INTERNET
The Journals for the Senate are available at http://www.aph.gov.au/senate/work/journals/index.htm

Proof and Official Hansards for the House of Representatives, the Senate and committee hearings are available at http://www.aph.gov.au/hansard

For searching purposes use http://parlinfoweb.aph.gov.au

SITTING DAYS—2003

<table>
<thead>
<tr>
<th>Month</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>February</td>
<td>4, 5, 6</td>
</tr>
<tr>
<td>March</td>
<td>3, 4, 5, 6, 18, 19, 20, 24, 25, 26, 27</td>
</tr>
<tr>
<td>May</td>
<td>13, 14, 15</td>
</tr>
<tr>
<td>June</td>
<td>16, 17, 18, 19, 23, 24, 25, 26</td>
</tr>
<tr>
<td>August</td>
<td>11, 12, 13, 14, 18, 19, 20, 21</td>
</tr>
<tr>
<td>September</td>
<td>8, 9, 10, 11, 15, 16, 17, 18</td>
</tr>
<tr>
<td>October</td>
<td>7, 8, 9, 13, 14, 15, 16, 23, 24, 27, 28, 29, 30</td>
</tr>
<tr>
<td>November</td>
<td>7, 24, 25, 26, 27, 28</td>
</tr>
<tr>
<td>December</td>
<td>1, 2, 3, 4</td>
</tr>
</tbody>
</table>

RADIO BROADCASTS
Broadcasts of proceedings of the Parliament can be heard on the following Parliamentary and News Network radio stations, in the areas identified.

- **CANBERRA** 1440 AM
- **SYDNEY** 630 AM
- **NEWCASTLE** 1458 AM
- **BRISBANE** 936 AM
- **MELBOURNE** 1026 AM
- **ADELAIDE** 972 AM
- **PERTH** 585 AM
- **HOBART** 729 AM
- **DARWIN** 102.5 FM
CONTENTS

WEDNESDAY, 3 DECEMBER

Business—
Rearrangement.............................................................................................................. 18785
Age Discrimination Bill 2003 and
Age Discrimination (Consequential Provisions) Bill 2003—
Second Reading............................................................................................................ 18785
Business—
Consideration of Legislation .................................................................................... 18788
ASIO Legislation Amendment Bill 2003—
First Reading ................................................................................................................ 18799
Second Reading............................................................................................................ 18799
Higher Education Support Bill 2003 and
Higher Education Support (Transitional Provisions and Consequential Amendments)
Bill 2003—
In Committee................................................................................................................ 18813
Matters of Public Interest—
Queensland Government .............................................................................................. 18823
World AIDS Day .......................................................................................................... 18827
Medicare....................................................................................................................... 18830
Trade: Free Trade Agreement ....................................................................................... 18840
Nanotechnology............................................................................................................ 18843
Questions Without Notice—
Social Welfare: Disability Services .............................................................................. 18845
Distinguished Visitors ........................................................................................................ 18847
Questions Without Notice—
Economy: Growth ........................................................................................................ 18847
Social Welfare: Disability Support Pension................................................................. 18848
Immigration: Border Protection ................................................................................... 18849
Health and Ageing: Aged Care Facilities ..................................................................... 18850
Trade: Free Trade Agreement ....................................................................................... 18851
Trade: China .................................................................................................................. 18852
ComLand: St Marys ..................................................................................................... 18853
Defence: Airborne Early Warning and Control Aircraft ............................................... 18854
Law Enforcement: Gun Control ................................................................................... 18855
Superannuation .............................................................................................................. 18856
Agriculture: Sugar Industry .......................................................................................... 18857
Superannuation .............................................................................................................. 18857
International Day of People with a Disability .............................................................. 18859
Questions Without Notice: Take Note of Answers—
Superannuation .............................................................................................................. 18860
Agriculture: Sugar Industry .......................................................................................... 18865
Science: Assisted Reproductive Technology—
Return to Order............................................................................................................. 18867
Petitions—
Trade: Live Animal Exports ......................................................................................... 18867
Constitutional Reform: Senate Powers ........................................................................ 18868
Defence: Involvement in Overseas Conflict Legislation ............................................... 18868
Trade: Live Animal Exports ......................................................................................... 18868
CONTENTS—continued

Trade: Live Animal Exports
Communications: Local Television
Education: Higher Education
Medicare
Notices—
Presentation
Committees—
Selection of Bills Committee—Report
Business—
Rearrangement
Notices—
Postponement
Committees—
Economics Legislation Committee—Extension of Time
Broadcasting Services (Safeguarding Local Content and Local Audience Needs)
Amendment Bill 2003—
First Reading
Second Reading
Paid Maternity Leave Scheme
Immigration: Detention Centres
Health: Pharmaceutical Benefits Scheme
International Day of Disabled Persons
Sepon Mine Project
Committees—
Rural and Regional Affairs and Transport Legislation Committee—Extension of Time
Senate: Standing Orders
Budget—
Consideration by Legislation Committees—Meeting
Forestry: Logging—
Suspension of Standing Orders
Committees—
Scrutiny of Bills Committee—Report
Financial Services Reform Amendment Bill 2003—
Report of Economics Legislation Committee
Budget—
Consideration by Legislation Committees—Additional Information
Committees—
National Capital and External Territories Committee—Report
Reports: Government Responses
Documents—
Tabling
Australian Meat and Livestock Industry
Great Barrier Reef Marine Park Authority
Committees—
Community Affairs Legislation Committee—Membership
Bills Returned from the House of Representatives
CONTENTS—continued

Trade Practices Legislation Amendment Bill 2003,
Trade Practices Amendment (Personal Injuries and Death) Bill 2003 and
Taxation Laws Amendment Bill (No. 5) 2003—
Consideration of House of Representatives Message................................................... 18906
States Grants (Primary and Secondary Education Assistance) Amendment Bill 2003—
Consideration of House of Representatives Message................................................... 18906
Higher Education Support Bill 2003 and
Higher Education Support (Transitional Provisions and Consequential Amendments)
Bill 2003—
In Committee................................................................................................................ 18909
Valedictory .................................................................................................................... 18911
Adjournment—
Alston, Senator Richard ............................................................................................... 18935
Australian Citizenship Day ........................................................................................... 18935
HMAS Sydney .................................................................................................................. 18937
Petroleum Industry ....................................................................................................... 18939
Environment: Sustainable Development ...................................................................... 18941
Documents—
Tabling ........................................................................................................................ .. 18943
Questions on Notice—
Commonwealth Departments: Corporate Branding—(Question No. 1745)............... 18944
Australia Post: Build A Better Union Team Campaign—(Question No. 1803)......... 18945
Transport and Regional Services: Regional Solutions Program—(Question No. 1844)................................................................................................................ 18948
Transport and Regional Services: Regional Solutions Program—(Question No. 1845)................................................................................................................ 18949
Transport and Regional Services: Regional Solutions Program—(Question No. 1846)................................................................................................................ 18951
Transport and Regional Services: Regional Solutions Program—(Question No. 1847)................................................................................................................ 18953
Transport and Regional Services: Regional Solutions Program—(Question No. 1848)................................................................................................................ 18955
Transport and Regional Services: Regional Solutions Program—(Question No. 1849)................................................................................................................ 18957
Transport and Regional Services: Regional Solutions Program—(Question No. 1850)................................................................................................................ 18959
Transport and Regional Services: Regional Solutions Program—(Question No. 1851)................................................................................................................ 18961
Transport and Regional Services: Regional Solutions Program—(Question No. 1852)................................................................................................................ 18962
Transport and Regional Services: Regional Solutions Program—(Question No. 1853)................................................................................................................ 18964
Transport and Regional Services: Regional Solutions Program—(Question No. 1854)................................................................................................................ 18966
Transport and Regional Services: Structural Adjustment Package—(Question No. 1857)................................................................................................................ 18968
Transport and Regional Services: Structural Adjustment Package—(Question No. 1858)................................................................................................................ 18971
Transport and Regional Services: Structural Adjustment Package—(Question No. 1859)................................................................................................................ 18974
CONTENTS—continued

Transport and Regional Services: Structural Adjustment Package—(Question No. 1860)................................................................. 18976
Transport and Regional Services: Structural Adjustment Package—(Question No. 1861)................................................................. 18979
Transport and Regional Services: Structural Adjustment Package—(Question No. 1862)................................................................. 18982
Transport and Regional Services: Structural Adjustment Package—(Question No. 1863)........................................................................ 18985
Transport and Regional Services: Structural Adjustment Package—(Question No. 1864)........................................................................ 18987
Transport and Regional Services: Structural Adjustment Package—(Question No. 1865)........................................................................ 18990
Transport and Regional Services: Structural Adjustment Package—(Question No. 1866)........................................................................ 18993
Transport and Regional Services: Structural Adjustment Package—(Question No. 1873)........................................................................ 18996
Transport and Regional Services: Structural Adjustment Package—(Question No. 1874)........................................................................ 18999
Transport and Regional Services: Structural Adjustment Package—(Question No. 1875)........................................................................ 19002
Transport and Regional Services: Structural Adjustment Package—(Question No. 1876)........................................................................ 19004
Transport and Regional Services: Structural Adjustment Package—(Question No. 1877)........................................................................ 19007
Transport and Regional Services: Structural Adjustment Package—(Question No. 1878)........................................................................ 19010
Transport and Regional Services: Structural Adjustment Package—(Question No. 1879)........................................................................ 19013
Transport and Regional Services: Structural Adjustment Package—(Question No. 1880)........................................................................ 19016
Transport and Regional Services: Structural Adjustment Package—(Question No. 1881)........................................................................ 19019
Transport and Regional Services: Regional Assistance Program—(Question No. 1888)................................................................. 19022
Transport and Regional Services: Regional Assistance Program—(Question No. 1889)................................................................. 19024
Transport and Regional Services: Regional Assistance Program—(Question No. 1890)........................................................................ 19027
Transport and Regional Services: Regional Assistance Program—(Question No. 1891)........................................................................ 19029
Transport and Regional Services: Regional Assistance Program—(Question No. 1892)........................................................................ 19031
Transport and Regional Services: Regional Assistance Program—(Question No. 1893)........................................................................ 19034
Transport and Regional Services: Regional Assistance Program—(Question No. 1894)........................................................................ 19036
Transport and Regional Services: Regional Assistance Program—(Question No. 1895)........................................................................ 19038
Transport and Regional Services: Regional Assistance Program—(Question No. 1896)........................................................................ 19041
CONTENTS—continued

Transport and Regional Services: Regional Assistance Program—(Question No. 1897)................................................................................................................... 19043
Transport and Regional Services: Regional Assistance Program—(Question No. 1898)................................................................................................................... 19046
Transport and Regional Services: Regional Assistance Program—(Question No. 1899)................................................................................................................... 19048
Transport and Regional Services: Regional Assistance Program—(Question No. 1900)................................................................................................................... 19050
Transport and Regional Services: Regional Assistance Program—(Question No. 1901)................................................................................................................... 19053
Transport and Regional Services: Regional Assistance Program—(Question No. 1902)................................................................................................................... 19055
Transport and Regional Services: Regional Assistance Program—(Question No. 1903)................................................................................................................... 19057
Transport and Regional Services: Regional Assistance Program—(Question No. 1904)................................................................................................................... 19060
Transport and Regional Services: Regional Assistance Program—(Question No. 1905)................................................................................................................... 19062
Transport and Regional Services: Regional Assistance Program—(Question No. 1906)................................................................................................................... 19065
Transport and Regional Services: Regional Assistance Program—(Question No. 1907)................................................................................................................... 19067
Transport and Regional Services: Regional Assistance Program—(Question No. 1908)................................................................................................................... 19069
Transport and Regional Services: Regional Assistance Program—(Question No. 1909)................................................................................................................... 19072
Transport and Regional Services: Regional Assistance Program—(Question No. 1910)................................................................................................................... 19074
Transport and Regional Services: Regional Assistance Program—(Question No. 1911)................................................................................................................... 19076
Transport and Regional Services: Regional Assistance Program—(Question No. 1912)................................................................................................................... 19079
Transport and Regional Services: Regional Assistance Program—(Question No. 1913)................................................................................................................... 19081
Transport and Regional Services: Regional Assistance Program—(Question No. 1914)................................................................................................................... 19084
Transport and Regional Services: Regional Assistance Program—(Question No. 1915)................................................................................................................... 19086
Transport and Regional Services: Regional Assistance Program—(Question No. 1916)................................................................................................................... 19088
Transport and Regional Services: Regional Assistance Program—(Question No. 1917)................................................................................................................... 19091
Transport and Regional Services: Regional Assistance Program—(Question No. 1918)................................................................................................................... 19093
Transport and Regional Services: Regional Assistance Program—(Question No. 1919)................................................................................................................... 19095
Transport and Regional Services: Regional Assistance Program—(Question No. 1920)................................................................................................................... 19098
Research and Development Corporations: Corporate Branding—(Question No. 2122)................................................................................................................... 19100
CONTENTS—continued

Defence: Depleted Uranium Screening—(Question No. 2183) ........................................ 19101
Defence: Point Nepean—(Question No. 2320) .................................................................. 19102
Employment and Workplace Relations: Alternative Dispute Resolution—
(Question No. 2356) .......................................................................................................... 19104
Foreign Affairs: West Papua—(Question No. 2365) .......................................................... 19105
Customs: Stolen Computer Equipment—(Question No. 2369)........................................ 19105
Wednesday, 3 December 2003

The PRESIDENT (Senator the Hon. Paul Calvert) took the chair at 9.30 a.m.,
and read prayers.

BUSINESS

Rearrangement

Senator TROETH (Victoria—Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry) (9.30 a.m.)—I move:

That intervening business be postponed till after consideration of government business order of the day no. 5 (Age Discrimination Bill 2003 and a related bill) and government business notice of motion no. 1 (relating to the consideration of legislation).

Question agreed to.

AGE DISCRIMINATION BILL 2003

AGE DISCRIMINATION (CONSEQUENTIAL PROVISIONS) BILL 2003

Second Reading

Debate resumed from 2 December, on motion by Senator Patterson:

That these bills be now read a second time.

Senator KIRK (South Australia) (9.31 a.m.)—I would like to continue my remarks on the Age Discrimination Bill 2003 and the Age Discrimination (Consequential Provisions) Bill 2003. I had reached the point where I was highlighting another issue of concern for Labor members of the Senate committee inquiry into this bill. This was the omission in the legislation of sections dealing with age based harassment.

Unlike other Commonwealth anti-discrimination law, the bill does not prohibit harassment based on age. Harassment is an important issue and, if the government is serious about implementing a comprehensive anti age discrimination solution, then the legislation cannot reasonably fail to address harassment. This matter was of concern to Labor members of the Senate committee. As the department’s information paper noted, the Northern Territory Anti-Discrimination Act 1992 includes such a prohibition against harassment in relation to age.

We in the Australian Labor Party believe that federal human rights legislation should embody the best protections against unlawful discrimination and that a prohibition on age based harassment would be useful in addressing what was drawn to the attention of the department as a significant problem in the workplace. Australian Lawyers for Human Rights also supported such a prohibition. They noted:

Failure to provide specific protection against harassment will force parties to re-argue what is already settled law in this country.

For many years harassment has been recognised as one of the major forms of discrimination, and the placing of such claims outside the reach of this legislation is both illogical and unwarranted. The denial of reasonable avenues of protection to those suffering age based harassment will undercut the fundamental basis for the introduction of this legislation. The decision not to address this issue is clear evidence, I believe, of a lack of courage on behalf of the government in relation to age based discrimination. The Labor senators on the committee made the recommendation that the bill be amended to include a specific prohibition on age based harassment.

These factors represent a serious impediment to the ability of this legislation to offer real and effective protection against age discrimination to Australian citizens. The Australian Labor Party wishes to see anti age discrimination legislation passed but we believe that any such legislation should have the full and genuine commitment of the gov-
ernment—something which at present appears to be lacking. It is disappointing to see that the government does continue to struggle with human rights issues. The past and present actions of the government demonstrate that it does not consider human rights to be a matter of high importance. This dismissive attitude has been demonstrated on many occasions and, as I mentioned last night, is seen in the Human Rights and Equal Opportunity Commission legislation that is before this parliament at present. As I also mentioned last night, this measure, if it were to be enacted, combined with the 40 per cent reduction in HREOC’s funding that has occurred since the Howard government came to office, would further undermine the ability of the commission to function effectively and, as a consequence, would significantly inhibit its ability to offer meaningful protection to Australian citizens against discriminatory behaviour and other human rights abuses.

Although age discrimination is recognised as somewhat less contentious in nature than other forms of discrimination such as race and sex discrimination, this does not, in our opinion, warrant a soft legislative approach to the issue. It is important that any government response to age discrimination be a complete and inclusive one. The bill in its current form does not do this. It is a ship without sails. The weaknesses I have identified here today and also in my speech last night should be carefully considered by the government. They are issues that must be addressed in order to make this legislation better. The changes advocated by the Australian Labor Party are necessary to ensure the protection of Australians from age based discrimination and, if the government wishes to convince the Australian people of its earnestness in this regard, it must take action to amend the weaknesses in this bill. (Quorum formed)

Senator ELLISON (Western Australia—Minister for Justice and Customs) (9.38 a.m.)—I thank senators for their contribution to this debate. It is worthwhile at this stage to recall exactly what the Age Discrimination Bill 2003 does. This bill implements the government’s 2001 election commitment to develop national legislation prohibiting age discrimination. Despite existing state and territory laws, age discrimination is an increasingly significant problem for our society. The social and economic costs of age discrimination will only increase with demographic change in Australia. We cannot afford to ignore the important social and economic contribution that older and younger Australians make to the community.

