the same time, denying key documents that would actually allow us to effectively do this job. I'll give you a couple of examples; I have quite a lot of them now. We are collecting the answers to questions on notice. Roughly about 30 per cent of those are coming in with the usual tricks of: 'This can be found here,' 'This information isn't published' or some bland answer that doesn't actually answer the question you asked; or 'This information would take too long to find, so we're not going to provide it.' We've got the usual standard public service responses which I get. They're used and applied, where possible, to reduce the work that they have to do but also the scrutiny that non-government committee members are able to apply.

There are two in particular. One of them was the modelling and scenario work undertaken by the Treasury on the government's response to the COVID-19 pandemic. This is key information about understanding the decisions the government took and why, and what impact the Treasury thought it would have on the economy, particularly now with the unemployment figures that we're seeing, the unprecedented number of people on jobseeker—1.64 million was the last official figure we got through the committee; double, in two months, the people who were there before.

We know there are 3.3 million on JobKeeper. We know unprecedented amounts of taxpayers' money is flowing to support the economy at the moment. Yet we cannot see those key documents that explain the effect and impact of that expenditure—of taxpayers' funds, not this government's funds—in the economy and what the government was hoping the expenditure would do. Our ability to scrutinise and assess whether what the government intended to do is actually happening is being restricted by this information not being provided.

The other matter is this bizarre situation we find ourselves in where I asked a question simply out of interest: when did the Chief Medical Officer first brief the cabinet? I asked it in one of the first hearings, in early April, and I was surprised at the response, which was, 'Well, we'll take it on notice'—eventually. It was a very nervous-looking senior Public Service response. Certainly, with the culture from the top down in the Public Service, it's very clear that public servants are worried, and I feel for them. I think they are in a difficult position if they're basically being told not really to help the committee with provision of information but to do what they can around the edges. When we home in and ask for particular information, I can see how nervous senior public servants get and how worried they are about whether they're crossing this line that the government has set for them.

So the Chief Medical Officer, who was the actual person who did the briefing, takes it on notice to check the diary—fair enough; no problem. We get an answer back: 'No, that information basically is cabinet in confidence.' They'd taken advice from Prime Minister and Cabinet. They'd referred that question, and Prime Minister and Cabinet had obviously confirmed that it was cabinet in confidence and no-one could have the date—the single date. It was not what was said, not who attended and not which subcommittee it was; it was just the date. At that time, part of the committee's work was looking at those early decisions and how they flowed through and lining that up next to what we were seeing in Australia in terms of the numbers of cases and how they were flowing, so it was key information for the committee.

So PM&C says no, and then Health say no again. So then the head of PM&C comes before the committee. I say, 'Well, can you provide us with this date?' Surely the date the Chief Medical Officer briefs the cabinet is not top secret or classified—unless, of course, the Chief Medical Officer never briefed the cabinet. Maybe that's the
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territory we're in. So the head of the Public Service takes it on notice and then writes back to the committee and says, 'No, the date that this event happened is top secret.' So then I refer it to the minister, who appeared representing the Treasurer, and the minister takes it on notice and comes back.

So this secret briefing that was provided, which I would have thought would be information that could be provided to the committee, has now gone through this laborious process, lasting two months, and we still haven't got it. So the Senate orders that information to be provided. This is where we've got to: we've had to bring it out of the committee, into the chamber, and ask the Senate. We've won the support of the majority of the Senate for that information to be provided, and we get this response today: 'It's cabinet in confidence'—the date the Chief Medical Officer briefed the cabinet. I would have thought it would be a date that this government would have been very proud of and very able to provide to the committee and the community, but no.

It is interesting. Senator Cormann has this proud history. He even has a motion named after him, the Cormann motion, which goes through the process for claiming public interest immunity and the grounds for public interest immunity. It was strengthened by Senator Cormann and agreed to by this place—a pretty detailed motion—and here we have Minister Cormann now, in government, with a completely different view of how you claim public interest immunity. There is no real explanation of the public harm that would be caused by providing this—just the usual blanket claim, 'It's cabinet in confidence.' Basically, you could take every document in the Public Service that has anything to do with COVID and walk it through the cabinet room, and no-one will have any information.

These are key documents that we're after. We're not being unreasonable. PowerPoint presentations that the Prime Minister and the Chief Medical Officer give at press conferences are not provided to the committee. They are not available to the public. They are given to the media but not available to the committee. You can't find them anywhere. You've got to basically watch the press conference and snap a photo of the slide in order to get it. It's really impossible and ridiculous if we've got the government, on one hand, saying they want the scrutiny, they welcome the scrutiny, and, on the other hand, playing silly games where the committee is being denied information that should be available to it. Indeed, they are not even giving the Senate the courtesy of abiding by the Cormann motion about the process and the grounds for claiming public interest immunity.

I know it's the end of a long week and we could all do without 10-minute speeches and the rest of it, so I'm going to wind up. But as chair of this committee I do want to place this on the record. We will continue to bring things back to this chamber and seek the support of this chamber to make sure that the work we do on the coronavirus pandemic and the government's response to it, work that the Senate has actually asked us to do, is of the standard and quality that should be demanded by this place. And I'm saying that that work, at the moment, because of the government's lack of willingness to provide key information—we've even asked for it in camera, and the response is basically 'no, that information won't be provided in camera either'—is severely hampered by the attitude that this government is taking. And it's extremely unfortunate, because we keep hearing from them how great they have done and how everything has gone really well, considering the circumstances, but they won't provide the information. If we were in a position where we had some of the information on the government's announced economic response, not the options they got—we know they would have been given options; we are not after that—but what they actually decided and what underpinned that, but even that is not being provided to the committee. It's unreasonable, it's hampering our ability to do our work and we will continue to bring it back to this place until the government starts cooperating.