The bill was developed following extensive consultation with business and community groups. It has attracted wide support as a measure of fundamental importance in protecting older and younger Australians against age discrimination. It will prohibit unlawful discrimination in the area of employment and protect access to goods and services, including health and medical services, education and accommodation. It covers for the first time the administration of Commonwealth laws and programs. The bill strikes a careful balance between the need to eliminate unfair age discrimination and the need to permit legitimate age distinctions. It will play a key role in changing negative attitudes about older and younger Australians. It will remove barriers to work force participation. Capacity to do the job and not age will become the focus as the bill encourages attitudinal change regarding our ageing society. The community will benefit from the enhanced role of the Human Rights and Equal Opportunity Commission in promoting community awareness and attitudinal change and in conciliating age discrimination complaints. The Senate Legal and Constitutional Legislation Committee considered the bill
and issued its report on 18 September this year. I thank the members of the committee for the work they did and note that the committee commented very favourably on the extensive consultation process which informed the development of this bill. It noted that there was wide support for the bill.

I would like to reiterate briefly the government’s response to the five recommendations which were made by the Senate Legal and Constitutional Committee. Firstly, the committee recommended that the scope of the dominant reason test in clause 16 be further defined and the clause amended to specify who bears the onus of proof in establishing the dominant reason for discrimination. The government does not consider that the recommended amendments are necessary. In the area of age discrimination, action should be unlawful only where age is the dominant consideration. It is the government’s view that this test would be most appropriate to promote the attitudinal changes it seeks to achieve. The bill, including clause 16, is designed to send a clear message that age stereotyping is unacceptable, without suggesting that age can never be a relevant consideration.

The committee’s second recommendation was that the government consider expanding the workplace relations exemption in subclause 39(8) to cover industrial agreements made under state law. The case for such an expansion has not been made out. The current exemption covers federal agreements. In the federal sphere the Australian Industrial Relations Commission and the Employment Advocate must have regard for the need to eliminate discrimination, including age discrimination. State industrial relations arrangements vary between jurisdictions. Some states make no mention of antidiscrimination provisions or the need to eliminate age discrimination. The Commonwealth cannot be confident that all state arrangements deal with the potential for age discrimination.

The committee’s third recommendation was to amend clause 15, which effectively defines indirect discrimination to specify what factors must be taken into account when considering whether action is reasonable in the circumstances. Action that is reasonable cannot constitute indirect discrimination. Inclusion, however, of a list of matters to be taken into account in determining what is reasonable, as in the Sex Discrimination Act, could result in a more restrictive interpretation. There is likely to be a wide range of reasonable circumstances in relation to age discrimination. The explanatory memorandum identifies some of these. The bill needs to be flexible enough to cover all such circumstances. As the proposed amendment would not work to that end it is not supported by the government.

The committee’s fourth recommendation is that the government consider whether the Human Rights and Equal Opportunity Commission requires additional funding. The government’s general position is that agencies are not provided with new resources for functions that can and should be absorbed in the normal process of adjusting priorities as circumstances change. The commission receives a total budget to deal with the entire spread of its responsibilities, not separate budgets for particular areas of discrimination. Age discrimination already falls within the commission’s broader education and inquiry function. The government is still considering the 2003-04 budget for the commission.

The committee’s fifth and final recommendation was to extend the concept of age discrimination to cover an aggrieved person’s relative or associate. A case for an extension of the legislation to this area of public life has not been made out. The report’s
case for new provisions covering discrimination on the grounds of the age of a person’s associate appear for the moment to rest on less compelling grounds. The government accordingly is not minded to support that recommendation.

I note that the opposition and Democrats will be moving amendments at the committee stage and I will reserve my comments for that stage. The government is committed to implementing its election commitment to develop national legislation prohibiting age discrimination. This bill fulfils that election commitment and I commend the bill to the Senate.

Question agreed to.

Bills read a second time.

Ordered that consideration of these bills in Committee of the Whole be made an order of the day for a later hour.

BUSINESS

Consideration of Legislation

Senator ELLISON (Western Australia—Minister for Justice and Customs) (9.45 a.m.)—At the request of Senator Ian Campbell, I move:

That the provisions of paragraphs (5), (6) and (8) of standing order 111 not apply to the ASIO Legislation Amendment Bill 2003, allowing it to be considered during this period of sittings.

Senator BROWN (Tasmania) (9.46 a.m.)—The motion is not agreed to. This is a motion which has no validity. The government is trying to ram through this parliament, on the second last day of sitting, an obnoxious piece of legislation which cuts back the right of all Australians in an open democracy to not be treated as people in a police state. The ASIO Legislation Amendment Bill 2003 is police state legislation.

I note that the government has put itself in the position of saying, ‘We don’t have an excuse for bringing this motion forward in this way but we’ll try to fox the Senate anyway.’ When you look at the text of the motion put forward by the government, you will see that it is totally specious. The reason given by the government for rushing this bill on is a one- or two-sentence cursory thumbing of the nose at the Senate. One expects that these exemptions from the cut-off are going to have force; they are going to have logic; and they are going to have content. But none of those things is contained in the reason given to the Senate.

The reason for the cut-off, I will remind the Senate, is that it gives the opportunity to have important legislation taken to the Australian people and experts in the community. I do not think there is anybody in this place who can argue that this is not important legislation. What we are voting on now denies the Australian public, the law community, non-government organisations such as Amnesty International, the Australian Council of Civil Liberties, Liberty Victoria, QCs and people concerned about human, civil and political rights right across the field the opportunity to have a say and inform their representatives so that the debate can properly be undertaken. It says, ‘Let’s ram this through so that we can go home for Christmas.’ It is presumably supported by Labor, because it voted down the motion yesterday for this legislation to be sent to a committee.

But when we do ram this through, and Labor will be part of the problem here, we will go home for Christmas with a piece of legislation which says, ‘When it comes to people being arrested and detained secretly, whether it be done legally or illegally for the purposes of questioning about terrorism by ASIO, that is a matter that cannot be discussed in the Australian community. It is a matter that cannot be discussed by politicians in the Australian community; it is a matter that cannot be discussed by journalists in the Australian community; it is a matter that
cannot be discussed by lawyers in the Australian community, because if you do you face a five-year jail sentence.’ Imagine that. Who is going to argue that that is not police state legislation?

As I pointed out yesterday, this legislation cuts right across what is expected in an open Australian democracy which is based on the free flow of information. Where you have to be most careful about this is where you are dealing with secret agencies—in this case, ASIO. What Labor is going to support here today is a Howard government concocted—an Attorney-General Ruddock concocted—piece of legislation which cuts right across those expected norms which cannot be breached in a democratic society.

The very last component of this legislation is to remove parliamentary review. I remember Senator Faulkner fighting for that very strongly. But what it says is, ‘No, parliament can’t review this either. We’ll tie the hands of parliament—if you don’t mind. We’re going to remove the clause fought for by Labor in June this year which says it’s up to the parliament to ask for a review of the workings of this piece of legislation, which allows citizens to be taken off the street, held secretly for seven days and questioned in blocks of some hours even when it’s known that they are innocent and have done nothing wrong.’ That was the argument—remember? That was the legislation that went through. But it is important that we have a review when you are giving a secret service agency the ability to do that to innocent Australian citizens. Now what we get in this piece of legislation removes the parliamentary review capability.

So there is a lot to be debated, and it will be debated. The Greens will be circulating amendments which oppose almost every clause of this bill—in fact, the whole lot. There has not been a squeak out of Labor on this. It is a remarkable failure by the Labor Party to stand up for democratic rights and liberties in this country, and it is a very stupid piece of politics by the Labor Party as well. As soon as we come back from the short Christmas break we are going to have another piece of legislation in here from Attorney-General Ruddock and endorsed by Prime Minister Howard to further cut the rights of 20 million Australian citizens as they crank up the fear factor in the run to the next election.

We heard yesterday from the alternative prime minister, the new Leader of the Opposition, Mr Latham, that he is going to be strong on terrorism—just as the Greens are strong on terrorism and every other party is strong on terrorism. But the implication is different—that is, he means the Blair direction, the ‘Third Way’, which says, ‘Yes, we’ll follow George Bush in truncating democracy and liberty on the altar of a politics which uses fear as a means of winning at the ballot box.’ Certainly we have to make sure that we have the intelligence capacity and the policing capacity to maximise our national security and the security of every Australian against terrorists. Nobody is going to dispute that. Where the dispute comes is over how much you give away in the name of the fight against terrorism—as against real terrorism—of what you are defending, of what you are fighting for. It is the rule of law; this bill cuts the rule of law. It is the rule of democracy; this bill truncates that. It is the rule of the rights of the individual; this bill cuts right across that.

But here is Labor saying: ‘Oh, goodness, we’re frightened of what the Howard government is going to do to us in the run to the election. We will give up at the first staging post. We will collapse when it comes to defending ourselves and this country from another erosion of rights.’ For what? What has
happened since last June? The arrest of Mr Brigitte and the questioning of his associates was done outside of this bill; it was not used. The minister says so. We know it was not used. But they come in here and say: ‘We want to review this bill. It has to have stronger measures built into it.’ When you look into the second reading speech from Attorney-General Ruddock to try to find out why, because the bill has not been used—the draconian infringements that this Senate passed in June have not been implemented; there has not been a test of them—this is what you find. Let me paraphrase what Attorney-General Ruddock said: ‘Well, no, ASIO has not asked for this, ASIS has not asked for this, ONA did not ask for this. I told them I want stronger measures. I have told the bureaucracy to bring up stronger measures because it is a political winner for the Howard government and because Labor will fall for it.’ That is what is happening today.

So here we have a motion which says, ‘We’ll ram this through the parliament today without reference to the community.’ Across the board we are getting very strong submissions from experts in this field who say: ‘Don’t do this. You must at least give an opportunity for community input on this piece of legislation.’ Labor voted that down yesterday. They said: ‘No, we won’t have an inquiry. The crossbenchers might want that, but we’re not the watchdogs of this and we don’t communicate with the community on something that we are frightened of politically.’ So today we have a move to treat this legislation differently from a suite of social innovations that the government has on its legislative list and differently from a whole tranche of other pieces of legislation. This one is urgent. This one has to be exempted from the normal process of review—that is, from time given to the Senate so that all senators can go to their communities or receive submissions from them, even if there is no inquiry, and be properly informed. There is none of that. Labor are going to join the coalition; Latham is going to join Howard in ramming this draconian piece of legislation through this parliament today because it is politically expedient for both sides. What an appalling situation that is from this government and from this opposition.

When the bill comes on very shortly, as it will, we will have our amendments ready, and the government had better have their answers ready. One of the questions I will be asking the government is: what does this do concerning we members of parliament speaking up about mistreatment in the application of these laws to citizens? Are we going to be muzzled in here? Does this law reach into this parliament and say, ‘If you, as a member of parliament, report on what ASIO is doing with citizens, you are at risk of prosecution under this law’? Does this law override parliamentary privilege? Is the minister—who is not in his place and not listening at the moment—going to answer that one? I will be putting that question to him in the course of the debate. If Labor does not care, the Greens do. We want answers to that. If Labor has made up its mind before asking questions like that, we have not. If the government thinks questions like that should not be asked, they will be, and it is up to the government to give answers. I will want those reassurances amongst many others in the course of that debate.

This is a heinous piece of legislation. The politics of it are awesome and awful. I would have thought the opposition—which at least put in a vigorous debate on the last piece of legislation, which this amends and makes much more draconian—would have at least wanted to be informed and to give space to the community to have an input into this legislation, rather than voting for this motion.
Senator FAULKNER (New South Wales—Leader of the Opposition in the Senate) (10.00 a.m.)—I will deal with the merits of the ASIO Legislation Amendment Bill 2003 later. I totally reject the view that Senator Brown has put, that this is heinous legislation—it is not. I do not accept the view that has been put in relation to the motivations for this legislation coming forward. It is possible, as Senator Brown has suggested, that in time further legislation will come before the parliament—in this case driven out of the Attorney-General’s or the Prime Minister’s office—which might have some of the concerns that Senator Brown has addressed in his contribution. My attitude to all these things is to deal with each piece of legislation that comes forward on its merits. That is what the opposition have done in relation to this legislation. As always, we have dealt with the matters on their merits.

This bill has received the unanimous support of the Labor caucus. I do not believe the motivations for this bill have been political motivations driven out of the office of the Attorney-General or the office of the Prime Minister. I have been assured—and I accept those assurances—that the need for this legislation has been recommended by the Director-General of ASIO. I am also pleased to say that this legislation is limited to technical amendments to close loopholes that were discovered by ASIO during and after the Willie Brigitte incident.

ASIO, as they have gone about their important work, have discovered some loopholes in their new laws when questioning people about terrorism, especially when those people are foreign nationals. So the amendments before the parliament are technical in nature and are aimed at closing those loopholes. Most of these amendments should have been made law last year but, unfortunately, at the time the government’s motivation was very different to what I think the motivation has been behind this legislation. It was busy playing politics with the then ASIO bill, rather than doing what any responsible government should have been doing—keeping a weather eye out for potential loopholes in proposed laws, particularly in relation to issues such as those arising with passports held by foreigners who were being questioned.

To address that issue: Mr Acting Deputy President, you would be aware that one amendment in this bill will introduce new offences for failing to surrender a passport or leaving the country after being notified of the issuing of a warrant. This is plain common-sense if there is a foreign national whom the authorities need to question. It is plain common-sense. People who have important information regarding terrorism cannot be allowed either to slip out of the country or to avoid questioning. This is an obvious flaw in the legislation. It should not have arisen in the first place. It is there. We have a responsibility in the parliament to address it.

The amendments close a loophole in the new questioning regime in relation to interpreters. A prescribed authority can, if needed, extend the questioning time where an interpreter is used to a maximum of 48 hours—that is, allow for six eight-hour blocks of questioning rather than three eight-hour blocks of questioning. The amendments do not extend the maximum period of detention for questioning. They do not limit access to legal advice or change the very strong safeguards that the Senate—and the opposition, in particular—insisted on in earlier debate.

Another amendment changes the non-disclosure provisions to cover a wider range of information and people. These new laws will mean that, after 28 days, a person could reveal that the warrant had been issued and they had been questioned by ASIO, but they could not reveal the contents of the question-
ing until after two years. When a person is being questioned, they still have their lawyer present and, of course, questioning will be supervised by a senior judge. So the person being questioned still retains important legal rights. What will be curtailed is the capacity of a person to blab to anyone or everyone about what they were being questioned about. Again, I say that this is a sensible change, a sensible proposal. ASIO and the police cannot operate to protect Australia if these investigations are in the media every day.

As you know, Mr Acting Deputy President, highfalutin rhetoric often happens in the chamber. Some would say you have even been guilty of it yourself at times—I certainly have.

The ACTING DEPUTY PRESIDENT (Senator Lightfoot)—Inadvertently.

Senator FAULKNER—that is in the eye of the beholder. I will take your word for it; thousands would not. It is important to remember that these secrecy provisions being proposed in this legislation are less stringent than those of other organisations responsible for the investigation of criminal activity. It is important to place that on the record. Crime commissions, courts and royal commissions all have the power to impose secrecy on their investigations or proceedings.

In fact, I want to remind the Senate and anyone else who is listening to this debate, though I am sure the ratings are not very high, that when the previous ASIO legislation was debated—and it was a very controversial piece of legislation—Labor supported stronger secrecy provisions applying to the subject of the warrant and their lawyer. Our unsuccessful amendment at that time would have made it an offence to disclose anything about the questioning under the warrant for an indefinite period. I think that the government has finally caught up with those concerns that the opposition had when the debate occurred around the ASIO bill last year and earlier this year.

There is a fourth category of amendments that goes to removing any doubt about the ability of the prescribed authority to give directions consistent with questioning warrants, including in relation to detention. Again, this is a technical amendment being made out of abundant caution. It is not intended to, and will not, alter the powers of the prescribed authority. That is the substance of the issues arising from the legislation that will come before the chamber if the Senate agrees to this exemption proposed by the minister.

Of course, it is proper that a government justify the case for urgency in such a situation. There has been some criticism—and, frankly, I think it has been fair criticism—about the statement of reasons justifying the need for the bill. The statement is very brief. It says:

Purpose of the Bill
The bill will amend the Australian Security Intelligence Organisation Act 1979 to refine ASIO’s intelligence collection capabilities relating to terrorism offences.

Reasons for Urgency
The bill is designed to address practical issues that have been identified in the context of implementing ASIO’s new powers relating to terrorism offences. Failure to take urgent action could detract from Australia’s counter-terrorism capability.

That is all well and good as far as it goes, but it is a very cursory justification from the government. I think the government could have done a great deal better in putting its case. The case here is a strong one and, when such a flimsy argument is put forward, it inevitably raises concerns among senators in the chamber. I do not doubt that it will raise concerns more broadly in the community too.
For its part, the opposition has taken the opportunity to question officers of the Attorney-General’s Department and senior officials and the Director-General of ASIO about the background to, and reasons for, these proposed amendments to the ASIO legislation. It is not right that—as Senator Brown has said—these changes, if agreed to by the parliament, will not be subject to review. They will be subject to the existing review and sunset provisions which Labor ensured were put into the original bill. They will be subject to that review, as they should be subject to that review.

But the case for urgency is this. The question of balance on these issues is always a difficult one for people of goodwill to address. The late time in the parliamentary sittings period at which this bill has been introduced means that there is not an opportunity for an adequate Senate committee process. I am not going to stand up here in the Senate and say that there is. The point that has been made in relation to that is correct.

Here is a very blunt choice, if you like, for the Senate. We can have a full Senate committee inquiry into these changes, and this legislation can come back some time early in the new year. I think that Senator Brown, in a motion he proposed, suggested late March 2004. That is an option, and a serious option, for the Senate to consider. On the other hand, given that certain technical weaknesses have been identified by ASIO, the relevant agency, in a regime and in provisions that have been agreed to by this Senate, we can address those concerns, because of the sensitivities in these matters and because we are dealing here with national security interests, which ought to be an absolute priority, if not the highest priority, for senators in this chamber to consider.

There is a balance here. One choice is to fix these technical problems, and fix them now, so that inquiries into sensitive matters of national security are not impeded over the next few months because of those flaws in the original legislation brought into this parliament by the government—fix those technical flaws identified by the relevant agencies concerned. The other choice is to have a full committee inquiry into the proposed changes.

There are arguments both ways. I would have preferred an opportunity—I think all senators would; I would even hope that the government would have preferred it—for us to have a thorough committee investigation. But it is a stark choice. When presented with that choice, we thought, at the end of the day, that it was a no-brainer. We have to fix these technical flaws in this bill. They are technical flaws; they are not matters of substance. They are loopholes in the law that have been discovered effectively as a result of questioning that has come about from the Willie Brigitte incident. It is a no-brainer; it is sure. It is a question that we have to address—to have an inquiry or to fix the laws. The federal parliamentary Labor Party came very quickly to a very clear and unanimous view: we have to fix these technical problems with the law, and we have to do it urgently—we have to do it now. That is why the opposition will be supporting the exemption motion before the chair.
sees as a political strength—its pursuit of mechanisms to address the war on terror.

I agree with Senator Faulkner that the ASIO Legislation Amendment Bill 2003 is not as heinous or as draconian as the original suite of bills in the ASIO legislation that we were confronted with this time last year. I agree with that, and I dismiss much of the hyperbole that there has been around this legislation. Having said that, there are elements of concern which have been expressed by some constituents in community groups, which we Democrats share and which I believe are strong enough to warrant the proposal that this legislation not be urgent.

That is the motion that we are dealing with. The motion by the government that the bill not be exempt from the cut-off is just another way of saying that this bill will be rushed. We do not believe this bill ought to be rushed. As a spokesperson on this issue for my party, I am placed in an extraordinary situation in that, having been offered a briefing from the Attorney-General’s office on this legislation, I now find, although the briefing has yet to happen, that the legislation may well be debated—we may well begin speeches on the second reading—in a matter of moments. Without having had the opportunity to ask some questions and get further information and put some questions to the Attorney-General’s Department, we now find that we are almost in the thick of debate on the legislation itself. That is no way to form legislation and it is no way to go about proper governance.

I fail to see the urgency in this. In question time yesterday, I asked a question of Senator Ellison, representing the Attorney, as to how the operation of the ASIO legislation has been conducted since its implementation. I asked how many warrants had been issued and how many people had been detained and questioned. Just a few moments ago, the minister informally explained to me that the answer he gave yesterday was in part wrong. A little later this morning, he is going to take an opportunity to correct the record and explain where he was wrong. I do not want to be too harsh on the minister for that. I understand that he is representing the Attorney—he is not the Attorney himself—that the issues can be complex and that it is unreasonable to expect all representative ministers to be across all briefs in question time. But it does concern me that the Minister for Justice and Customs is not fully aware of or properly briefed on the operations of ASIO.

We need to take time to consider this. There is, in my view, no urgency. We have heard Senator Faulkner, in part, say that ASIO or the authorities have discovered, and the government has been alerted to, technical difficulties in the bill. I am yet to be convinced of that. As we have heard, notwithstanding the mixed messages thus far from Senator Ellison, at least up until the week prior to 8 November this year there has been no detention or questioning of people under the existing laws. If it is the case that all of these technical difficulties suddenly arose out of one incident—that of Mr Willie Brigitte—then I think we need to take time to consider more thoroughly what the consequences of that might be and why they were not considered in the first round of debate, parliamentary scrutiny and Senate committee scrutiny on the original legislation.

Let us just go through briefly what I would describe as the six key points in the proposed legislation. Firstly, the bill aims to double the amount of time during which a person can be questioned if that person requires an interpreter because he or she does not speak fluent English or has a physical disability. I would say at first glance that that does not seem unreasonable. But there have been legitimate community concerns raised as to whether that would impose undue un-
fairness on those people from non-English-speaking backgrounds. It raises the question of whether, directly or indirectly, the passage of that particular proposed amendment or change to the bill would focus unfairly on people of Middle Eastern background and those of Arabic-speaking countries. Senator Nettle put the notion that in her view this aspect of the bill was a breach of article 26 of the International Covenant on Civil and Political Rights. I am not certain if she is correct on that point, but I do believe that it should be tested and challenged and that we should have a proper debate and discussion about that before rushing into it.

The second point of the bill would require a person who is subject to questioning to surrender any passports in their possession or control, regardless of whether the passports are Australian or foreign. Again, that does not strike me as unreasonable, but I would want to hear some independent views on that before forming a strong position on it. The third point of the bill would oblige the director-general to return any surrendered passports as soon as practicable after the expiration of the warrant. Again, that seems to me perfectly reasonable. The fourth point of the bill would make it an offence for a person to leave Australia without the permission of the director-general while a warrant is in force. Again, at face value that does not strike me as unreasonable.

The fifth point of the bill would enable the prescribed authority, before whom a questioning is being conducted, to order the immediate detention of a person without first obtaining the written approval of the minister. That does concern me because it seems that that removes the role and responsibility of parliamentary oversight. It worries me because it places in the hands of a public servant—a senior public servant, nonetheless—some extraordinary powers which I think are best kept within the purview of parliamentary oversight and, in particular, the Attorney-General.

Finally, the last point of the bill would create new offences relating to the primary or secondary disclosure of information regarding warrants or operational information associated with ASIO. These offences carry strict liability. They apply whether the disclosure is made in Australia or overseas. Again I am most deeply concerned about that aspect of the legislation. It is my view that if we are going to go down that path then it must be expressly, explicitly and specifically clear that such information would be primarily or secondarily disclosed—if it was leaked or got out in some way—deliberately, maliciously and in a calculated way. People who might inadvertently, accidentally or unwittingly divulge information under this proposed amendment would not be caught up with criminal sanctions and be faced with criminal prosecution.

There are other issues in terms of freedom of speech, notwithstanding that freedom of speech is not absolute and comes also with a responsibility. But senators would be aware that there have been a number of opinion pieces from academics and human rights lawyers who have raised the question or made the claim that this would wrongly capture politicians who may raise concerns about inappropriate warrants or inappropriate detention or journalists who may do similarly.

For those reasons I think we ought to approach this legislation with cool heads, sensibly and calmly, and to not rush it through on what is the second last day of the very last sitting week. We should not rush it through without the crossbenchers, and others who want to, having had the opportunity to seek and be provided with a comprehensive briefing from the Attorney. We should not rush it through without the non-government mem-
bers having had the opportunity to have a
good think about it, to produce what they
would argue would be their better speeches
on the second reading and to produce and
circulate any amendments that may be con-
sidered required. As a party we feel that
some of this legislation is not unreason-
able—but we seek further briefings on that—
while other aspects of it are deeply concern-
ing to us and we would seek to amend and/or
oppose.

In closing I reiterate that this is, I think,
another piece of politics from the govern-
ment rather than policy. This is another op-
portunity for the opposition and the cross-
benches to insist that the government provide
appropriate time and briefings over the break
so that we can return to Canberra in February
next year and produce quality, sensible, con-
sidered legislation which has the faith of the
community. That is important, too. If for no
other reason, if this legislation is rushed
through today, those individuals and com-
munity groups who have raised what they
consider to be legitimate concerns will have
been utterly dismissed. It feeds into the con-
spiracy that some people have about the un-
fettered power of parliament and/or ASIO in
dealing with, disseminating and making use
of this legislation. We need to make certain
that those people, whether they are right or
wrong, are heard and have an opportunity for
their views to be put. Where such people
raise these concerns and they are wrong, ill-
founded or misguided, where possible time
should be taken to explain to those people
that their views are wrong—and they per-
haps could be brought on board to support
what might at the end of day be better and
fairer legislation.

There is no rush. We should not panic and
push this through. The technical points—
some of which I would argue are not techni-
cal but go beyond that—are not so critical or
so urgent that we must make clumsy, hasty
decisions that so fundamentally affect the
human rights and civil liberties of citizens.
As a party, we cannot support exemption
from the cut-off. We believe that this legisla-
tion should be dealt with properly.

Senator NETTLE (New South Wales)
(10.30 a.m.)—The Greens have been strong
supporters of not exempting bills from the
cut-off, because not exempting them allows
debate and discussion to occur with the
community and in the Senate when we deal
with legislation. This is a classic example of
where we have heard from the community
that they want to be involved in understand-
ing what the government is proposing in the
ASIO Legislation Amendment Bill 2003
with regard to increasing the powers of
ASIO.

Senator Greig spoke before me and said
that he had some sense of deja vu because
last year we were here debating the primary
ASIO legislation that the government
brought in. That was a slightly different sce-
nario because at that time the opposition had
decided to stand strong on these issues, to
stand up for people’s civil liberties and to
maintain their stance of defending civil
rights. That is not the situation that we are in
today. This time last year, when the opposi-
tion made the choice to stand up for civil
liberties, the government backed off and
agreed to a range of amendments and safe-
guards, which we have heard Senator Faulk-
ner speak much of in this chamber in the
past. There is a lesson in that: there is benefit
and value in standing strong and defending
our civil liberties. Hopefully this cave-in that
we are seeing from the opposition today is
not a sign of things to come with the new
Labor Party leader, Mr Latham.

One of the changes that the government
did agree to when the opposition decided to
stand strong was a review of this legislation.
In the amendments that we are now seeing
from the government there is a proposal to
take away this capacity to review the legisla-
tion. This was one of the safeguards that
Senator Faulkner has talked about at length
and many times in this chamber and else-
where, believing that it was one of the great
victories that the opposition achieved when
passing the most draconian legislation in the
form of the ASIO bills. Yet, in this legisla-
tion, in which the government seeks to take
away one of those safeguards that the oppo-
sition argued for, Senator Faulkner describes
the amendments as ‘technical’. If at the time
we were dealing with the ASIO legislation
last year it was so fundamental for the oppo-
sition to draw a line in the sand and put in
place these safeguards, why all of a sudden
has that review of that legislation by the par-
liament become a technical matter and there-
fore this bill must be exempted from the cut-
of, must not go to a committee for inquiry to
hear from the community and must be passed
with the support of the government and the
opposition?

Yesterday, when we debated the Greens’
proposal to send this legislation off to a
committee for inquiry, Senator Ludwig got
up for the opposition and argued the case that
this legislation has been ameliorated through
the opposition’s proposals. One of the exam-
pies he used in that debate was that a review
of the legislation would occur in 2½ years.
Perhaps Senator Ludwig had not read
through to the end of the bill to find out that
these amendments seek to take away that
capacity to review the legislation. We have
some sense of deja vu in debating this legisla-
tion again right at the end of the year, but
we are not seeing senators stand up for civil
liberties, which is what we should see in this
parliament and we should expect to see that
from people on this side of the chamber. It is
left to the Greens, the Democrats and other
crossbenchers to stand up for these civil lib-
erties where we see the new, Mr Latham led
opposition caving in to the government’s
demands in relation to increasing the powers
of ASIO. The Greens will not be supporting
this cut-off motion.

Senator ELLISON (Western Australia—
Minister for Justice and Customs) (10.34
a.m.)—At the outset, I will say that the gov-
ernment rejects Senator Brown’s assertion
that this is bad law and that there are political
motives behind it. The ASIO Legislation
Amendment Bill 2003 is urgent and neces-
sary and comes as a result of advice from
ASIO in relation to the exercise of its pow-
ers, which the parliament bestowed upon it
only recently. The bill addresses urgent prac-
tical issues that have been identified in the
context of implementing ASIO’s new powers
relating to terrorism offences, and that has
been alluded to by the opposition. The pro-
posed amendments clarify ASIO’s existing
powers, introduce necessary measures to
further enhance terrorist investigations con-
ducted by ASIO and protect those investiga-
tions from being compromised. The bill does
not make fundamental changes to the legisla-
tive framework that governs ASIO’s ques-
tioning and detention powers. Rather, the bill
ensures that the powers that have been
authorised by the parliament can be exer-
cised appropriately and effectively. What it
does is reinforce what the parliament passed
only recently.

It is imperative that the bill be passed in
this sitting period to give full effect to
ASIO’s existing powers. The recent Brigitte
investigation has demonstrated the kinds of
things that can arise unexpectedly. The gov-
ernment has brought these amendments for-
ward only after serious consideration and in
response to genuine concerns about the in-
tegrity and effectiveness of the new regime.
Our objective is to ensure that ASIO has the
necessary tools to do its job, and it would be
irresponsible to leave this until parliament
resumes next year. The opposition have al-
cluded to the fact that the proposed amendments are practical. They have received a briefing from ASIO in relation to this and they are satisfied that that is the reason for them. There is no political motive whatsoever for these amendments. The motive is one of ensuring that ASIO can exercise its powers appropriately.

Of course, the proposed amendments are directed at addressing practical issues. They will extend the questioning period when interpreters are used, minimise flight risk, clarify the powers of the prescribed authority and strengthen secrecy provisions. They are urgent because, as the Brigitte investigation demonstrates, you can have things emerge out of the blue and it is important that any shortcomings be rectified quickly. Our objective is to ensure that ASIO has the tools it needs to do its job.

The government will, as a matter of course, continue to monitor the adequacy and effectiveness of the legislation. To impute a motive other than that is not only wrong but spurious, and the government rejects Senator Brown’s statements in that regard. When we debated the powers of ASIO when this was last before the Senate, we did not have the benefit of recent experience which we now have. That is the reason for the urgency we have today.

There is one aspect that I do want to bring to the Senate’s attention. I have discussed this with Senator Greig and he mentioned it a short moment ago. Yesterday I advised the Senate that the Attorney-General had authorised the use of some of ASIO’s powers in specific operations. The brief I had stated that other powers, including the ability to seek warrants to question or detain individuals, had not been used to date. That is what I advised the Senate. I would like to correct one aspect of that comment. ASIO has neither sought nor executed any warrants authorising the detention of any individuals pursuant to the new powers. I am able, however, to confirm that questioning warrants have recently been executed in relation to the Brigitte investigation. Of course, for operational reasons, I am unable to go into further detail in relation to what was transacted at those meetings or other aspects of ASIO’s actions in relation to that investigation. That was an aspect I needed to clarify at the first available opportunity, and I was only made aware of that aspect this morning.

The bill that is before the Senate is important—it is important for operational reasons for the protection of Australia’s national security. That is the reason for the exemption motion. It makes sense for it to be put whilst parliament is still sitting rather than wait for when we resume early in 2004, which is some time away. That would leave a gap for a period of time which would be just untenable—a gap in ASIO’s ability to perform, which we could not, as a responsible government, contemplate. I commend the motion to the Senate.

Question put:
That the motion (Senator Ellison’s) be agreed to.

The Senate divided. [10.44 a.m.]
(The Acting Deputy President—Senator P.F.S. Cook)

Ayes........... 38
Noes........... 8
Majority....... 30

AYES

Bishop, T.M. Brandis, G.H.
Buckland, G. Campbell, G.
Campbell, I.G. Carr, K.J.
Chapman, H.G.P. Collins, J.M.A.
Cook, P.F.S. Crossin, P.M.
Denman, K.J. Eggleston, A. *
Ellison, C.M. Faulkner, J.P.
Ferguson, A.B. Ferris, J.M.
Forshaw, M.G. Harradine, B.
Wednesday, 3 December 2003

Senator ELLISON (Western Australia—Minister for Justice and Customs) (10.49 a.m.)—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 ELLISON (Western Australia—Minister for Justice and Customs) (10.49 a.m.)—I move:

That this bill be now read a second time.

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

Leave not granted.

Senator ELLISON—In that case I now table the second reading speech.

Senator FAULKNER (New South Wales—Leader of the Opposition in the Senate) (10.50 a.m.)—As I indicated in an earlier speech today, the opposition will be supporting this legislation and is prepared to facilitate its passage through the parliament this week. The ASIO Legislation Amendment Bill 2003 would alter the machinery, rather than the framework, of the antiterrorism questioning regime established earlier this year by the Australian Security Intelligence Organisation Legislation Amendment (Terrorism) Act 2003. Having closely reviewed the bill and after being briefed on it by ASIO, I am satisfied it is being driven by the agency and not by the minister. We are satisfied that this bill is about closing loopholes, not about wedge politics.