Senator SIEWERT (Western Australia—Australian Greens Whip) (16:56): I also take note of the response that the minister just tabled. You've got to ask yourself why the government isn't providing this information. Why won't the government tell us when they were first briefed by the CMO? What conclusion can you draw other than that there's something that they are hiding, something they don't want to tell the broader community? I'm a member of this committee, and the committee has been very diligent in its work. We've been holding two hearings a week basically since the committee started. So it's been very diligent about its work. It's a pity the government isn't being as diligent about providing the information that we ask for—also about the levels of accountability that it is requiring of itself and the people on the COVID-19 Coordination Commission, which the government set up, who aren't properly declaring their conflicts of interests and certainly aren't making those public. This is a commission with not only a large number of people from the fossil fuel industry but also people who have ongoing interests in the fossil fuel industry. They will not release publicly their conflicts of interest, and that directly relates to the work that our committee does—so that we can have a full understanding of just what is driving some of the recommendations that appear to be coming out of that commission.

In the hearing that the COVID commission appeared before the committee, the second one, when I asked for their final interim report, it wasn't available. I asked when it would be publicly released—not available. So just when is this vital information about our so-called recovery going to be made public?
That takes me to the issue of where the government is at with jobseeker. Yesterday we heard the minister not tell us precisely, which an answer to my question very clearly. She waffled around. Will it go back to $40 a day? It was obvious from the waffly answer that the government intended it to go back to $40 a day. Overnight, two media outlets—not just one but two—just happened to run the same story about a permanent increase in jobseeker, which quite clearly the government had released, because it stretches the bounds of credibility that two different outlets would run stories on a permanent increase to jobseeker without having been tipped off.

It makes me wonder if the government is worried that it is coming under a lot of pressure because Australians know that jobseeker is ending at the end of September. That means they won't be able to pay their mortgage, they won't be able to pay their rent and they won't be able to pay their essential services bills like electricity and water, let alone buy food. We know from lots of research—and also from the committee telling us—that, when you're trying to survive on $40 a day, food is discretionary, so that's often at the bottom of the list, and people go hungry. So the government wants to make it seem like there will perhaps be an increase in the jobseeker payment.

That's why I asked that of the minister today—for the community members and people who have lost their jobs and are staring down the barrel of that cliff at the end of September. They clearly want to muddy the waters out there by putting out a story that jobseeker may be increased—and then, when they were asked, they said, 'Don't believe what you read in the media.' Quite clearly, what the community should take from that is that the government is still intending to drop them down to $40 a day at the end of September. I say to the community: if you think that sucks, get onto the government, get onto your local members, get onto your local senators and tell them that it sucks and that it is simply untenable to live on $40 a day.

Question agreed to.

Rural and Regional Australia

Order for the Production of Documents

Senator HUME (Victoria—Assistant Minister for Superannuation, Financial Services and Financial Technology) (17:01): I table a document relating to the order for the production of documents concerning the report Regions at the Ready.

MOTIONS

Economy

Senator GALLACHER (South Australia) (17:02): I move:

That the Senate—

(a) notes that:

(i) more than 5 million Australians and their families are relying on government assistance to help them through the COVID-19 pandemic,

(ii) JobKeeper and the increase to JobSeeker are set to expire at the end of September, and

(iii) more than $250 billion in deferred loans for mortgages and business are also due to expire at the end of September; and

(b) calls on the Government to outline a national economic plan that:

(i) prevents millions of Australians being 'snapped-back' to unemployment, poverty and insecure jobs at the end of September,

(ii) has job creation and skills development at the centre, and

(iii) ensures that ongoing government investment is targeted to lift Australia out of its first recession in 29 years.

I very clearly want to make a contribution on this general business notice of motion. For those listening, the substance of this motion is that there are more than five million Australians and their families relying on government assistance to help them through the COVID-19 pandemic. JobKeeper and the increase to jobseeker are set to expire at the end of September. More than $250 billion in deferred loans for mortgages and businesses are also due to expire at the end of September. This motion calls on the government to outline a national economic plan that prevents millions of Australians being snatched back to unemployment, poverty and insecure jobs at the end of September; has job creation and skills development at its centre; and ensures that ongoing government investment is targeted to lift Australia out of its first recession in 29 years.

I'm not one of those in the community or on this side of the chamber who is entirely critical of the coalition in this space. I think they have done a sterling job to date in many areas, but it appears that the collegiate approach is fragmenting. We're now seeing drives and the increasing tone in the chamber of, 'If you were there, things would be worse!' Well, we've been hearing that for a very long time. The reality is that you're there. Your job is to make
it better for all Australians. Your job is to have a coherent national plan which goes out there carefully and pragmatically assessing the risk and the need and putting in place a proper, prudent system for all Australians.

The simple statement, 'We would do it better than a Labor government,' is not going to wash. People have had the benefit of JobKeeper. They've had the ability to go to their banks and defer their loans. They've had the ability to take $10,000 or maybe $20,000 out of their superannuation. This extraordinary once-in-100-years event has caused some people to be in awful straits, so they've dipped into their super. That's kept the wolf from the door. They've spoken to their bank and put their loan out a bit further. They're enjoying JobKeeper, which is sustaining them. But if in September that all comes to an end without a careful, pragmatic evaluation of the economic risks, the recession we see will be deep and long-lasting. And it won't be a recession for 12 months; it'll be a recession for a number of years. No-one in this chamber wants that. I repeat: there is not a single member of this entire parliament that wants that. Nobody wants their constituents and their electorates to suffer, but we are going to face an awful calamity unless there is a careful, prudent, agreed economic plan out of this.