After the Willie Brigitte incident, ASIO discovered some loopholes in their new laws for questioning people about terrorism, especially when foreign nationals are being questioned. The amendments before parliament are technical in nature and close these loopholes. I take some comfort from the assurances provided by the Director-General of ASIO that these amendments are all that have been identified as being required to tighten the questioning regime. However, I would say, frankly, that most of these amendments should have been made law last year when the original Australian Security Intelligence Organisation Legislation Amendment (Terrorism) Bill 2002 was debated. Unfortunately, at that time the government was busy playing politics with that bill and was not focused on getting the legislation right in the national interest. Surely a government with its eye on the ball would have seen the potential loopholes in areas such as those concerning passports held by foreigners being questioned by ASIO.

I would like to go to the specific provisions in the bill. Schedule 1 of the bill breaks the amendments down into four parts, so I will address each of those parts. Firstly, I will address the area of interpreters and extension of questioning time. Where an interpreter is used during questioning, this bill
would permit a prescribed authority to extend the time available to question the subject of a warrant for an additional three eight-hour blocks, bringing the maximum possible period of questioning to 48 hours. The absolute maximum period for which a person can be detained would remain seven days, and a person could be questioned only for eight hours in any one 24-hour period.

The criteria for allowing further eight-hour blocks of questioning would be the same as for the earlier extensions—that is, the prescribed authority would have to be satisfied that further questioning would substantially assist the collection of intelligence in relation to a terrorism offence and also be satisfied that the questioning, through an interpreter, is being conducted properly and without delays. The Senate will recall that the prescribed authority must be either a retired or serving judge or a presidential member of the Administrative Appeals Tribunal, presidential members being either judges or senior and experienced lawyers. The intention of the questioning regime is to give ASIO sufficient time, within a safe environment and under the control of the prescribed authority, to question people where other methods of intelligence gathering would be ineffective.

The opposition believe this amendment regarding questioning time when interpreters are being used is reasonable and should be supported. It has been suggested that allowing extra questioning time when interpreters are being used breaches article 26 of the International Covenant on Civil and Political Rights. The opposition have considered this suggestion, but we do not believe the argument can be sustained. According to the United Nations Human Rights Committee, differential treatment does not constitute discrimination provided it is based on objective and reasonable criteria.

ASIO has advised that the questioning time is effectively halved when a person is questioned using an interpreter. The reality is that the capacity of ASIO to gather intelligence that may substantially assist in the prevention of a terrorist attack is seriously diminished. For this reason, we firmly believe the amendment is based on objective and reasonable criteria. Indeed, a comparable provision already exists in section 23C of the Commonwealth Crimes Act 1914. That section provides that any time during which questioning of a suspect is delayed for interpreting is to be disregarded when determining how long the investigation period has run—that is, the period a person may be detained after arrest for the purpose of investigation.

The second area of amendment concerns passports and exit from Australia. Two new offences are proposed. The first is an offence of failing to surrender an Australian or foreign passport after being notified of the issuing of a questioning warrant. There is an obligation on the Director-General of Security to return a passport as soon as practicable after the questioning warrant has expired.

The second is an offence of leaving the country after being notified of the issuing of a questioning warrant and before the expiry of the warrant, without the permission of the Director-General of Security. It is the view of the opposition that this amendment is plain commonsense if there is a foreign national the authorities need to question. People who have important information regarding terrorism cannot be allowed to either slip out of the country or avoid questioning. This is an obvious loophole, and it should have been spotted by the government much earlier. The opposition regards these as reasonable measures to minimise the risk of a person who is the subject of a warrant skipping the country.
I turn now to the area of disclosure of information, because the third purpose of these amendments is to broaden the protections against the disclosure of information relating to questioning. Currently the focus of the disclosure provisions is on unauthorised disclosures by specified people, such as lawyers, parents or other representatives of a person being questioned. The amendments in this bill refocus these provisions on disclosures that are not permitted disclosures—whatever the discloser is.

Two new offences are proposed. The first offence prevents a person from making a disclosure of information without authorisation where the information relates to the warrant, the questioning or detention of a person under the warrant or operational information during the 28-day period the warrant is in force. The second offence prevents a person from making a disclosure of operational information without authorisation for two years after the warrant ceases to be in force.

The first offence covers almost all information in relation to the warrant, but the second is limited to operational information gained as a result of the questioning under warrant. In other words, after 28 days a person could reveal that the warrant had been issued and that they had been questioned by ASIO but they could not reveal the contents of the questioning until after two years. In respect of both offences, the prosecution would have to prove a person intended to disclose information and was reckless in respect of the other elements of the offences—that is, they knew of a substantial risk but ignored it.

The exception to this is that the person who is the subject of the questioning warrant, and their lawyer, are subject to strict liability on the question of whether information is operational information. That is because the person and their lawyer would have been directly involved in the questioning and would be more aware of its sensitivity. The opposition regard this amendment as a reasonable measure to protect the integrity of ASIO’s intelligence operations against threatened terrorist activities. This is consistent with Labor’s position on earlier legislation, which implemented this questioning regime, when we proposed even stronger protections against disclosure of operational information and information about a warrant. When a person is being questioned, they will still have their lawyer present and questioning will be supervised by a senior judge. Questioning is also videotaped. Nothing in the amendments alters a person’s right to seek a remedy in a court. So the person being questioned still retains important legal rights.

But what will be curtailed is the ability of people to talk to anyone about what they were questioned about. Frankly, that is sensible. ASIO and the police cannot operate to protect Australia if their investigations are in the media every day. While they are never free of controversy and inevitably impose some restrictions on the reporting of information, provisions against disclosure of information are normal for organisations whose task is to investigate and prevent serious criminal activity. These safeguards exist, for example, with the Australian Crime Commission where there is an obligation not to disclose information about an ACC investigation for five years. Similarly, we recognise the need for ASIO to protect the integrity of its intelligence gathering operations and we believe these amendments are an acceptable response.

I want to go to the final area of amendments concerning directions by the prescribed authority. The bill would remove any doubt about the ability of the prescribed authority to give directions consistent with questioning warrants, including in relation to detention. Again, this is a technical amend-
ment being made out of abundant caution and is not intended to alter the powers of the prescribed authority.

I say to the Senate in summary that the opposition have carefully scrutinised the detail of this bill. We will support these measures which are designed to improve the questioning regime put in place by parliament earlier this year. Given the controversy surrounding the earlier legislation and the numerous expressions of envy by the new Attorney-General about the powers possessed by French authorities to detain people without charge for up to three years, it is inevitable that there will be a high degree of interest in and comment on this bill. I can say to the Senate that as far as the opposition are concerned we have carefully considered these proposals. We have looked closely at the detail of what is contained within this legislation. We do not believe, as I said before, that the amendments are of such significance as to warrant a full Senate committee inquiry in the circumstances where such investigations would or could delay implementation until some months into next year. These proposals do not alter the maximum period of detention. They do not limit access to legal advice or otherwise change in any way the strong safeguards insisted on in earlier debate. They close loopholes in the machinery of the existing questioning regime which, thanks to Labor’s insistence and thanks to the Senate’s insistence, gave ASIO very robust powers, powers balanced by safeguards. I want to say again that it is very important that the Senate is reminded that these new provisions are subject to the same review and the same sunset clause as the questioning regime established by earlier legislation. The opposition will support the bill.

Senator BROWN (Tasmania) (11.05 a.m.)—The whole weakness of Senator Faulkner’s argument on behalf of the Labor Party, which is going to support the Howard government in ramming this legislation through the Senate today, is that he has asserted that Labor has had a close look at this and has decided to go with the Ruddock legislation. What he has overlooked saying is that it has done this with no consultation with the community. In two votes yesterday and today it has determined absolutely that it will resist the proper forms of scrutiny of legislation such as this and it will resist going to the community to ask for opinion because it is politically convenient to line up with Mr Howard and Mr Ruddock on this matter at this stage of the parliamentary sittings this year. And to hell with civil liberties and the proper processes that are always important when you are dealing with legislation as dangerous as this ASIO Legislation Amendment Bill 2003. Let me, nevertheless, tell the Labor Party and the government some of the argument that is coming from experts out there in the community.

In lieu of repeating the speech I made earlier this morning, I will read to the chamber the strong submission, amongst a number, from Amnesty International, which wrote to all of us, including the Labor Party, asking that there be a Senate Legal and Constitutional Legislation Committee inquiry so that Amnesty International amongst others could have input into the process that is now being truncated by the consideration of this bill this morning. Over the signature of Gary Highland, the director of strategic communications from Amnesty International, it says:

We consider this—

that is, the submission of the bill to a Senate inquiry—

as necessary to assess the implications of the proposed amendments, the extent to which fundamental freedoms may not be provided for by existing guarantees and the necessity for further strengthening of the legislation under existing ASIO powers.
I have attached Amnesty International’s position in relation to the Bill.

I have it here. This is not me speaking; this is a very considered submission from experts with international reach in the field. It is headed ‘Concerns regarding the ASIO Legislation Amendment Bill 2003’. These concerns include:

**Restricting the right to disclosure**

The existing legislation restricts the communication of certain information by the detainee—

this is an Australian citizen picked up off the streets—

their legal advisor and others including members of their family or a guardian. The Bill seeks to go further by prohibiting any third party from disclosing any information relating to the issuing of a warrant and conduct connected to the warrant for up to 28 days. If passed, the Bill also prohibits the disclosure of “operational information” by any person for a period of two years after the expiry of the warrant. The penalty for disclosure is a five-year prison term.

Amnesty International’s key concerns are:

i) The concept of “operational information” is broadly and imprecisely defined. It may include any information or source of information available to ASIO, as well as any information regarding ASIO’s operational capability, method or plan. The Bill prohibits the disclosure of that information if it directly or indirectly resulted from the issuing of, or conduct pursuant to, the warrant. Effectively, this will prohibit the disclosure of most information relating to ASIO where a warrant under the Act has been issued. This is particularly onerous given that the offences are called “strict liability” offences: a detainee or their lawyer can be found guilty of these offences even where there was no intention to disclose information.

ii) The inclusion of third parties means that organisations and individuals including media, human rights organisations, doctors, lawyers and family members face imprisonment if they make comment on the detention in question ...

I will read that again for those Labor people who are listening. This is a bill that Labor says is okay and that it is technical. It reads:

ii) The inclusion of third parties means that organisations and individuals including media, human rights organisations, doctors, lawyers and family members face imprisonment if they make comment on the detention in question, if they did not first seek and receive approval at the level of Director-General of ASIO or the Attorney General to do so.

iii) Family and friends may be at undue risk of imprisonment for ‘reckless disclosure’. Upon any permitted contact with the detained person during or after the period of questioning, third parties will be immediately placed in a difficult position: they will not be able to seek legal advice on their rights and they may not properly understand the secrecy provisions or received clarification on what information falls under the category of ‘permitted disclosure’.

Even to get legal advice about what you can say and what you cannot say is a breach of this law. And remember, it is interpreted narrowly—five years in prison. Amnesty’s second concern comes with the next section of this bill:

2. Removing public accountability

The legislation establishes a system under which a person wishing to make public comment on the actions of ASIO would first need to get approval from the Government.

In this case, it is the Howard government. The document continues:

Amnesty International’s key concerns are:

i) Whilst a person is being detained, no human rights or media or other independent (non-government) organisations could make public any existing concerns about the welfare of the detained person, without Government approval.

Ring Mr Ruddock if you want to have your freedom to express or cover the conditions of the person detained. Remember, we are talking here about people who can be entirely innocent. The law allows them to be detained and questioned. They have no idea why.
They may have some information that ASIO wants but they are totally innocent and ASIO knows they are innocent of any complicity in any way whatsoever with terrorism. Amnesty goes on to say:

The Director-General of ASIO or the Attorney-General may not be prepared to enable the disclosure of information that suggested irregularity or mistreatment on the part of ASIO, thus preventing any independent monitoring or investigating of that alleged irregularity or mistreatment. Organisations such as Amnesty International should not be prohibited or effectively prevented from monitoring the application of ASIO’s powers in relation to the protection of human rights.

This bill says to Amnesty, ‘If you want to discuss the circumstances of people who are innocent being held by an Australian government agency, secretly, you face five years in jail.’ Tell me that is different from a move towards a police state. I return to the Amnesty document:

ii) The legislation removes the ability for third parties to complain on behalf of a detained person about government actions during the period that the person is being detained. While the detainee is allowed access to the Inspector General of Intelligence and Security and the Ombudsman during detention, there is no ability for third parties to act upon their knowledge of detention to assist the detainee.

This is the Guantanamo Bay situation. You can speak up if you want to but you cop, from the very people who have you in prison for their purposes, the response they want to give you. The document continues:

As evidenced in most cases requesting habeas corpus, the ability of third parties to act for and on behalf of a person, who may be unable to adequately utilise their right to complain, is a vital element of the protection of human rights.

That element is being stripped out of here on what Labor calls a technicality, Amnesty then goes on to deal with the denial of the public’s right to know and says this:

The proposed amendments restrict the public disclosure of information regarding ASIO’s use of detention and questioning powers. The Australian public would have no choice but to rely solely on the Government to disclose information regarding the use of this legislation.

Some technicality! Amnesty continues:

For example, had Mr Brigitte been held by ASIO for questioning regarding suspected terrorist activity, the Australian public may not have been privy to that fact until 2005 unless the Australian government had decided to make such information public. All journalists reporting the story would have been in breach of this legislation. If passed, the Bill has the potential to take the Australian Government’s domestic response to terrorism, where it involves ASIO, out of the public domain.

Let us get that straight. This technicality, as Labor calls it, would have prohibited the recent discussion about the holding of Mr Brigitte in Australia. The stuff we read in the newspapers, limited as it has been, about detention in Australia was potentially, if the detention had been by ASIO under this legislation, unable to be discussed or mentioned in the press. Amnesty continues:

Amnesty International’s key concerns are:

i) The restriction on disclosure of information is not limited to the details about the issuing of the warrant itself, or even just the questioning process. Rather, the restrictions include the subject matter relating to why the warrant was initially issued is restricted information for a full two years.

ii) While Amnesty International recognises and respects the need to retain a certain level of confidentiality regarding ongoing investigations, the public has a right to know in general terms the degree to which and how Australian security agencies are applying their broad-ranging and unprecedented powers. The level of secrecy and lack of public scrutiny provided for by this Bill has the potential to allow human rights violations to go unnoticed and in a climate of impunity.

Some technicality! Amnesty then goes on to deal with the provisions in this legislation
under the heading ‘Regulation of time for seeking legal counsel’:

Amendments propose that detainees held for questioning and who require an interpreter will be questioned for 48 hours instead of the standard 24 hours during the course of a seven day warrant.

Amnesty International’s key concerns are:

i) The legislation does not make clear how the time periods in between questioning periods will be regulated. This is particularly important given the legislation prohibits a detainee receiving legal counsel during questioning periods.

While ASIO is questioning the detainee, innocent or otherwise, they have no legal assistance. The document continues:

It is also unclear whether the legislation would double the time allocated for non-questioning periods to detainees requiring the use of an interpreter while seeking legal counsel. Amnesty International calls for the Protocols to the ASIO Act to be made publicly available.

Of course, I will be asking the minister about that and I would ask the Minister for Justice and Customs, who is not here at the moment—but who must be listening or somebody must be listening, I would hope—to give that information to the Committee of the Whole when we reach the committee stage.

Next, Amnesty deals with the Federal Court and review of detention. It says:

Under the legislation, a detainee and their lawyer can disclose information for the purposes of seeking a court remedy or getting legal advice regarding the warrant or the treatment of a person ...

It gives the section. The document continues:

Amnesty International’s key concerns are:

i) The structure of the proposed Bill is such that the right to seek judicial review of detention is seen as an exception to the rule of non-disclosure, rather than as a right unto itself. Broad and onerous secrecy provisions taken at face value create a climate of fear that no amount of small print technical protection of limited rights can remedy.

Some technicality, Labor! Amnesty continues:

ii) Whilst the right to seek remedy or legal advice is protected, during the questioning process a detainee will be reminded that they face five years’ imprisonment for disclosing to anyone that they have even been the subject of a warrant. This may prevent an individual from obtaining advice about the legality of their detention or the treatment received while detained, even though technically they are allowed to do so.

iii) The protections contained in the legislation, such as the ability to seek legal advice regarding treatment and the ability to initiate proceedings in court, are unlikely to be fully understood and applied by a detainee. The complexity may prevent a person from knowing their right to legal remedy and the threat of imprisonment for disclosure may prevent a person from exploring the extent of their rights.

It is very much a catch-22 situation. That is the forceful but, nevertheless, very restrained, opinion of Amnesty. Today, in this parliament, it is being denied its ability to appear before a Senate committee by Labor and the coalition.

From Liberty, with the sub-identification as the former Victorian Council for Civil Liberties, over the name of a number of QCs but this letter is specifically over the name of Greg Connellan, the president, is this submission:

**ASIO Legislation Amendment Bill 2003**

I am writing to express Liberty Victoria’s serious concerns regarding the secrecy provisions of the ASIO Legislation Amendment Bill 2003.

If passed these provisions will make it generally illegal to disclose information relating to:

- (a) ASIO’s conduct in detaining and questioning persons while a detention/questioning warrant is in force; and
- (b) ‘operational knowledge’ concerning such a warrant for two years after the expiry of the warrant.

The term ‘operational knowledge’ is defined to mean, in effect, all knowledge relating to ASIO’s activities ... The definition of ‘permitted disclosure’ and the associated regulation making power...
facilitates political manipulation by the government of the day ... The offences created are punishable by up to five years imprisonment.

Liberty goes on to say:

These secrecy provisions will severely restrict the freedom of the press and the freedom of public discussion. Potentially they could enable a government to keep critical information sensitive to the government’s electoral prospects from the electorate during an election period.

A lawfully or unlawfully detained person, their family and their member of parliament will be silenced for two years. The whole community is gagged under threat of imprisonment.

Some technicality, Senator Faulkner and Labor! Some technicality, Senator Ellison and the coalition! Liberty goes on to say:

For two years after the expiry of a warrant it will be illegal for journalists to report on illegally issued warrants, the conditions of detention even where the conditions do not comply with the Act and ASIO investigations conducted upon the execution of a warrant ... Further the provisions mean that a member of parliament will not be able to highlight the conditions under which persons are presently detained under the Act.

I asked in my earlier submission for the government to give assurance to members of parliament that they will be able to speak within the parliament on this matter. Does it override parliamentary privilege? It certainly does outside this place. What is the situation within this parliament? I will be pursuing the questions that are coming from the community in the committee stages.

Liberty goes on to say:

ASIO’s activities pursuant to judicially granted investigative warrants are to be covered in a veil of secrecy unprecedented in Australian history. The mere fact a person has been detained and eye witness accounts of the execution of the warrant will not be able to be discussed publicly.

That is a mere fact.

These secrecy offences pose a grave threat to Australia’s democracy and could enable the government of the day to impose a ‘war of terror’ against its political opponents or vulnerable sections of the community.

Liberty Victoria is concerned that, despite the “implied freedom of political communication” limitation contained in s. 34VAA (12), the secrecy provisions of the Bill will effectively stifle freedom of political discussion for two years because of the threat of possible imprisonment. The imposition of such extensive limitations on free speech and political discourse is grossly disproportional to any legitimate objective.

How telling that term is. Liberty Victoria finishes by urging you, us, the members of this parliament, to oppose these secrecy provisions:

The Bill should be referred to the Senate Legal and Constitutional References Committee so it is subjected to proper public scrutiny.

Already Labor has torpedoed that effective public scrutiny. This bill is an indictment of the big parties. I will be pursuing the questions that are coming from the community in the committee stages. (Time expired)

Senator GREIG (Western Australia) (11.25 a.m.)—As I said earlier this morning, there is a strong sense of deja vu in the way we are dealing with the ASIO Legislation Amendment Bill 2003 and in the fact that it was almost exactly a year ago this week that we were debating the original ASIO bill in this place. Around that time, various members of government, including the Prime Minister and the former Attorney-General, made strong statements to the media concerning the urgency of that legislation. Facing the prospect that the bill could be set aside, the Prime Minister argued that Australians would be left at risk over the summer months and that if any terrorist act occurred it would be on the heads of the opposition parties.

When it comes to issues regarding intelligence agencies, it is often very difficult to verify the claims being made by the govern-
ment because the information that they are allegedly relying on is not publicly available—in fact, it is not even available to the parliament. Intelligence briefings are of course provided to the Leader of the Opposition but they are not provided to the leaders of other established political parties, such as the Democrats. In addition, while the Joint Standing Committee on ASIO, ASIS and DSD does have some ability to access classified information, the ability of the committee to keep the government and its intelligence agencies accountable is limited by its structure. Government members hold a majority on that committee and also the chair of it, and neither the Australian Democrats nor any other minor party have any representation on the committee and therefore do not have access to the information provided to it.

Because of these limitations on access to intelligence information it is often very difficult to assess the veracity of government statements which rely on such information, and this applies to the government’s constant claims of urgency in relation to new antiterrorism measures. Such claims have not been limited to this bill and the previous ASIO bill. Similar claims were made in relation to the proscription of Hezbollah, Lashkar-e-Taiba and Hamas, despite the fact that these organisations have been operating as terrorist organisations for many years and there appeared to be no immediate threats to Australia from any of them.

In announcing the measures proposed by this bill, claims of urgency were yet again made by the Attorney-General, but this time around we have the benefit of hindsight and of some additional information. This time around we are able to assess the government’s previous claims of urgency and the extent to which the new powers have been used since their introduction. The chamber may recall that this was a matter I pursued with the minister during question time yesterday. I asked the minister how many times, if any, the detention and questioning powers had been used by ASIO since their introduction in July this year. I also asked when was the first occasion they were used. The minister’s response was revealing.

He has confirmed that ASIO’s powers to question and detain individuals—the same powers which the government claimed were so incredibly urgent this time last year—have not been used even once since their introduction. Similarly, claims of urgency were made to support the proscription of specific terrorist organisations, but I am not aware of any instances since the amending legislation was passed where the government has prosecuted an offence relating to one of those organisations. I will be asking the minister to also confirm that during the committee stage of this bill.

When we look back at the evidence of the past year, the picture that clearly emerges is that the government’s claims of urgency have been consistently hollow. In fact, the Democrats believe those claims have been about as credible as the government’s claims regarding the children overboard affair or, as it has now become known, the ‘truth overboard’ affair and, we suspect, based on similar political motivations. For all of these reasons, the Democrats view the government’s claim of urgency on this occasion with some scepticism. I have said in this place before that it is another example of, if you like, Philip crying wolf.

The government’s claims of urgency are significant because this bill deals with a range of contentious issues, issues which have already elicited a great deal of concern within the community and which have not yet been subject to proper consideration or scrutiny. The extended powers conferred by this bill do infringe on the rights and liberties of Australians and the offences it creates are
wide-ranging and attract significant and hefty penalties. These are issues which need to be considered very carefully and it would be irresponsible for this parliament to do otherwise.

I want to touch on the specific provisions of the bill, as I did in my earlier speech. The bill, if passed in its current form, would double the time during which a person can be questioned if that person requires an interpreter because he or she does not speak fluent English or has a physical disability. It would require a person who is subject to questioning to surrender any passports in their possession or control regardless of whether the passports are Australian or foreign. It would oblige the director-general to return any surrendered passports as soon as practicable after the expiration of the warrant. It would make it an offence for a person to leave Australia without the permission of the director-general while the warrant is in force. It would enable the prescribed authority before whom the questioning is being conducted to order the immediate detention of a person without first obtaining the written approval of the minister. It would create new offences relating to the primary or secondary disclosure of information regarding warrants or operational information associated with ASIO. These offences carry strict liability. They apply whether or not disclosure is made here or overseas.

There have been serious concerns—valid concerns, I think, for the most part—associated with each of those proposed changes. The extension of questioning time for those who require an interpreter requires us to consider whether the change raises questions of discrimination. On the one hand, it could be argued that it is discriminatory to question such people for longer periods of time. On the other hand, it could be argued that it would be discriminatory not to provide them with sufficient time in which to answer the questions being asked by ASIO, particularly given the significant penalties which apply to failure to provide information. It also raises the issue as to whether the down time between questioning periods should also be doubled. This issue, in particular, was raised by Amnesty International in a letter I received from it two days ago. Amnesty expressed the following concern:

The legislation does not make clear how the time periods in between question periods will be regulated. This is particularly important given that the legislation prohibits a detainee receiving legal counsel during questioning periods. It is also unclear whether the legislation would double the time allocated for non-questioning periods to detainees requiring the use of an interpreter while seeking legal counsel.

We Democrats believe that Amnesty raises an important issue and question here. On the one hand, there would seem to be a strong case for doubling the amount of down time between questioning periods to provide a person with sufficient time to obtain legal advice through an interpreter. On the other hand, doubling of the down time in addition to the questioning time may simply perpetuate the discrimination against those from non-English-speaking backgrounds.

The amendment raises other issues, too. For example, if individuals are aware that the use of an interpreter could subject them to longer questioning periods, they may be reluctant to indicate that they have a difficulty understanding and answering the questions being asked of them. This is a very serious concern because it increases the risk that those who are not fluent in English will inadvertently commit offences under the act as a result of their language difficulties. In relation to the proposed obligation on an individual to surrender their passports to ASIO for the duration of the warrant, the Democrats believe that it is important to remember that the questioning and detention regime
established under the initial ASIO legislation is not limited to those suspected of involvement in terrorism but applies to every individual. So while it might seem entirely appropriate at face value to seize the passport of a suspected terrorist such as Willie Brigitte, the Democrats do not believe it is reasonable to seize the passports of innocent Australians simply because they may have some information that is relevant to ASIO.

We need to remember who we are talking about here. We are talking about teachers, colleagues, classmates, journalists, lawyers, doctors—in fact, anyone who may have a skerrick of information that ASIO may be interested in. The Democrats made the point during debate on the initial ASIO bill that we believe innocent Australians do not need to be compelled to provide information to ASIO. Those who have information regarding terrorist activities are likely to wilfully and voluntarily offer such information to the relevant authorities. Similarly, we do not believe that such people represent a flight risk. For this reason we take the view that the obligation to surrender passports should be limited to those suspected of terrorism and should not apply to innocent Australians.

Finally I want to canvass some of the concerns relating to the non-disclosure provisions in the bill. Once again, Amnesty International has raised a number of questions regarding these provisions. I quote from its recent letter:

Amnesty International’s key concerns are:

1. The concept of “operational information” is broadly and imprecisely defined. It may include any information or source of information available to ASIO, as well as any information regarding ASIO’s operational capability, method or plan. The Bill prohibits the disclosure of that information if it directly or indirectly resulted from the issuing of, or the conduct pursuant to, the warrant. Effectively, this will prohibit the disclosure of most information relating to ASIO where a warrant under the Act has been issued. This is particularly onerous given that the offences are called “strict liability” offences: a detainee or their lawyer can be found guilty of these offences even where there was no intention to disclose information.

2. The inclusion of third parties means that organisations and individuals including media, human rights organisations, doctors, lawyers and family members face imprisonment if they make comment on the detention in question, if they did not first seek and receive approval at the level of Director-General of ASIO or the Attorney General to do so.

3. Family and friends may be at undue risk of imprisonment for ‘reckless disclosure’. Upon any permitted contact with the detained person during or after the period of questioning, third parties will be immediately placed in a difficult position: they will not be able to seek legal advice on their rights and they may not properly understand the secrecy provisions or received clarification on what information falls under the category of ‘permitted disclosure’.

The legislation establishes a system under which a person wishing to make public comment on the actions of ASIO would first need to get approval from the Government.

Amnesty International’s key concerns in relation to this aspect are:

1. Whilst a person is being detained, no human rights or media or other independent (non-government) organisations could make public any existing concerns about the welfare of the detained person, without Government approval. The Director-General of ASIO or the Attorney General may not be prepared to enable the disclosure of information that suggested irregularity or mistreatment on the part of ASIO, thus preventing any independent monitoring or investigating of that alleged irregularity or mistreatment. Organisations such as Amnesty International should not be prohibited or effectively prevented from monitoring the application of ASIO’s powers in relation to the protection of human rights.

2. The legislation removes the ability for third parties to complain on behalf of a detained person about government actions during the period that
the person is being detained. While the detainee is allowed access to the Inspector General of Intelligence and Security and the Ombudsman during detention, there is no ability for third parties to act upon their knowledge of detention to assist a detainee. As evidenced in most cases requesting habeas corpus, the ability of third parties to act for and on behalf of a person, who may be unable to adequately utilise their right to complain, is a vital element of the protection of human rights. Clearly, there are significant concerns regarding the proposed changes to the nondisclosure regime. These are issues which need to be considered very carefully and comprehensively.

We Democrats believe that amendments are required to address a number of concerns such as those I have outlined, and we will be moving these in the committee stage. It is very important that sufficient time be given for the consideration of this bill and that it not be rushed through. It is a significant bill and it does have serious implications for all Australians.

Senator ELLISON (Western Australia—Minister for Justice and Customs) (11.40 a.m.)—At the outset I will make a couple of points in relation to issues that have been raised by senators during the course of the second reading debate on the ASIO Legislation Amendment Bill 2003. Firstly, the opposition has stated that these amendments are a consequence of practical experience by ASIO and result largely from the Brigitte investigation. That is something with which the government would concur.

The government rejects any question of envy on the part of the Attorney-General of powers that the French authorities have in relation to detention. It is quite absurd to think that the Attorney-General would have made that reference by way of some sort of indication of envy of whatever powers the French may have. One has to look at what the Attorney-General said. He said very squarely that there are other countries which have more draconian provisions than Australia. That was to put the debate in the context of other countries and how Australia sits in the international arena in relation to the exercise of powers bestowed upon its intelligence agencies. It was a rational example and a commonsense statement to put it in perspective. There is no question of any envy on the part of the Attorney-General.

The question was also raised as to why these matters were not put forward when the bills were last before the parliament. We have said quite strongly that the experience we have seen over recent times by ASIO has revealed that we need to take action. It is as a result of that practical experience that we propose these amendments. Drafting the last set of bills was a major task. It was a package which enhanced Australia’s capacity to look after its national security. We do not resile from that at all. But of course you monitor these things and, where you see a loophole or a gap, you plug it.

Senator Brown raised the question of concerns expressed by Amnesty. I remind the Senate that Amnesty International Australia has recognised the need to have in place adequate provisions to effectively combat the threat of terrorism. That is something that should be remembered by the Senate. Amnesty International has said that we do need to have those provisions, and those are precisely what we are putting in place with these amendments. Senator Brown and Senator Greig mentioned concerns that Amnesty has about safeguards. We argue strongly that those safeguards are in the bill. These amendments we propose today are subject to the safeguards in the act which were passed recently. We have gone to great lengths to ensure that the rights and liberties of individuals are protected.
The question of urgency was again raised. It is a situation where our intelligence agency, ASIO, has advised the government that action needs to be taken. It would be irresponsible if we were to leave it to the resumption of parliament in the new year before we took any action. Who is to know what might occur in the meantime? Whenever these issues arise, they have to be addressed quickly. If something did arise in the interim and ASIO was not in a position to address it, people would quite rightly ask why action was not taken earlier. It is the advice from ASIO that has caused us to act, and act swiftly.

Senator Brown mentioned the question of protocols and Senator Greig mentioned the requirements for breaks in questioning. I can advise the Senate that the protocol was tabled on 12 August 2003. Additional requirements for breaks in questioning are set out in the protocol which was tabled on that date. This protocol is also available on the government’s national security web site, under ‘Legislation’, at www.nationalsecurity.gov.au. I advise senators who have raised a query in relation to the protocol that they can access it on the web site or get a copy from the Table Office. I point Senator Brown in that direction.

In relation to the bill itself, we should remember that there has been a chain of terrorist attacks around the world, to which the government has vigorously responded over the last two years. The ASIO Legislation Amendment Bill 2003 will strengthen that response. The government recognises that, to prevent terrorist attacks occurring on Australian soil, we must ensure that our security agencies are armed with the appropriate legal tools. The parliament has given ASIO special powers to question, and in some circumstances detain, a person for the purpose of collecting intelligence relevant to a terrorism offence. These powers have clearly enhanced ASIO’s abilities to perform its functions in the collection of intelligence relating to possible acts of terrorism. The bill was introduced during this parliamentary sitting as a result of operational and practical limitations that have arisen in the use of ASIO’s new powers. The bill has been drafted to address these limitations and to provide ASIO with a stronger legal basis upon which it can collect intelligence for the purpose of combating terrorism.

The bill addresses concerns over the questioning time being effectively halved when an interpreter is used. Where an interpreter is used, questioning time will be increased from 24 to 48 hours without affecting the fundamental structure of the questioning regime. The prescribed authority must still be satisfied of legislative criteria for questioning to continue and may end the questioning period at any time. Other safeguards include those in the protocol, which I mentioned, and they are preserved. Doubling the amount of time available for questioning will ensure that a person can be adequately questioned where he or she does not speak English or refuses to speak English.

Another amendment in the bill creates two offences to address the situation where the subject of a warrant is a flight risk. The bill would require the subject of a warrant to give up all passports in his or her possession or control to a person exercising authority under the warrant while the warrant is in force. It would also be an offence for the subject of a warrant to leave or attempt to leave Australia without the permission of the Director-General of Security. The offences are aimed at ensuring that ASIO is able to question all persons subject to a warrant without risk of them departing Australia. That makes absolute sense.

The bill also clarifies the power of a prescribed authority to give directions for a per-
son who is being questioned under a warrant. This means that, for example, a prescribed authority may detain a person if he or she is satisfied that the person may seek to avoid further appearances or alert other persons to the investigations. The bill also provides for secrecy provisions to stop persons disclosing information that may compromise ASIO terrorism investigations. The secrecy obligations would apply to primary and all subsequent disclosures of such information. While a warrant is in force, it will be an offence to disclose information about a warrant issued in relation to a person, the questioning or detention of a person or operational information. It is clear that the disclosure of this kind of information while a warrant is in force could have significant implications for the integrity of the questioning process under the warrant and could compromise related investigations. These are commonsense provisions which ensure the security and integrity of investigation. As we have seen recently, there is a tendency to conduct in public ongoing coverage of operational matters. That can only be prejudicial. In normal investigating operations, you do not advertise what you are doing. That is for good reason: you do not want to tip off anyone you might be wanting to speak to as to what you are doing.