Senator Siewert mentioned the reports in one or two newspapers that maybe the jobseeker payment won't go back to Newstart rates. Well, is that really the way to do a careful economic plan for the nation—to leak a couple of things to a newspaper and see how popular it is? Seriously, as even former Liberal prime ministers have said, Newstart is inadequate. The Australian Chamber of Commerce and Industry have said that people don't get enough on Newstart to be able to present properly for employment. There's no debate about whether it's enough or not. It's been substantially boosted, but if, catastrophically, it goes back the other way we're going to see a lot of people in destitution.

If we see JobKeeper disappear in the September quarter it'll be the same story. I talk to people in small business. I had a concerned constituent say to me the other day: 'My business is recovering quite quickly. I'm on JobKeeper and I'm getting quite a substantial amount of subsidy each month. When does it turn off? If my business is profitable enough not to qualify for JobKeeper, will the payment stop in July or will I continue to get it until September? Will I get a bill?' The answer to that is: I don't know; there's a review going on. JobKeeper is a great program—absolutely out-of-the-block stunning—but carefully evaluating its operation would be the way to go now.

A government senator interjecting—

Senator GALLACHER: I'll take that interjection, Minister, and perhaps you can tell me what happens to a person whose business returns to profitability in July. Do they keep getting JobKeeper in August and September? I haven't heard an answer to that from the other side.

Very clearly there is work going on. It's probably not as collegial as we would like. That's fine. You can take your victories and take your losses, but if you drive the economy into recession further and harder than is necessary then you will ultimately pay a price for that. But, more particularly, Australians will pay a price for that. It will be Australian workers who will be without jobs. It will be Australian workers who will have their houses repossessed or the wherewithal to provide for their families taken from them. We want to see a clear, upfront, stated national plan to take us forward into the future. We're not seeing any of that. As I surmised in a contribution I made when I came back here a short while ago, once the rosy period is over, economics will come to the fore. We'll throw things at the government; the government will throw things back at us. But the awful reality is that people in the economy will suffer.

We know now, as we speak, that all of those workers in dnata have already had the back of the axe. They've got nothing. Dnata workers are being told to go and find themselves a way to get onto jobseeker. They're not deemed as the same kinds of workers as Qantas or Virgin workers, and yet they work at the same airports; they do the same jobs. Because of the foreign entity decision, they didn't get JobKeeper. When those airports come back together, a lot of those workers may have wandered off all over the economy, as is their legitimate right, but there is a practical effect of that. It takes a bit of time to get an aviation security identification card, an ASIC. You have to have proper vetting to work in an airport. If a big employer like dnata loses a substantial number of people, then you'll have a backlog, because the security checks will have to be done before people can go airside. You actually constrain a business.

We all know that the airline industry has become very competitive over the last three decades, say. But what could possibly happen here, without a coherent economic plan, is that we could be handing Qantas and Jetstar a monopoly. I accept—and I'll probably get vehement agreement from the other side—that competition is good. If you hand Qantas and Jetstar a monopoly over the 60-odd million domestic passenger trips that are taken in Australia each year, it's not going to be a good outcome for the economy. We're going to pay higher fares. We're going to get long queues. Profitability for Qantas and Jetstar will go up—fine; I've got nothing against profitability—but there won't be the level of competition.
At the moment, the lack of a plan in the aviation sector indicates to me that we're going to do exactly what we did when Ansett collapsed, and that was let Qantas win. Qantas won, and it took decades to get that competition back in. I was around in the airline industry when Virgin came to Australia. With $53 million they started an airline. I think Brett Godfrey's quote at the time was: 'I didn't know that $53 million would only buy me a bunch of coconuts.' But he formed Virgin with a very small amount of money, and it became a competitive force in this country. If the lack of a coherent national economic plan and a coherent aviation plan allows Mr Joyce and Qantas and Jetstar to ramp up their prices, tell people when they're going to travel, say where they're going to go or not go, without competitive influence, that's a bad thing, and it'll be a drain on the economy. It'll be a drain on the economy, because we know—and I'm sure the other side agree—that competition is good.

The airline industry is a really stark area where it's going to take a number of months, if not years, to recover. International flights are probably well on the back burner, and domestically we're going to see a period of time before recovery. There is no greater indicator of inequality in Australia than regions versus cities. Regional areas of South Australia or the Northern Territory or Queensland or Victoria or anywhere are going to suffer, because Qantas is not, out of the goodness of its heart, going to say, 'I'm going to zip a plane down here and zip a plane over there.' Everything will be done in the absence of competition.

So the first of the two most important sectors that I see the government really failing in is clearly aviation. The other area that they don't appear to have a coherent plan for is the education sector, particularly in regional Australia. If you don't want to support those trainers and those colleges out in regional Victoria or regional Queensland, the impact it can have if they collapse, and we lose lecturers and lose courses, is that we have a lower-skilled regional workforce. I remember this contribution from a casual lecturer at a regional university. He said: 'It's not about me. I will survive this pandemic. I think the government is doing a pretty good job. But what I've got to tell you is, in the 20 years I've been at this university, I have seen the blue-collar workforce skills increase exponentially. That's been good for the workers and the employers, and the universities, or the VET providers, have made some money out of it.' So it has been an all-round good effort, and people in regional areas have benefited. The educational standards in regional areas have gone up. That is a remarkably good thing. It helps to underpin the productivity of our nation.