The bill also prevents disclosure of operational information for a period of two years. This is designed to protect ASIO’s sources and holdings of intelligence and its methods of operation. It is necessary to prevent the disclosure of this kind of information after a warrant ceases to be in force because of the potential to seriously affect ongoing or related investigations. These can continue over a period of time, of course, and we have seen that with recent examples.

In framing these secrecy provisions, the government has been mindful of including strong safeguards by preventing a range of specified disclosures to be made which are not offences. These include disclosures authorised under a warrant or by direction or through the permission of a prescribed authority. A disclosure may also be made to a lawyer for a remedy relating to the warrant or the treatment of a person under warrant in court proceedings. Again, that is a sensible allowance if action is being taken by a person and they have legal representation. A disclosure may be permitted by the Director-General of Security, by the Attorney-General or as prescribed by regulations. Additional disclosures would be permitted where a young person is questioned or detained.

I understand that there have been some queries about the application of strict liability to these secrecy offences. Strict liability will not apply to all elements of the offences, nor will it apply in all situations. I want to make that absolutely clear. It will only apply to the one element that relates to the content of the information. It will only apply in relation to a person who is the subject of a warrant and that person’s lawyer. These people will be left in no doubt about their secrecy obligations and the serious implications of breaching the secrecy obligations. The prosecution would still need to prove that the subject or their lawyer intended to disclose the information and that they were reckless in relation to the other elements of the offence, in particular that it was not permitted disclosure.

In relation to all other people, strict liability will not apply to any element of the offences, and the prosecution’s task will be harder. The prosecution will need to prove that a person intended to disclose information and that the person was reckless in relation to all other elements of the offence. The effect is that a successful prosecution could not be brought against a person who discloses information in innocent circumstances and is not culpable for any deliberate or reckless disclosure. The government believes
that the secrecy proposals are measured and reasonably adapted and that they strike the appropriate balance between, on the one hand, protecting terrorism investigations from being compromised and, on the other hand, protecting individual rights. The government urges the parliament to consider the terrorist threats that have taken place in diverse countries around the world. The horrifying reality, unfortunately, is that these attacks could occur in Australia.

Of course we are about prevention, and these amendments all serve to ensure that ASIO is able to carry out its duties and its powers, which were in some cases recently conferred on it by this parliament. If we allow terrorists free and lawful access to information about ASIO and its investigations, we could well be exposing Australia to attack and to a breach of its national security. If a terrorist can lawfully leave Australia to avoid questioning required under a warrant, we could well lose the opportunity to bring to justice someone who has been guilty of an offence or someone who could importantly give us evidence to avoid the commission of a terrorist act. If a terrorist can only be questioned for an effective total period of 12 hours where that terrorist refuses to speak English, we could well miss out on the opportunity to gain essential information for the protection of our national security.

That is why it is imperative that the bill be passed in this sitting period: to give full effect to ASIO’s existing powers. As the Brigitte investigation has demonstrated, these kinds of issues can arise unexpectedly. The government has brought these amendments forward only after serious consideration and in response to genuine concerns about the integrity and effectiveness of the new regime. The government will continue to monitor the adequacy and effectiveness of the legislation in light of any issues that arise from experience in its implementation. Our objective is to ensure that ASIO has the tools necessary to do its job. Once the bill is in place, ASIO will be better placed to serve and protect Australia. I commend the bill to the Senate.

Question agreed to.

Senator Brown—by leave—Mr Acting Deputy President, I wish the Greens’ opposition to that motion to be recorded.

Bill read a second time.

Ordered that consideration of this bill in Committee of the Whole be made an order of the day for a later hour.

HIGHER EDUCATION SUPPORT BILL 2003
HIGHER EDUCATION SUPPORT (TRANSITIONAL PROVISIONS AND CONSEQUENTIAL AMENDMENTS) BILL 2003
In Committee
Consideration resumed from 1 December.

(Quorum formed)
HIGHER EDUCATION SUPPORT BILL 2003
Bill—by leave—taken as a whole.

Senator VANSTONE (South Australia—Minister for Immigration and Multicultural and Indigenous Affairs and Minister Assisting the Prime Minister for Reconciliation) (11.59 a.m.)—I table a revised supplementary memorandum and an additional supplementary explanatory memorandum relating to the government amendments and requests for amendments to be moved to the Higher Education Support Bill 2003, and a correction to the explanatory memorandum. The memoranda were circulated in the chamber on 1 and 2 December. I also table a supplementary explanatory memorandum and an additional supplementary explanatory memorandum relating to the government amendments and requests for amendments to be
moved to the Higher Education Support (Transitional Provisions and Consequential Amendments) Bill 2003. These memoranda were circulated in the chamber on 24 November and 3 December 2003. I ask leave to move government amendments (2) to (4) on sheet PA234 together.

Leave granted.

**Senator VANSTONE**—I move government amendments (2) to (4) on sheet PA234:

(2) Clause 3-5, page 5 (after line 15), at the end of the clause, add:

(2) Higher education providers will be universities, self-accrediting providers or non self-accrediting providers.

(3) Clause 8-1, page 7 (line 9), after “higher education providers”, insert “(universities, self-accrediting providers and non self-accrediting providers)”.

(4) Clause 13-1, page 9 (line 7), after “Listed providers”, insert “(universities and certain self-accrediting providers)”.

**Senator CARR (Victoria) (12.00 p.m.)—** The opposition will be opposing these amendments. These government amendments go to the objects of the act in terms of the principles of the bill outlined so far. The government’s changes in recent times have been a moving feast. Given that amendments are now being tabled for the first time, you can understand why there might be some apprehension in regard to the opposition’s view as to what the government intends to do. Essentially, we have alternative amendments with regard to the definition of higher education providers. We have made the point repeatedly that this bill fails to appreciate or reflect the nature or the standing of universities and their role in Australian society.

Those Independents who have signed up to a government package of measures ought to understand the consequences of their actions. What it boils down to is the future role of major public institutions in this country. These are things that should not be treated in a cavalier way as a result of a political sweetheart deal put together in back rooms in this building late at night in the final week of a parliamentary session. These are matters that go to some basic, core institutions in our society. I think we should remind ourselves that our universities are established under their own state acts of parliament, that they have traditionally been guaranteed autonomy and intellectual independence, that academic staff have intellectual freedom and that universities themselves have the right to determine what they teach.

In making these fundamental points, it is important that these provisions are actually written into legislation, and that is what our amendments would do. In my judgment, the government’s amendments do not make those points in a way that could justify our confidence that a future Tory government will not seek to fundamentally redefine what it is to be a university in this country. What has been laid bare in recent weeks is the true philosophy of this government. When it comes to universities, they have a view that some public servants, working in conjunction with a minister who seems to have lost control of the debate within his own department, should have the power to intervene in the day-to-day running of universities.

These are not academic or abstract concepts; these are fundamental principles that ought to be articulated clearly in any legislation of this type, because we now know clearly what this government’s intentions are. They may well have had to make some tactical retreats. The fact remains that they have spelt out what their attitudes are. The very fact that they could allow a bill of this type to be put on the floor of this chamber indicates how truly appalling their attitudes are.
This is a bill that should never have seen the light of day. It should never have been allowed out of the parliamentary draftsman’s office. Either it is political incompetence on the part of this government or, as I said, it reflects their real agenda—to turn their backs on what is essentially 600 years of political debate in terms of the role of universities and to turn their minds back to the notion of a police state whereby public servants can pick and choose what is politically acceptable, what should and should not be taught, whether or not some persons are acceptable to work at university and whether or not the Commonwealth will fund what it regards as suitable for teaching in our universities.

These are basic questions. This is not mere political rhetoric. These are as fundamental as the right to the freedom of the press. The fact that the government could produce a bill of this type suggests to me that this government has no right to call itself a Liberal government. It has abandoned that fundamental principle of a democratic society. As far as I am concerned, these are issues that we cannot simply turn aside from. The criticism that we raise is heartfelt. As a consequence, we will be pressing our amendments, and we call on this chamber to acknowledge its responsibilities and not be subject to some sweetheart deal that undermines these fundamental principles.

Senator STOTT DESPOJA (South Australia) (12.06 p.m.)—On behalf of the Democrats, I indicate that, like the opposition, we are opposed to the government amendments that have been moved. Like the opposition, we have an amendment that goes to the issue of the reorganisation of the lists of higher education providers, or indeed the definition of what constitutes a higher education provider. I will try to constrain my comments as much as I can in relation to each amendment because I know that there are many. For many of the reasons outlined by Senator Carr, we are very keen to ensure that the notion of public funding of universities and what constitutes a university—those liberal, democratic and enlightened elements to which Senator Carr referred—are enshrined in the legislation.

I have mentioned that it is going to be a long debate and that there are many amendments. I want to give a very brief overview of what the Australian Democrats will seek to do in this debate. I suspect that Senator Carr mirrors somewhat the despondency that some of us are feeling today in that we know a number of our amendments, which we think are worthy and appropriate, are not going to receive the majority support of the chamber. But it is important that they are moved and possibly debated, because this legislation is fundamentally flawed and requires not only scrutiny and analysis but also amendment.

We will seek to change some of the more regressive aspects of this legislation in the FEE-HELP provisions and the real interest rate, the thresholds, and the coercive tying of workplace practices and governance to additional funding for universities. We will address the issue of indexation, the issue of university autonomy and—indeed, in the amendments that we are talking about and foreshadowing now in relation to what constitutes a university—the powers of a university and its autonomy. All of these are contained within the amendments that the Democrats will be moving today. In addition to that, the issues of privacy, accountability and the student learning entitlement will be addressed by our amendments, and we will continue to proceed with those amendments even, unfortunately in some cases, where it looks like they will not receive support for the reason that Senator Carr has outlined, and that is that there seems to have been an agreement on a majority of the government amendments before us.
We will not be supporting the first set of the amendments put forward by the government, preferring our own amendment that deals with the issue of defining what constitutes a higher education provider and, specifically, public universities and public institutions—the institutions that are in receipt of taxpayer funds, which are public money. We will also seek to enshrine in this legislation, if it becomes an act, what the role, functions and powers of a university are, because I think that has been lost in this debate. I will tell you something else that has been lost in this debate, and that is recognition of the needs and the dreams of current and aspiring students. I look forward to the debate on fees and charges because I believe the bottom line of this debate today has to be whether or not poor kids can get into universities. That is why the amendments we are foreshadowing now and the ones we are debating relate so importantly to the issue of public funding, because that is what ensures accessibility and equity in our higher education institutions.

**Senator Nettle (New South Wales)** (12.10 p.m.)—I will be speaking about the issue of private providers, but let me say from the outset that the Greens, like the two speakers previously from the opposition and the Democrats, are concerned about the future of public education in this country. The amendments being brought into the chamber by the government, and the agreements that they have reached with Independent senators, will damage the future of public education in this country. The government will do this through a raft of measures, which we will go into in detail in this debate, but what is fundamental to the drive for this legislation is the government seeking to remove itself from the responsibility of funding the higher education sector. This raft of amendments that we are about to debate has as its primary focus the shifting of the responsibility for funding higher education from the government onto the shoulders of students and their families. We will see throughout this legislation an emphasis on the government removing itself from the responsibility of funding higher education in this country and encouraging people to be engaged in a form of privatisation of the higher education sector. That is what we will see throughout these amendments.

This first set of amendments about recognising the value of our public higher education institutions goes to this issue of the privatisation and the encouragement for private companies to run institutions that will compete against our public universities. The government fails to recognise the value of the comprehensive education that is available in Australian universities. This bill constantly refers to higher education providers as if there were no difference between an English diploma school being run above a shop in a main street in any part of suburban Australia and, for example, the University of New South Wales. This is a deliberate measure by the government in line with its clear ideology of uncoupling the Commonwealth from the business—and that is how they see it: as a business—of running tertiary education in this country.

Under the bill as proposed, the minister acquires new powers to bring some 80-odd private providers of higher education into direct competition with our public universities by extending elements of the funding stream to those private providers. These providers do not provide the breadth of services that are part of a traditional university’s role. If the government has its way, they will be competing on a very uneven playing field with comprehensive, tertiary higher education institutions. The private providers the government is seeking to extend public funding to are those like the ones the government extended the Postgraduate Education Loans Scheme to last year: the Christian Heritage
College and the Tabor College—Christian colleges that seek to limit enrolments to people with particular religious beliefs.

There are a multitude of language colleges that offer streamlined courses with little or no opportunity for students to be involved in broader student life. Whilst some of these may provide comprehensive learning experiences, they do not come close to what the public understand to be a public university. Each time the funds appropriated in these bills find their way to such a provider, it is money that is lost to our public universities and ultimately a blow to the quality of our public education system.

This is not the future that the Greens want to see, and we believe it is not the future the community wants to see. This has been the strong message to the Senate inquiry that travelled around the country hearing from local communities and people involved in the higher education sector. The Greens will not be supporting this push of amendments from the government. We will continue in this debate to advocate for public education and the responsibility of government to fund our public education institutions—our universities—properly, rather than trying to shovel people and public funds into private providers of education. That simply cannot and will not provide the same comprehensive education opportunities as Australia’s public universities do.

Senator HARRIS (Queensland) (12.14 p.m.)—I rise to comment on this legislation at the committee stage. With respect to the senators who have already spoken, not one has raised the significant issue of the consultation with the vice-chancellors of the universities that will come under this legislation. Therein lies the difference in the approach between the Labor Party, the Democrats and the Greens and the three Independents and One Nation. We have formed a balanced opinion in relation to this legislation, but a balanced opinion that may not necessarily deliver all that each different sector is requesting—that is, the university vice-chancellors, the academic staff, the postgraduate students and the undergraduates. All these sectors have differing ideas about this legislation. One Nation has been very careful to ensure that the outcome is a balance of the needs of all of those sectors rather than just a focus on having this bill defeated. It has been to that end that One Nation, along with Senator Lees, Senator Murphy and Senator Harradine, has been discussing with the government ways to achieve that. It is somewhat hypocritical, particularly of the Labor Party and the Democrats, to stand in this chamber and say that sweetheart deals have been done.

Senator Stott Despoja—I don’t think I said that, Len.

Senator HARRIS—I withdraw the reference to the Democrats, but the Labor Party definitely implied that sweetheart deals had been done.

I have a philosophy that people who live in glass houses should not throw stones. Yet that is exactly what happens in this Senate when a bill comes forward that the Labor Party are generally in support of. We have only to look at the antiterrorism legislation that was recently passed by this chamber. I am not saying that the Labor Party totally supported it—there were issues that they probably disagreed with—but, on the balance of the legislation, they did agree with the government. So why is it acceptable in some cases for the Labor Party—and obviously in some cases the Democrats where they have agreed with the government—to sit down and come to a balanced opinion, yet when it is done by One Nation, Senator Murphy, Senator Harradine and Senator Lees...
all of a sudden it is not acceptable? I call that hypocrisy.

The legislation will progress through this chamber based on the debate in this chamber. There are issues on which we have not agreed with the government and, if that agreement is not successfully orchestrated in this chamber, I for one will not vote for the legislation. I have said that all the way through the progression of this legislation. I have been very honest with the government. One Nation’s support or opposition to this legislation clearly rests on the debate in this chamber—and that is where it should be. We ought not come into this chamber with fixed positions that have actually been orchestrated in a party room. The debate in this chamber should be where legislation is finally assessed for its benefit or its detriment to the states that we represent—and I emphasise that it is to the states that we represent, not the parties that we belong to. That is One Nation’s position. It has been very clearly orchestrated and laid out to the government that One Nation’s support for this legislation is wholly dependent upon how this bill forms in this chamber.

Senator CARR (Victoria) (12.20 p.m.)—Senator Harris has provided us with a remarkable insight into the way in which this parliament works. I never cease to be amazed by One Nation’s views on how the political process works. I think that insight ought to be used for the benefit of some of our political science students as perhaps a primer on the views of One Nation and how those views have been used. One Nation talked about its consultation with the vice-chancellors and implied that no-one else had talks with the vice-chancellors and, for that matter, that the vice-chancellors have a united view on these questions or that they have a particular view on the specific clauses before the committee at the moment. I would defy you to produce a vice-chancellor who would turn their back on the principles that I have articulated here today or, for that matter, the clauses outlined by the opposition. I ask you, since you have had these extensive orchestrations—

The TEMPORARY CHAIRMAN (Senator Lightfoot)—Please address your remarks through the chair, Senator Carr.

Senator CARR—I ask the good senator to explain to us in terms of the orchestration and the discussion he refers to where in the amendment that I presume he is proposing to support there is reference to free and open inquiry, for instance? We are talking about what a university does. I presume, from what he has said, that he is supporting a government amendment that does not include the words that our amendment does with regard to what a university actually does.