If you haven't got a plan for aviation, if you haven't got a plan for regional areas in respect of universities and the like, I think you need to go and revisit. Or, if you've got a plan, please tell people. Please get on the front foot and get out there and do it. My fear is that areas which struggled economically prior to the pandemic are going to catastrophically impacted in a recession. If we had 29 years of economic growth and we still had pockets of inequality in Australia, then we're going to lose the growth and we'll lose the ability to address those pockets of inequality, and they'll get deeper. Those who do well will get further away from those who don't do so well. That's not the kind of Australia that the Australian Labor Party wants to see. We don't want to see more insecure work. We don't want to see one million-plus casuals who, once the restaurants were closed, have nothing—no work to go to. We don't want to see that. We want to see people educated, trained and enjoying good, productive jobs.

Clearly this government is doing some work. There's no doubt about that. The challenge or the question for them is: are they prepared to advance an economic plan that can be tested in the court of public opinion, that can be tested in this chamber, and, dare I say, even improved? This is a one-in-100-year event. I don't think we should be playing politics about it. If we can contribute something that's going to put things on a better pathway, I'm not sure you should just dismiss it out of hand. If we do get to that, that'll be an awful tragedy.

But I do detect that the tone in the chamber has changed back to the good old order, the good old bad days, I'll say, where, 'If you lot were in charge, things would be 10 times worse.' Well, we're not in charge, clearly. You're in charge. The future needs to be laid out in a clear economic pathway and plan for the various sectors that have been dramatically affected by this, where clearly they cannot bounce back. There is going to be no snapback in aviation. There'll be no snapback in some of the tertiary sectors. There'll be no snapback in some of the regional centres of Australia, and people are very cautious at the moment. They're not likely to just dive into their pockets and start spending—although I hope they do, and, if they do, that will be a great thing for the economy. This government needs to lay out a coherent economic plan for the future of Australia and try and take as many people, politically and in the community, with it.

Senator SCARR (Queensland) (17:17): I do have a high regard for Senator Gallacher and his appeal to the better angels of my nature to be collegiate, so I will respond to that appeal and see if I can return to the spirit of collegiality as I engage in this debate. But I do think there are some matters which need to be recognised at the outset.

The first thing I'd say is that the May 2020 jobless figures are quite sobering. This country now has an unemployment rate of 7.1 per cent. A further 227,700 people are now unemployed, and, in my home state of Queensland, 167,900 jobs have been lost during the COVID-19 pandemic. I can remember what it was like
entering the workforce when I graduated from university into the last recession Australia had. It's not a great experience, and my sympathy is with all of those people who are struggling at the moment in Queensland.

I think we should recognise that the federal government does have a plan, and it has actually outperformed nearly every other country in the OECD in protecting Australians' lives and livelihoods. The federal government has provided $260 billion worth of support. We've provided JobKeeper. We've provided jobseeker. We've provided cash flow boosts to medium and small businesses. When I go around chambers of commerce in my home state of Queensland, I receive very, very positive feedback in relation to the federal government's initiatives. It really has made a difference, absolutely. This week our Prime Minister, Scott Morrison, announced the federal government's plan to achieve GDP one per cent above trend per annum over the next five years so that we can at least get the country back to where it was and then beyond, as we build the bridge to recovery.

I know Senator Gallacher is concerned about apprentices and technical trades training; he raised that in the course of his contribution. In that respect I make three points. First, the government's economic response to the coronavirus did include a $1.3 billion package of measures supporting apprentices and trainees. I think that was a very commendable package to make sure those apprentices could stay employed by their employers. Second, the government has recently announced a $585 million skills package entitled 'Delivering Skills for Today and Tomorrow', investing in supporting Australians to gain the skills they need. Third, the government's HomeBuilder scheme, which Senator Gallacher criticised in a somewhat less-than-collegiate manner earlier in the week, has been welcomed by the construction industry in my home state of Queensland. The chief executive officer of Master Builders Queensland said, 'Industry's calls for assistance have definitely been answered.' The CEO of Coral Homes, which employs hundreds of people on the Gold Coast and the Sunshine Coast, said:

This will definitely make a difference to the building industry, our supply chain and all the local contractors we employ.

In my home state of Queensland, when you put that $25,000 grant for a new home together with the Queensland state government's $15,000 First Home Owners Grant, first home buyers have a $40,000 sum, under a home and land package, for constructing their first home. That's a very, very positive thing.

There's only so much that the federal government can do. Unfortunately, I'm sorry to say, in my home state of Queensland it's hard to be collegiate when I look at the Queensland state Labor government. Unlike Senator Gallacher, it doesn't appeal to the better angels of my character. Indeed, it has been a source of continuing frustration. At the moment, the Palaszczuk Labor government is a millstone around the neck of Queensland as it tries to recover from the coronavirus pandemic. It needs to take heed of Senator Gallacher's words about pragmatism and do three things: (1) build dams, (2) approve projects and (3) open the state border. I call upon the Palaszczuk Labor government to do that last one today.

Let's talk about building dams. Under Deb Frecklington, the LNP opposition has announced a visionary—and it is visionary—project, the New Bradfield Scheme. The history of how this was developed is in itself visionary; it's bold. Deb Frecklington, the state opposition leader, sat down with two great Queenslanders, Sir Leo Hielscher and Sir Frank Moore, and discussed the concept of taking elements of the long-talked-about Bradfield Scheme and making the scheme practical. Under the New Bradfield Scheme proposed by the state LNP, the biggest dam in Queensland would be constructed—the equivalent of 28 Sydney Harbours. An area the size of Tasmania would be covered by this single dam. It would produce hydroelectricity for 800,000 homes. It's a visionary project and it's consistent with Queensland's state motto: 'bold but faithful'. It's a bold project and it's faithful to the Queensland I grew up in—the go-ahead state, the low-tax state, the state where you could get things done. The Queensland of old was the state where workers could get work and apprentices could get apprenticeships.

Unfortunately, the Queensland of today under Annastacia Palaszczuk isn't interested in building dams. In fact, it's tearing down dams instead of building them. It's actually lowering the wall of the Paradise Dam in Bundaberg. It has no plans to repair, rectify or replace that dam and undo the damage that was caused during the construction of that dam under a previous Labor government, under the Beattie Labor government. Let me quote from some of my friends in the Queensland parliament who have been fighting for the community with respect to this issue. My good friend Stephen Bennett, the member for Burnett, said:

Labor is more interested in covering up its botched building of the dam rather than in protecting the community and jobs.

David Batt, the member for Bundaberg, said:

It's unacceptable that Labor only has a plan to tear down the dam and no plan to fix it.

How true. My friend Colin Boyce, the member for Callide, said:

... if you have water you have jobs.

How true. The state government needs to build dams, approve projects and open the border.
Let's talk about projects. Earlier during these two weeks the six LNP senators from my home state of Queensland called for approval of the Acland project. This is a project that has been waiting for approval for 13 years. It's shovel ready. Not only will it protect 150 jobs; it will create hundreds of jobs and it will provide billions of dollars of revenue to local suppliers. Dozens of local businesses have called for this project to go ahead. Today youth unemployment in Toowoomba was announced to be 24 per cent. Those young people deserve a chance. Those young people deserve a state government which builds dams, approves projects and opens borders.

Let's talk about opening borders. Earlier in these two weeks I talked about the postcodes in Queensland which have been most impacted by the closure of state borders. They include Cairns, Surfers Paradise, Southport, Nerang and Gaven. They have all been impacted by the closure of state borders. My good friend Michael Hart, the member for Burleigh, summed it up best when he put up a billboard on the Gold Coast which said: 'Planes = jobs. Open the border.' Senator Gallacher has spoken about how important the aviation industry is. I agree. But the Queensland government needs to open the border to get the planes flying again to create jobs. Open the border. Create jobs. Get the planes flying again.

With Senator Gallacher appealing to the better angels of my nature, I thought that in my appeal to Premier Annastacia Palaszczuk I should invoke the spirit of one of the great Labor senators from Queensland, the great Ron McAuliffe, who served in this place between 1971 and 1981. Ron McAuliffe was responsible for the establishment of State of Origin. The first State of Origin match was in 1980. I remember Chris 'Choppy' Close carving through the Blues and scoring a try, and Mal Meninga kicking seven goals from seven attempts—and Queensland won the day. That was the first State of Origin. Annastacia, listen to what Ron McAuliffe said to the Queensland State of Origin players in 1980, listen to his words. This is what Labor Senator Ron McAuliffe said: The future of the game is in your hands. We have taken this bold step. If we are beaten we cannot retreat to a position. We must win.

I say to the Premier of Queensland, Annastacia Palaszczuk, that you can't win the game unless you get the team out on the paddock. So build dams, approve projects and open the state border.

The ACTING DEPUTY PRESIDENT (Senator Brockman): Senator Siewert, we only have a few seconds lift. Did you want 15 seconds?

Senator SIEWERT (Western Australia—Australian Greens Whip) (17:29): I'm sure I can do something in 15 seconds. The issue that is very important here is the fact that we have more people unemployed here in Australia over the last month—

The ACTING DEPUTY PRESIDENT: The time for the debate has expired.

COMMITTEES

Rural and Regional Affairs and Transport Legislation Committee

Membership

The ACTING DEPUTY PRESIDENT (Senator Brockman) (17:30): The President has received a letter requesting changes in the membership of a committee.

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (17:30): I move:

That senators be discharged from and appointed to the Rural and Regional Affairs and Transport Legislation Committee as follows:

- Discharged—Senator Gallacher
- Participating member: Senator Green
- Appointed—Senator Green
- Participating member: Senator Gallacher.

Question agreed to.

BUSINESS

Leave of Absence

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (17:30): I move:

That the Senate, at its rising, adjourn till Tuesday 4 August 2020 at midday, or such other time as may be fixed by the President or, in the event of the President being unavailable, the Deputy President, and that the time of meeting so determined shall be notified to each senator and that leave of absence be granted by every member of the Senate from the end of the sitting today to the day on which the Senate next meets.
Question agreed to.

ADJOURNMENT

The ACTING DEPUTY PRESIDENT (Senator Brockman) (17:31): Order! I propose the question:
That the Senate do now adjourn.