We say that, in terms of this particular bill, a university should be identified with a reference to legislative protection for free and open inquiry or, for that matter, a reference to engagement with the community or with a commitment to academic freedom or, for that matter, legislative protection that so that a university is able to express controversial and unpopular opinions. It is an interesting concept that we see here—the nature of the way in which oppression occurs within academic freedom. It always starts on the basis of some ludicrous notion, as this minister has advanced, that some courses are unworthy of academic study. He will pick out some ludicrous concept such as cappuccino courses. It is only a matter of time before the government says, ‘We don’t want you to teach this matter because it’s not suitable,’ and, ‘We don’t think you should be having a look at Marxist economics because that’s not the sort of thing that is appropriate in this day and age.’ After that, it is only a matter of time before there is a discussion on whether
or not stem cell research should be undertaken.

What is the thin end of the wedge when it comes to the question of freedom of academic opinion and the capacities of our public institutions to undertake their responsibilities to society? That is why we say that these provisions should be written into the bill—as it currently is; the act, as it will be. That is why we ask you, Senator Harris: does your commitment to the government exclude you from voting for such propositions? That is the reason I raised these issues in the terms I have raised them. What is the extent of your agreement with the government? You say that not all things are agreed, but I ask you this: are you entitled, under the terms of that agreement, to vote for these fundamental principles? We are waiting to see that. You say that you have reached a balanced position with the government, but it would be fascinating to see what the level of balance really is. I say these are basic principles that ought to be written into a piece of legislation, and I look forward to the argument that says that they should not be.

Senator LEES (South Australia) (12.24 p.m.)—I have to respond to Senator Carr’s comments. I thought we could get on with the amendments but Senator Carr is simply not right in his allegations. Firstly, let us take the matter of the vice-chancellors. All those governance issues were issues that they took up with the minister. They were issues that they negotiated, worked through and got into a format that they, as vice-chancellors, were comfortable with. What the vice-chancellors want—I know they told this very clearly to the Senate committee and, indeed, I know that you are aware of it—and the prime thing that the universities want is for this Senate to work with government and get an agreement so that they can get what is now over $1.8 billion more money. The four of us—I speak on behalf of the Progressive Alliance; Senator Harris speaks for One Nation; and there are the two Independents from Tasmania—worked with the government to get this money flowing to universities in an acceptable form. It has taken a while because we had to work on a raft of issues, not just on this issue of governance.

Again, we hear about cappuccino courses, but that issue has been sorted out. Indeed, if Senator Carr reads through the amendments, he will see that in fact we have a better system than that which operates now. It has to be a disallowable instrument before the chamber, and there is a time line. The minister cannot step in in February and say, ‘Oh, I hear a course is starting up next week; I’m going to stop it.’ It has to be done in the preceding year before the course is offered. Courses become available and students know what is available in April, and by about September they are starting to make concrete decisions. That is when the minister—he or she; hopefully she, one day—needs to put a disallowable instrument before both houses of parliament so that we will have an opportunity to have some say on it.

I say to other senators in the chamber that a number of the issues that the Greens and the Democrats have raised have been dealt with, are in our amendments and have been ticked off by the vice-chancellors as being workable, or have been looked at by the union. As we get through the legislation—and I will make these points in my speech in the third reading stage—we now have a package that is very different from the one that was originally put on the table. We cannot keep referring to the one that was originally on the table, as it is no longer on the table; it has been rewritten. So let us get on with the amendments step by step and, in the third reading stage, deal with where we are up to.

Senator STOTT DESPOJA (South Australia) (12.27 p.m.)—In looking at the run-
ning order, I think that a number of amendments may inevitably collapse. For example, I think there are many similarities in the Democrat and opposition amendment in relation to objects of the act and our attempts to enshrine in the legislation these fundamental principles to which we have referred. I will put on the record very briefly to Senator Harris that I do not mind doing deals; I just object to bad deals. That is my problem with this legislation and with the impression, and certainly the information, that has been given about what has been agreed to. Based on the government amendments that are fast appearing before us, they do not seem to address my fundamental concerns, which are the issues of indexation and, more importantly, fees for students. There is no suggestion that it is inappropriate for you to talk to the government about these issues, but I was hoping that we would see some better amendments; hence my concern and despondency earlier.

In relation to the balance, I think it is tipped very clearly in favour of perhaps one powerful group in the sector—that is, the vice-chancellors. In relation to consultation, I think the public needs to know that, with the amendments before us that will enshrine these principles, there is the issue of whether or not a minister can determine a course provided by a university. It is not an issue of a time frame—that they have a year to plan—rather it is the fundamental issue of intrusion into university autonomy. That is what we are trying to protect. That is why the Labor Party and the Democrat amendments seek to enshrine in legislation a commitment to free thought and inquiry, university independence, democracy and autonomy while, of course, allowing for accountability provisions.

In relation to consultation, these amendments have grown out of the consultative and comprehensive process that was a Senate inquiry participated in by Senators Carr, Tierney and Nettle and me and a number of other senators, and three of us are putting forward amendments that relate to the information that came through the consultative process. For the record, lest anyone think that I do not regularly meet and liaise with all groups in the sector, including the AVCC, I do. The very early and strong impression I got from vice-chancellors, not only their sector group but individually, was that they liked the amendments. They liked the amendments that enshrine university autonomy in the bill and they liked the language that we used.

In relation to the unanimity of the vice-chancellors, I have already put on record some of the comments that vice-chancellors have made to me. One from an outer metropolitan university said about the legislation, ‘This will kill us.’ Another one said, ‘These are chocolate-coated euthanasia pills.’ There are some grave concerns in the sector, and particularly among vice-chancellors, about this legislation. So let us not only enshrine in the bill this issue relating to higher education providers and public funding but also go on to discuss the objects and ensure that these definitions are in the act. Let us also ensure that what constitutes a university does not allow for the intrusions that the legislation currently allows for and that, indeed, the amendments put forward by the government would actually allow for.

Senator NETTLE (New South Wales) (12.31 p.m.)—I want to address the issue of the need to listen to the concerns of vice-chancellors because, as other senators have articulated, all the senators in here dealing with this issue have on various occasions throughout the course of this discussion and public debate on the Higher Education Support Bill 2003 and the Higher Education Support (Transitional Provisions and Consequential Amendments) Bill 2003 met with a
whole range of different vice-chancellors and heard their concerns. I think that senators are very well aware of the concerns of vice-chancellors. Partly that is because the vice-chancellors are in a position at this time of year to be here in the gallery, listening to the debate and lobbying and letting senators know what their views are on these issues.

That is not the same for all of the other people who are included in the higher education sector. For example, students at the moment are having their end-of-year exams or they are involved in other activities such as earning income to be able to fund their way through their university studies. Yes, it is important to listen to the views of vice-chancellors. It is equally important to listen to the views of the students and the staff, be they academic or general staff, who make up the higher education sector. There are going to be disagreements and agreements about the different positions that those sectors are putting forward. For example, the Greens do not agree with the position of the vice-chancellors that they should be able to de-regulate university fees and charge students what they like for being able to study at universities. The Greens take a different position on that. We believe that higher education should be funded by the government rather than by individual students. We believe it should be funded through progressive taxation whereby people contribute, depending on what they earn, to pay for a service that is provided based on people’s willingness to learn and engage in higher education. We do not agree with the vice-chancellors on that. But we have certainly heard the vice-chancellors’ views and we are well aware that the vice-chancellors have argued, and continue to argue around this legislation, to be able to charge students greater fees for studying at universities. The Greens simply do not agree with that. We agree with what has been voiced by the students, who say that in this package the government is proposing to increase the amount of money that students need to pay in contributing to their higher education—an increase of half a billion dollars on what they are already paying. We do not believe that is appropriate. It is those concerns from the students that the Greens have been listening to and have been articulating in our debate and argument around these issues.

Equally, we have been listening to the concerns of academic and general staff who say that they want to be able to negotiate with their trade unions about the conditions that they face in universities. In considering the amendments we will be talking about the role of staff; where it is appropriate for staff, be they general or academic, they should be able to come together with their trade unions and say, ‘Let’s bargain collectively for improved conditions in our workplace.’

These are the sorts of voices the Greens agree with and listen to. We have heard all of the voices and we support a publicly funded higher education system that does not see the government pouring the costs of universities onto the shoulders of students and not allowing academic staff and general staff to engage in decision making at university or to engage in collectively bargaining for their workplace conditions. All of us are well aware of the arguments. People have chosen whether they want to listen to the deregulation arguments being put up by vice-chancellors or whether they want to listen to the views of students and academics about how to improve quality teaching and learning outcomes at university by taking away those financial barriers for students who want to be able to engage in the intellectual pursuit of knowledge that is possible in Australian universities.
So we will continue to have this debate and we will continue to listen to the voices that advocate for a quality public higher education system in this country. They are not always the views of the vice-chancellors. The vice-chancellors have concerns and, on this particular issue that we are considering, regarding objects of the act, the Greens, the Democrats and the opposition all have proposals about universities being free and open places for the pursuit of knowledge, where universities do not feel constrained by the requirements of the government of the day about the sort of study that they can engage in and about the sort of research that they can be involved in. These are the reasons why we are putting forward other amendments which say that they should be free and open. University should be a place which can provide an independent social critique of a whole range of issues going on in our communities. They are issues that all of us have spoken about with vice-chancellors and we recognise that vice-chancellors value the capacity of universities to do that. That is the emphasis behind the amendments that we are putting up. This debate will continue and, having heard the voices of each along the way, senators will make decisions about those voices that they most clearly want to listen to in relation to industrial relations, student fees, the autonomy of universities, and a whole range of other issues.

Senator CARR (Victoria) (12.36 p.m.)—I indicate that we will be dividing on this issue. We will not be dividing on everything in this debate because we know the deals have been done. But I think it needs to be clearly understood that what we are talking about here are some of the fundamentals regarding what it is to be a university. These are not simple matters to be dismissed lightly by some sort of patter about balance, about whether the vice-chancellors have been signed up to some arrangements. These are critical issues and I would like once again to ask senators, when they are casting a judgment about the preferred objects of the act, which of the documents before them is superior. If your deal means that you have to lock into the government irrespective of the written documents, so be it. But let us get that clear. There are issues here, such as the role of the university in society, academic freedom, the capacity to pursue controversial, unpopular issues and the freedom to regulate subject matter and content of courses without political interference. I do not buy this argument that we have some sort of special arrangement because we have a disallowable instrument in the Senate.

Senator Lees interjecting—

Senator CARR—It is not better to have politicians pick and choose what is taught at a university. It is wrong. No matter how you try to justify it, it is wrong for politicians to politicise what is taught at universities. That is essentially what you are asking us to accept—the politicisation of the subject matter taught at universities. That is not a position in which I find any great comfort.

Question put:

That the amendments (Senator Vanstone’s) be agreed to.

The committee divided. [12.43 p.m.]

(The Chairman—Senator J.J. Hogg)

Ayes........... 35
Noes........... 33
Majority........ 2

AYES

Abetz, E. Alston, R.K.R.
Barnett, G. Boswell, R.L.D.
Brandis, G.H. Calvert, P.H.
Campbell, I.G. Chapman, H.G.P.
Colbeck, R. Coonan, H.L.
Eggleston, A. Ferguson, A.B.
Ferris, J.M. * Harradine, B.
Harris, L. Heffernan, W.
Hill, R.M. Humphries, G.
Queensland Government

Senator SANTORO (Queensland) (12.47 p.m.)—I have spoken numerous times in this place on the issue of the Queensland government’s appalling failure to meet its duty of care to children in that state who are in its care legally and, in some cases, physically. It is an unhappy topic. It is something that is painful for everyone to contemplate. But it is most of all painful for the children concerned that they should be so ill-served by the authorities as to be deprived of effective and caring management of cases and, even more painfully, that they are sometimes, it would seem, denied even a modicum of interest in their welfare.

The present situation in Queensland is as thorough an indictment of the Premier, of his former Minister for Families, Anna Bligh, now education minister and his apparently favoured heir apparent, and current families minister, Judy Spence, as one could imagine. Ms Bligh ignored warnings from two members of the Queensland legislature in 1999 about a specific case of sexual abuse that is horrific. I should note here that one of the members of the Legislative Assembly who provided information to the then minister was in fact a member of her own party and member of her own caucus.

The allegations were that the departmental officers were covering up longstanding abuse by members of one foster family but all she did was refer the allegations to the department. The present minister, Judy Spence, is the one who, this year, confronted with the horrible truth about her department’s chronic underresourcing and consequent inability to act, quipped that she would call in some computer operators to get things going.

The Premier, of course, played to the crowd with his Pontius Pilate act that—he thinks—always throws people off the scent. The Premier is supposed to know what is going on, especially in areas as sensitive and potentially ruinous of lives as allegations of sexual abuse in state funded foster family situations. It is funny—as in it is strange, and I believe unsettlingly so—that he always seems to know the good news, and generally claims it as his own, but never the bad. If caught out, if pressed, he will sometimes
produce someone or something that proves he was kept in the dark. He has done that with the child abuse scandal. He referred it to the Crime and Misconduct Commission—on the face of it, the right thing to do. But the CMC, as I have stated previously in this place, is already busy looking at other parts of the Beattie empire that are not functioning properly. It is resourced on an annual budget basis—not for specific inquiries. It in no way reflects on the good officers of the CMC or the organisation's capacity to produce results within its limits. It is the CMC's limits that are the problem, not the CMC itself.

Queensland—and I suggest, in the overall context, Australia as a whole—is still waiting for leadership and action by Premier Beattie and his government. This week, in this place, we have heard strong arguments in favour of searching inquiries into the circumstances surrounding the so-called Heiner affair. This was the case where, confronted by the imminent threat of a case going to court, the cabinet of the former Goss Labor government in Queensland shredded documents it knew would be required as evidence if a case eventuated.

It is worth pausing there just for a moment to reflect that the Goss Labor government, just like the present Beattie Labor government, was highly adept at singing its own praises—and very keen to be heard doing so at every turn. Some of the more musically inclined of those in Queensland who observed this curious phenomenon aver that it was an a capella performance the like of which had never before been seen or, indeed, heard. The descants are said to have deafened critics whenever they were heard, which was often and widely. It is even said that such was the pitch of this chorus of self-praise that windows were apt to shatter from one end of the state to the other.

Unfortunately for Queensland and Queenslanders—leaving aside the fact that Goss Labor, just like Beattie Labor, while astonishingly good at looking as if it were doing things, was even more skilled at doing nothing and, when it thought it might be spotted in this frenetic inactivity, swiftly bound up in red tape anyone it suspected might have noticed that nothing was happening—the Goss government was not very good at anything much at all. It was astonishingly, almost criminally in my view, bad at managing children in state care, or those for whom the state had responsibility.

The Heiner case involved an inquiry by a magistrate into the alleged gang rape of a young teenage girl in state care. The inquiry established a body of evidence that said not only that this incident covered up but that institutionalised abuse—sexual and otherwise—was a frequent factor in the lives of many young people for whom the state had primary care. The remedy for this cruel situation is to be found in having an inquiry—indeed, a royal commission—in Queensland. Responsibility for taking children into care and caring for them in that environment as well as outside it is the job of a state government. It is the Queensland authorities who are culpable, it is from Queensland that answers must be sought and it is the Queensland jurisdiction that must mete out any penalties that are judged to be deserved. That is why I previously called in this place for a full and searching probe by a Queensland inquiry, and I am doing so again today.

That again comes down to leadership by the Premier, which is sadly lacking. These are very serious matters. There should be, and there probably are, some seriously compromised consciences over this whole horrible affair. There must be an accounting. It is 13 years since the painstaking work of Chief Magistrate Heiner went to the shredder. The moral outrage of that act has not diminished,
nor should it have. The Heiner events point to a dreadful situation that breaks the heart of anyone who knows even half the story. Those who are responsible have escaped sanction thus far, and that is an utter disgrace. The cabinet ministers who agreed to or acquiesced in the destruction of the Heiner files are, by their actions, a disgrace themselves, collectively and individually. If they are not legally accountable, they are certainly morally so. There can be no half measures in condemning their conduct.

I state plainly today to this chamber that I am deeply offended as a Queenslander that so heinous an injury was done to my state by a government that acted as it did solely because it found itself with a potato that was too hot to handle. I listened on Monday to the thoughtful speeches made by my Queensland colleagues Senator Harris and Senator Brandis. I deeply respect the points they made. I am as offended as they are by the travesty of the Heiner case, but we know where the remedy is to be found. It is to be found in Queensland. It is an intrastate matter and a matter for the Australian parliament by default. The default is the Premier’s. For many years now I have had contact with Mr Kevin Lindeberg, a Queenslander who has single-mindedly pursued the hope of justice in relation to the shredding of the Heiner documents. For many years Mr Lindeberg has been a voice in the wilderness on this issue, and that is a very sad fact. He is to be commended for his energy in pursuit of the truth, for his patience and persistence and for his fortitude in pursuing this objective.

The facts are clear: the Goss Labor cabinet panicked and ordered the shredding of documents that it should instead have ordered to be preserved. The Beattie Labor government, in which ministers serve who were in the Goss cabinet that ordered the destruction of documents that might have become evidence, should insist on a proper inquiry being made. If heads have to roll all these years later, then so be it. Such an inquiry should in any event be much wider than just Heiner. We know that for years children in the care of the state in Queensland, in institutions or foster homes supposedly policed by the state Department of Families, have been the subject of horrific abuse. We know that the Beattie Labor government will not do anything about that in terms of making proper inquiries of those responsible and ensuring not only that such behaviour ceases forthwith but that anyone culpable is called to account, without a focused, forthright and relentless campaign to make this happen.