Black, Mr Frank

Senator STERLE (Western Australia) (17:31): In the short time I have available to me, I want to raise with the Senate quite an alarming situation that's happened over the last couple of days. There is an owner-driver by the name of Frank Black. I've known Frank for many, many years, and Frank wrote an opinion piece in an edition of Owner Driver entitled 'Maintain your rates'. I'll just quote a few lines from it. Frank Black states:
I've spoken to many owner-drivers who are already making bleak calculations about how long they can sustain their outgoings when they're struggling to pick up work.
This is during the pandemic; this is what started the conversation. Frank continues:
When the industry is in trouble, owner-drivers traditionally lose out first. It's expected—common sense tells us that if companies have their own equipment and workers to pay for, they'll put them to work before outsourcing. Absolutely. We know that happens, and no-one's arguing. I will go back to Frank's words. I'm cherrypicking, but I'm pulling out bits that the Senate needs to hear:
Many of us are hanging in there—
he's talking about owner-drivers—
and probably like me, owner-drivers are saying yes to work whenever it's offered to make sure we have a buffer in tougher times. It's not ideal; we must still find ways to manage fatigue and, for example, I am unfortunately missing my grandson's first birthday for a job I would have otherwise turned down. Sacrificing our rest days and family life now is necessary to help keep the wheels turning in an attempt to ensure our business survives in a few months' time.
Frank goes on to say:
This is no long-term solution but it's all a part of being your own boss.
What does concern me is the cheap freight being offered by people taking advantage of the situation. This is no time for
Frank, I agree with you—yes, absolutely. I can't pick a fault in that.
The alarming part is that after that article, on 1 June this year, Frank received correspondence from the ACCC, and I will pull out a few lines. The ACCC says:
In the Article you made statements that could give rise to allegations that you attempted to fix prices with other owner-drivers. I haven't got a lot of time to go through this, but I am absolutely gobsmacked, because I think the ACCC have a lot of things to do in this nation. It would be great if they concentrated on and spent more effort addressing the plight of dairy farmers—if they absolutely just did something. I think the ACCC would have a lot more credibility if they did something about the cartels, being the fuel companies. How they all go up and down on the same day, and how the hell it changes the price when it's still in the ground or the tank, has got me—I won't say the word I normally use—confused. That is the word I'll go with.
How did the ACCC come to the conclusion that somehow Frank Black was trying to form a cartel with other owner-drivers? There are thousands of owner-drivers, all on rates—some good, some bad, some absolutely terrible. I don't have the proof yet but I will continue to keep asking. I believe someone has contacted the ACCC to put the fear of the living daylights up Frank Black. A part of the correspondence from the ACCC refers to the act. It says that if you're trying to build a cartel—because you've had an opinion piece on price-fixing—you could face fines and up to 10 years in jail. As if that's not bad enough, the ACCC have been after me on a number of occasions over the years trying to accuse me of the same thing—never got them anywhere!
But the worst part is the Australian Trucking Association has seen fit to contribute an article virtually attacking Frank Black. The Australian Trucking Association, which represents businesses, doesn't represent owner-drivers—they'll tell you it does but it doesn't. Why would an association with 'trucking' in its title want to attack Frank Black as an individual when he's the owner-driver member of its committee? The ATA says here it is keen to distance itself from Black's comments and offers little sympathy for his position—a lot more to come.

COVID-19: Employment

Senator CHISHOLM (Queensland) (17:36): I thank Senator Sterle for raising such an important issue that obviously deserves significant attention. The labour-force data that was revealed today paints a very bleak picture
across Australia, with the devastating impacts of the recession being driven home by the news of 835,000 jobs lost since the virus hit. The ABS highlighted the unemployment rate would be as high as 11.3 per cent had 623,000 people not dropped out of the labour force altogether. The participation rate has dropped to 62.9 per cent—the lowest figure since 2001. People are leaving the labour force entirely rather than looking for work at the moment. This is marking how truly dire the situation is for many Australians. We have 2.6 million people who've lost their job or who are working fewer hours across April and May.

The ABS weekly payroll jobs figures show a significant drop in jobs across regional Queensland. They paint a bleak picture across Australia and Queensland on the whole but, unfortunately, they don't seem to be having an impact on this government. If you look at their form over the last couple of weeks, the government have been focused on: excluding people from JobKeeper, which we saw in the vote last night on the Senate; taking workers off JobKeeper altogether when it comes to childcare workers; and having internal discussions about ending JobKeeper earlier for those who are on it at the moment.

Just how important JobKeeper is can't be underestimated. According to a recent report in The Courier-Mail, there are 160,000 businesses in Queensland that have signed up for JobKeeper, including 3,600 businesses in Cairns, around 5,300 businesses in Wide Bay, 5,000 in Ryan, 4,000 in Groom, 3,000 in Hinkler, 2,800 in Flynn and 11,000 in Logan. The sheer number of businesses that are signed up for JobKeeper is astonishing. It has helped to keep so many workers attached to their work, which will help speed up the recovery, yet the PM hasn't got a plan to extend JobKeeper beyond September. So, in the middle of the first recession in 29 years, the government is actually talking about fast-forwarding people out of JobKeeper and leaving them off it altogether.

There are around 3.5 million workers currently on JobKeeper nationally, so cancelling JobKeeper earlier and forcing people onto jobseeker will smash workers' businesses just as they are starting to recover from this crisis. The government have said they will tell the Australian people about their JobKeeper plans in June, but are now waiting until after the Eden-Monaro by-election in July.

With this Prime Minister, politics always comes first, second and third. He's prepared to leave those Australians waiting. You could imagine how anxious those people would be, awaiting the news of whether they will be able to stay on JobKeeper and whether that will be extended. But this Prime Minister prioritises politics. He waits till after the Eden-Monaro by-election to give these people certainty. So there are millions of anxious Australians worried about the rug being pulled from them or JobKeeper hitting a brick wall in September.

What was disappointing about the vote in the Senate last night is that it could have enabled those dnata workers—there are 5,000 of them across Australia, including 1,000 in Queensland—to be included in JobKeeper, and it would have been a good opportunity for the Senate to send the government a message about how we believe these workers should be treated, but that opportunity was missed. The government, when it comes to these issues, have a choice. They always have a choice about what they do, but we know that their contempt for workers—the way they have mistreated workers now since they have been in government—is in their DNA. So I fear that the missed opportunity last night and the way the government have been pulling the rug out from childcare workers and having internal discussions about JobKeeper being removed early—and, from their point of view, the earlier the better—are creating a more anxious Australia. The government are treating workers that need certainty with contempt, and this is going to make the recession last longer and be more dramatic for so many Australians. So it really was disappointing last night that the Senate missed an opportunity to send a message to this government that these dnata workers need to be treated better. Australian workers can't wait until September to hear what this government is going to do, and we will continue to pressure the government to do the right thing by these workers so that they can have certainty about what their economic future looks like.

**Police**

**Australian Sovereignty**

**Senator RENNICK** (Queensland) (17:41): There are few people for whom I have greater admiration and respect than our frontline workers. The fireys, police officers, nurses and teachers perform some of the most critical work within our community. These highly trained individuals are some of the most revered in our community, and rightfully so, because it is times like this, as we deal with the aftermath of the coronavirus pandemic, that make us realise just how critical these professionals are to our society. I stand in the Senate today to thank those workers for their service to our community. I thank them for their hard work, their compassion, their understanding and their sacrifice, especially during the pandemic. These Australians deserve our respect, as they are among the very best of us.

It is therefore a matter of immense shame that violent attacks on our frontline emergency services providers are a growing problem. Such attacks are a repudiation of everything that Australia stands for. Frontline workers put themselves on the line every day to save our lives and to protect our property, yet some people think it's okay to
abuse them, to spit on them, to beat them up and even to murder them in the line of duty. I know of one female police officer who, in her first year on the force, was kicked in the neck by a member of the public resisting arrest. What was initially dismissed by medical experts as redness and swelling to the front of her neck as a result of the assault ended up being a sustained internal injury that resulted in the partial removal of the female officer's thyroid. It has resulted in the female officer having further long-term issues, requiring daily mandatory medication for over a decade. The female officer received a total of $150 in compensation, while the offender escaped the appropriate offence of serious police assault. In the 2018-19 year, over 9,000 police officers were injured in the line of duty throughout Australia. There must be zero tolerance on this in all jurisdictions right across Australia. Any assault on a police officer, nurse, teacher or any other frontline worker should not be tolerated.

The foundation of any free and prosperous society is respect for the rule of law. It is dismaying to see protesters who claim that they want to stop racial violence waving extreme placards supporting violence against police. This is in large part fuelled by the media, who search for the 'gotcha' moment rather than fair and balanced reporting. Some radical elements, including an elected Greens party member in Queensland, have described the police as a violent, racist institution. This accusation is simply not true and only undermines the authority of all our frontline workers. One death in custody is one too many. One incident of inappropriate action or excessive force by a police officer is one too many. But we should not in any way suggest that this represents the intentions or character of our police force, the vast majority of whom are honest, hardworking, decent people serving their communities every day. Any attempt to defund police is an attempt to undermine the rule of law. It is worth noting that the former Queensland LNP government was on target to increase police numbers by a thousand prior to losing government, compared to the current Labor Queensland government, who have added only a few hundred officers in a much longer time frame. The LNP reopened maternity wards in places like Beaudesert and Ingham. The LNP understands that government is about delivering essential services, creating jobs and keeping Australians safe by enforcing the rule of law.

Radical extremists and their promotion of violence, especially against frontline workers, are anathema to mainstream Australia. The father of all discrimination is prejudice. We should not prejudge people based on their race, their creed or their occupation. People should be judged by their actions. When people show disrespect to others and to the rule of law then, as the Treasurer, Josh Frydenberg, said earlier this week, we all have a responsibility to call it out when we see it.

That is why I am proud to be a member of the Queensland LNP, a party whose core value is the dignity and worth of every individual. That's an important distinction between this side of the chamber and others, who use identity politics to seek to divide rather than unite. That is why I'm going to call out the opposition leader, Senator Wong, who called me, as I was walking into the chamber last week, a 'unilateralist'. I've never had a discussion with Senator Wong about foreign affairs, so why on earth would she think I was a unilateralist? I'll tell you why: because she's made the assumption that, because I'm from the conservative side of politics in Queensland, I must be a unilateralist. Clearly, she hasn't read my maiden speech.

But let me tell you something. You can be both a unilateralist and a multilateralist, but unilateralism must always come before multilateralism. Why? Because the most important bulwark of democracy is the nation-state, founded on liberal values of freedom of conscience, religion, expression and association. Western liberal democracies are characterised by the nation-state and the beliefs that all men and women are created equal, that there should be no taxation without representation and that the government is held to account by the people through democratic elections. The nation-state is the key organising principle by which our government, our economy and our society function.

The world we live in is best served by strong, independent nations who are accountable to their people. It is not best served by unelected bureaucrats in organisations who have no democratic oversight. Indeed, one of the key pivotal moments in the creation of the democratic nation was the Boston Tea Party, when the patriots refused to pay taxes to a government in which they had no say. That, today, is effectively what the United Nations is becoming: a government that is not accountable to any people. That's not to say that the United Nations doesn't have a role to play. It does. But it should focus on securing peace between nations rather than dictate how nations govern themselves.

The creeping erosion of Australian sovereignty, indeed, was started by the Australian Labor Party when Bob Hawke took the state governments to court over their rights to build dams. The High Court, in an extraordinary decision, completely undermined the sovereignty of Australia by ruling that external bodies like the United Nations and its many subsidiaries had greater say over our country than state governments. The damage the Hawke-Keating government did to this country by encouraging foreign organisations like the United Nations and foreign banks to override democratically elected governments should be called out for the betrayal that it is.
But that's Labor's modus operandi—to control the people with as little democratic choice as possible; don't worry about individual rights or their livelihoods. We saw that today. In a choice between protecting the livelihoods of individual workers and the unions, Labor voted to protect their rivers of gold by refusing to lower union fees. They threw their union members under the bus.

That is the difference between this side of the chamber and that side of the chamber. We believe in free choice and government decided by the people, while that side of the chamber believes in central command and total control from the top down by nameless bureaucrats and unaccountable unions.

Gambling

Mental Health

Senator SIEWERT (Western Australia—Australian Greens Whip) (17:50): I rise tonight to speak about the impacts of gambling and the harm caused to people who gamble dangerously. This is an issue that we must be tackling and talking about at this time as clubs, pubs and other gambling venues begin to reopen as we enter the recovery phase of the COVID-19 pandemic.

Gambling fundamentally is a public health issue, from low-risk gamblers to those defined as problem gamblers, although I prefer the term 'people who are harmed by gambling'. The impact and harms of gambling extend throughout their lives. From a mental health perspective, those who gamble dangerously are more likely to suffer from anxiety, depression and substance abuse disorders. Research conducted by the Victorian Responsible Gambling Foundation identified that 39 per cent of Victorians with harmful gambling behaviour also have a diagnosed mental illness. They estimate that just over half of low-risk gamblers in Victoria have some form of emotional or psychological impact on their life as a result of their gambling behaviour. Over 40 per cent of defined 'problem gamblers' suffer from depression, and nearly one-third of problem gamblers experience suicidal ideation. According to the foundation, the estimated financial cost of the emotional and psychological harm to people with problematic gambling behaviour is about $1.6 billion. It is also estimated that gambling accounts for over 20 per cent of the Victorian mental health sector's total annual costs.

These figures clearly demonstrate that harmful mental health impacts of gambling are rife. However, like many mental health issues, stigma prevents people talking openly about their gambling behaviours and the impact they have on their lives. In a 2019 article by The Guardian Australia, Ian shared how his gambling behaviour left him homeless and living on the streets when his relationship broke down due to the financial strain caused by his addiction. After leaving his family home his depression significantly worsened and his gambling behaviour spiralled. He tallied more than $100,000 in credit card debt in 2007, and by 2010 had reached more than $1 million in losses to the pokies. He said: 'I started to have panic attacks, which I’d never had before. My depression was severe.' Ian had suicidal thoughts and made three attempts on his life before seeking help in 2014. When he did seek help, many of the counsellors he saw failed to acknowledge his gambling addiction as the root cause of his mental ill-health.

There is growing literature on the impacts of harmful gambling behaviour on mental health and, in particular, on its links to suicide and suicidal ideation. A 2018 study by Lund University in Sweden found a 15-fold increase in suicide mortality for people experiencing issues with their gambling. The same study identified that 51 per cent of those with harmful gambling behaviour were suffering from depression, 60 per cent from anxiety and 41 per cent from substance use disorders.

Despite this link, there is a lack of coronal data in Australia to link suicidal mortality with problem gambling. It is simply not something we are looking for. The Coroners Court of Victoria released a review of coronal data in 2012 to explicitly identify gambling related suicides. From January 2000 to December 2012 there were 128 gambling related suicides, including two suicides of people adversely affected by their partner's gambling behaviour. In two cases men with significant gambling issues murdered their female partners before they killed themselves. The review also identified that people suffering from post-traumatic stress disorder had a higher risk of developing harmful gambling behaviour and were more likely to gamble long-term or across their entire lifetime. The Victorian coroner's review identifies a clear link between suicide and harmful gambling behaviour, but the data is mostly likely incomplete as there are no formal requirements to identify gambling behaviour when someone takes their own life. Many families are ashamed or do not want to shine a light on their family member's gambling behaviour and therefore request that this information not be disclosed. Without proper data collection that is readily available, it is difficult for policymakers to implement measures to effect positive change. Statistically, we are in the dark on this issue, but some estimates suggest that up to 400 people a year in Australia take their life as a result of their gambling behaviour. Can I just take a small moment here to say: if my comments are triggering anyone listening, I advise people to please seek support and contact Lifeline or one of the other helplines.
It is time for us to consider this a public health issue and take appropriate actions. This is more important than ever before. We are coming out of a pandemic, which has increased the daily stresses in households immensely. Many families are suffering financially as a result of job losses, and pubs and clubs and other pokie venues are opening in many states. They try their best to attract people to their venues using shining lights and the sounds of electronic gaming machines. There is a great risk that further harm will be done through this reopening. Despite Australia accounting for less than 0.5 per cent of the world's population, we have 20 per cent of the world's slot machines. The closure of pokie venues throughout the pandemic provided a once-in-a-lifetime opportunity for those harmed by gambling to pause and reset and put a halt on their gambling behaviours. We must support those people now. There are a large number of them that do not want to go back to gambling, but they urgently need support. We are seeing red flags already, with recent figures showing that an average of 11 per cent of superannuation that was withdrawn early during the pandemic is being spent on gambling, and we know that some people have made a switch to online wagering.

It is vital that the government lead the way here and work with the states and territories to provide the support services that are needed to help people end their gambling addiction for good. We should also be looking at further reforms. We need to start framing gambling harm as a public health issue. The Victorian Responsible Gambling Foundation argues that the absence of gambling from public and mental health frameworks means that health professionals, GPs and mental health practitioners are less likely to identify and respond to patients' underlying gambling problems. We need to implement a $1-bet process on pokies. This has been recommended by campaigners, public health experts and the Productivity Commission in their 2010 report. With the closure of pokie venues, we saw many people moving to online gambling spaces, which are poorly regulated. We need to expedite the development of the National Self-Exclusion Register, allowing people to ban themselves from all online wagering sites and apps. And when we do that we need to enforce it, because that helps people on the register. We need a national and uniform regulatory system, and we need to address the issue of corporate influence in government, through ending political donations and bringing in political donations reform. It is simply not appropriate for government to be influenced by people who are deliberately trying to attract gamblers.

There is so much more that the federal government could be doing to minimise the harms associated with dangerous gambling. I urge the government to use the COVID recovery period to take more affirmative action in the form of gambling policies and regulations. Don't simply blame the states and territories. There is much the federal government can do. It's absolutely urgent, and people want the support. As we come out of the COVID period and move into recovery, this is a golden opportunity to make once-in-a-lifetime reforms.

Senate adjourned at 18:00