For evidence of the fact that, where the care of children at risk is concerned, Queensland’s ship of state still lies firmly tied to the wharf, we need look no further than today’s Courier-Mail newspaper. There is a headline on page 4 over a report written by that newspaper’s family services writer, Margaret Wenham, that says, ‘Department shelves child abuse cases’. It did not add ‘again’ or ‘still’ or even ‘after all this time and all these promises’ but it could have done so very usefully and very truthfully. Ms Wenham reports that thousands of child abuse cases are to be mothballed because of crippling workloads in most families department area offices. The Queensland Public Sector Union said that a meeting with senior management had resulted in an agreement that front-line family services officers could ‘unassign’ cases with which they had no hope of dealing.

So there you have it: not only has the Beattie Labor government now caused the English language to be reinvented, as in ‘unassign’, but also it has apparently ‘de-invented’ the wheel where caring for at-risk children is concerned.
The report in this morning’s newspaper is a shocking indictment of continued Beattie government inaction. That this inaction continues, apart from clouds of smoke and lots of mirrors, testifies to the complete inability of the Premier to control the functions of the government he heads. It might indicate something more; it might indicate that, despite all the claims he has made to the contrary, he actually is not too worried about the situation. That would be a travesty of responsibility for public administration.

There is some evidence for drawing that conclusion in another story that is circulating today in both the Courier-Mail and the Bulletin magazine. It concerns the treatment of people with disabilities at a Bribie Island residential care lodge which apparently first surfaced in 2000 when neighbours videotaped a boy in a cage at the facility. According to the crime investigator Bob Bottom, who wrote the Bulletin magazine article, it was only the intervention of a federal disability agency which acted immediately—one of its own social workers reported the circumstances—that brought abuses of this type to a halt in June this year. No wonder the Bulletin headlined its report ‘The man who wasn’t there’ next to a picture of Premier Beattie looking pensive—caught out again, Peter—and over a subheading that read: ‘After being informed about a child-abuse scandal a year ago, Premier Peter Beattie promised action. So why was nothing done?’

The Premier of Queensland has a duty to tell people why he has done nothing. The Premier of Queensland must now come clean on why, after all the arm waving and the promises of action, nothing has been done that would have fixed the new problems revealed today in the media. If 400 cases in the high-demand Logan-Ipswich area alone have to be set aside, ‘unassigned’, by families department staff, it is very clear that things are dreadfully wrong, and crystal clear that nothing of any significance has been done to put them right.

Let me summarise what this issue is all about. Clearly, ministers Bligh and Spence failed dismally in their responsibilities; clearly, they displayed administrative and moral failure. Clearly, the Premier, the leader of the state and the leader of the cabinet, similarly displayed and continues to display administrative and moral failure. As other senators have stated, when you compare the Premier’s attitude towards calls for a royal commission—for a fair dinkum, well-resourced and well-focused inquiry—to his actions and his statements in relation to the Hollingworth case, you can see the hypocrisy reeking through his whole attitude, through his statements and through the inaction that are evident in this case.

Clearly the CMC, which I support and recognise as a very worthwhile and fair dinkum institution, has not got the resources to get to the bottom of the issue. When you look at what the Department of Families has had to do, as reported in the Courier-Mail today—that is, ‘unassign’ hundreds of cases because of the workload—can you imagine the enormous resource strain that would be inflicted on the CMC if it had to look at each and every one of those cases, as a royal commission should do, in order to come up with some factually based conclusions and sensible recommendations?

Clearly, Mr Beattie and the Queensland government are failing in their duties. One of their most sacred duties as legislators and representatives is to look after children. I have often said that a society is judged on how it looks after three living things: older people, younger people and animals. In the main, they are at various times defenceless living beings in our society. They need at critical times the protection and the care of people who are charged with the giving of
that protection and care. All I can say is that, when I look at what is happening in Queensland today in relation to young people, the government there is singularly failing in that sacred and essential duty of care.

I am just going to keep getting up in this place and talking about these things until something cracks and something happens. It is essential that people like Bob Bottom, Margaret Wenham, Senator Harris, Senator Brandis and, I would hope, every decent senator in this place eventually see reality and action applied to their concerns in the state of Queensland. As with the ABC and SBS, this is an issue that I am not going to let go in this place. I place the Queensland Premier and his government on notice that there are many people in this place—on both sides and on the crossbenches, including the Independents and the Democrats—who will continue to pursue this issue until obscene headlines like the one in the *Courier-Mail* this morning, ‘Department shelves child abuse cases’, stop appearing. I had thought of delivering a speech on this topic today, but I was not quite sure that I would be so determined to do so until my senior adviser asked me if I had seen today’s headline in the *Courier-Mail*. I knew then that there was no other topic I should be talking on today in the debate on matters of public interest.

**World AIDS Day**

Senator KIRK (South Australia) (1.02 p.m.)—I rise to speak on a matter of public interest. This Monday, 1 December 2003, was the 15th anniversary of World AIDS Day. Each year, 1 December is a time to remember those who have died and to help break down barriers by changing behaviours, opinions and attitudes. Today I would like to remind senators in the chamber and the government of the need for an ongoing commitment to fighting HIV and AIDS. Wearing a red ribbon on just one day of the year, although it is a good sign, is not enough. This year alone, more than three million people have died from the disease. A total of 42 million people around the world are living with HIV. Nearly two-thirds of them live in sub-Saharan Africa, where, in the populations of the hardest hit countries, HIV prevalence is almost 40 per cent.

Australia was one of the first countries to report AIDS cases, and our incidence of infection has been declining for almost two decades now. The number of AIDS related deaths is also on the wane, partly because patients are surviving longer due to the introduction of antiretroviral treatments. Needle and syringe exchange schemes are also proving successful in preventing the disease among drug users. Australia was very quick to act in response to the AIDS epidemic in the early 1980s. Most of these early education programs were developed by and for gay men. The success of these programs led governments to fund programs targeting other at-risk groups, such as intravenous drug users and sex workers.

These early interventions into key risk groups helped Australia to maintain its low rates of HIV infection compared with other countries. It was not until the Paris International AIDS Conference of July 1986 that medical experts agreed that HIV was transmissible by vaginal intercourse and therefore to and through heterosexual couples. The response by Western governments to this news was to embark on public education AIDS campaigns. I am sure all senators remember the grim reaper advertising campaign launched in April 1987, in which a robed figure bearing a scythe indiscriminately bowled down ordinary Australians. This controversial campaign placed AIDS and preventative behaviour, such as condom use, on the public agenda for the first time.
Treatment for HIV has been very successful in developed countries, such as Australia. The success of antiretroviral therapies has led to complacency about HIV. Antiretroviral therapies have made it easier for people to live with HIV and AIDS: they have decreased or at least postponed deaths due to the virus and, despite the sometimes serious side effects of these therapies, led to less debilitating illness. The National Centre in HIV Social Research’s Annual report of behaviour 2002 pointed to new data that showed evidence of increasing unprotected intercourse—in the order of 15 per cent—within regular relationships amongst men. Similar increases have also been documented amongst gay men with casual partners. There is also evidence to suggest that the percentages of men tested for HIV in the last six months and men less than 25 years of age who have ever been tested for HIV are in decline. These are very disturbing statistics. There is also evidence to suggest increases of high-risk behaviours amongst young people, which are notable in the higher rates of sexually transmitted infections.

In general, things are very different now from when the AIDS epidemic first became known in Australia. Many people have become accustomed to living with the epidemic and perhaps have become complacent. The figures I cited are a worrying sign for HIV and AIDS prevention in Australia, and we must combat the disease with renewed energy.

I want to draw special attention to the specific challenges facing the government in dealing with HIV and AIDS within the Indigenous community. Unlike the rates for many other diseases, the rate of HIV notification for Indigenous people, at 5.2 per 100,000, is similar to the rate for non-Indigenous Australians, at 5.5 per 100,000. However, this similarity conceals different trends for the two populations. The rate for non-Indigenous people has steadily declined; however, the rate for Indigenous people has not. Amongst Indigenous populations, the percentage of women infected with HIV is also much higher, at 27 per cent, compared with nine per cent in the non-Indigenous population.

This trend reflects a general shift across high-income countries to the epidemic’s increasing concentration into poorer and more marginalised sections of society. We all know that Indigenous communities suffer much higher levels of illness and die at a much younger age than other Australians. It is something that this government has not done enough to address. Dealing effectively with AIDS in Indigenous communities requires a special effort. Indigenous Australians tend to have lower incomes and poorer education and live in remote locations. All of these factors make the provision of health services a special challenge. However, it is not a challenge that this government has risen to. Culturally appropriate health services need to be provided in rural locations, and the different trends for HIV infection amongst the Indigenous population, such as its prevalence in the heterosexual community, need to be addressed. Strategies to fix the underlying problems inherent in low socioeconomic status, such as low levels of education and low levels of employment, must also be implemented to reduce the risk of transmission of HIV and other sexually transmissible infections in Indigenous Australians.

Australia has been considered a world leader in the prevention and treatment of HIV almost since the 1987 grim reaper advertising campaign. However, we have been unable to drive down our rate of new infections, which we have been stuck on for years. We must be vigilant. There is evidence of increasing levels of unprotected anal intercourse amongst sexually active men.
There is also an ageing population of HIV sufferers, and aged care in Australia remains unprepared to cope with their specific needs.

There are an estimated 12,700 people living with HIV in Australia and about 2,600 living with AIDS. By the end of last year, there had been 6,174 deaths from AIDS since the beginning of the worldwide epidemic in the mid-1980s. About 450 Australians are infected with HIV every year. Despite these figures, we are relatively lucky here in Australia. The total number of people living with HIV in Australia is around the number of new infections worldwide every day. However, we in Australia cannot rest on our laurels. HIV and AIDS without containment is a disease that threatens to change the world as we know it. Literally, the number of people dying from AIDS in sub-Saharan Africa and the number of health professionals dying from the disease are severely restricting these nations’ capacity to provide treatment for HIV and AIDS, with their already stretched and inadequate domestic budgets and the price of drugs. The UN Secretary-General, Kofi Annan, said only a few days ago that the number of people dying from AIDS in Africa, which he estimated at two million people per year, is a national and international tragedy.

In our immediate region, our Asian neighbours similarly face a crisis if they fail to act effectively to control the epidemic. Outside of sub-Saharan Africa, there is no region with more AIDS victims in the world than our Asia-Pacific region. What is more, it is not a stable or controlled level of infection. Last year, almost one million people in Asia and the Pacific acquired HIV, bringing the number of people living with the virus to 7.2 million—that is, a 10 per cent increase since 2001.

Epidemics of the disease threaten some of our nearest neighbours: the Pacific Islands and in particular Papua New Guinea. In the Asia-Pacific region, as in parts of Africa, the disease threatens to reverse decades of development, destroying communities, disrupting food production and undermining political and social stability. Papua New Guinea has reported the highest HIV infection rates. New surveillance data reveals an HIV prevalence of one per cent among women attending antenatal clinics in the capital, Port Moresby, indicating that a broadened epidemic is under way in the city. Of the people seeking treatment for other sexually transmitted infections in Port Moresby, HIV prevalence was seven per cent in 2001; that is a doubling of the figures for the previous years. The country could be facing a severe epidemic. Very low levels of condom use combined with low awareness and knowledge of HIV-AIDS will be severe contributing factors to this epidemic. Research has found that 85 per cent of surveyed sex workers in Port Moresby and in Lae did not use condoms consistently in 2001 and that rates of other sexually transmitted infections ranged as high as 36 per cent.

In my recent visit as part of a parliamentary delegation to the South Pacific, particularly to New Caledonia and Vanuatu, I was informed that these countries, particularly Vanuatu, face a difficult fight against a threatening epidemic. I was very pleased to note during my visit to Vanuatu that AusAID funding is being given to promote education campaigns, in particular in the regional areas of the country, so as to inform communities about the risk of HIV and AIDS.

I note also the press release on Monday of Mr Alexander Downer, a fellow South Australian and the Minister for Foreign Affairs, who launched *Positive Negative*, a free photographic exhibition documenting the problem of HIV-AIDS in the region and the important role of Australian aid in addressing this crisis. I believe, however, that Australia
has to do much more. The Global Fund to Fight AIDS, Tuberculosis and Malaria assists developing countries to scale up resources for the prevention, treatment and care of people living with, and affected by, HIV/AIDS, TB and malaria. As a partnership between governments, civil society, the private sector and affected communities, the global fund represents an innovative approach to international health financing.

Countries such as the United Kingdom, the United States and New Zealand have committed significant funds to the global fund, yet Australia remains uncommitted. The United States has offered $US15 billion over five years, and Britain announced last week that it will also contribute to the fund. Oxfam Community Aid Abroad has this week urged Australia to commit $110 million to the global fund in addition to its current overseas aid commitment. I call on the government to give immediate consideration to its contribution to the global fight for HIV/AIDS treatment and prevention. This is an epidemic that we cannot ignore. I believe that this government can and must do more. We have a moral obligation to ensure the containment and continued reduction of infection rates within Australia, especially within the Indigenous community. We also have an obligation to assist our neighbouring countries in the Asia region to combat this global epidemic.

Medicare

Senator BARTLETT (Queensland—Leader of the Australian Democrats) (1.16 p.m.)—I wish to speak today on the important, indeed critical, issue of Medicare and our health system. The Democrats have been working hard on the Medicare issue for many months, and this has already resulted in substantial and tangible improvements to the Medicare system, particularly to the original proposals that the Howard government put forward on Medicare. In the past fortnight, we have been trying to do more to reach further agreements with the government that would provide extra assistance to Australians in need of help in this area. We have explored a range of ways to give an extra boost to bulk-billing, as well as trying to find ways to further strengthen the enhanced safety net that the government is proposing.

The Democrats have been openly saying for many months—and our package of measures entitled ‘A Better Medicare’, released a month or so ago, reinforced the fact—that Medicare and our health system need a major overhaul in order to adjust to the very significant changes to our out of hospital health care system that have occurred over the past decade. In 1985-86, only 55 per cent of general practitioners bulk-billed. It was not until a decade after the introduction of Medicare that bulk-billing rates for GPs reached over 80 per cent. We are now back to rates experienced at the end of the 1990s.

The notion that very high rates of bulk-billing can be achieved in the current system for all health services, particularly for specialists, is at best romantic and at worst dangerously misleading. In the short to medium term, it is realistic to attempt to lift average bulk-billing rates for GPs to back over the 70 per cent mark. However, there has been no recognition from Labor or the government of the very low levels of bulk-billing for many specialist services. In the September quarter of this year, less than 40 per cent of all specialists bulk-billed or charged the schedule fee. This means that many Australians are having to pay very significant out-of-pocket expenses for specialists in particular, and it is in this area that Australians are feeling the pinch in health costs.
In the September quarter of this year, less than 40 per cent of all specialists bulk-billed or charged the schedule fee. This means that, with its current policy parameters, the government has lost the battle to reach an agreement with specialists and the community on an agreed taxpayer funded fee. This needs serious revision. All parties need to acknowledge this fact or else there must be an acceptance by the government that if specialists can charge what they want then the government will need to provide a substantial safety net for people with high health care needs and high health care costs.

It is the area of specialists in particular where the high out of pocket expenses are really hurting people now. These are the services used by many with chronic illnesses or acute illnesses. In the absence of any genuine attempt by the government or the ALP to acknowledge, let alone attempt to address, the high cost of specialist fees, there can be no doubt that a stronger safety net is very desirable for those Australians suffering because of high health costs at the moment.

It is clear from the many calls and emails to my office from concerned members of the public that a lot of people are not aware that there is already a safety net in existence. This is not surprising, as the safety net has become so inadequate that it provides very little help to the many Australians who need it. It is quite appropriate for many Australians to be expressing their concerns, because this is an area that affects every Australian in various ways. It particularly impacts on Australians with families, who find it harder to predict what health care costs they may have in the future. Their lack of awareness of the existence of the safety net highlights how inadequate the existing safety net is. Last year, only 30,000 families and individuals had access to the safety net, and those who did received assistance averaging about $146 over a year.

There can be no doubt that the government’s proposed safety net is a significant improvement for those individuals and families who need assistance. However, the Democrats continue to hope that it can do better—that it can work more efficiently and effectively to meet the needs of those Australians who have high out-of-pocket health costs. Whilst I have little doubt that the Liberal government has an ideological view that it would like to undermine Medicare and bulk-billing, it has an even stronger ideological commitment to winning elections. The changes that have been made from the government’s first Medicare package, known as A Fairer Medicare, to their second package, known as MedicarePlus—significantly, as part of the Democrats’ proposals and others that came from the community debate—are not sufficient, in the Democrats’ view, but they are nonetheless significant.

The Democrats released an alternative and comprehensive health package some time ago. We were pleased that the government picked up two key aspects of the Democrats’ proposals and have already committed to implementing them. These included children in incentives for bulk-billing—an extra $5 incentive for GPs who bulk-bill all children up to the age of 16—and also provided additional funding for allied health professionals and nurses. The government also did not proceed with two planned initiatives that the Democrats strongly opposed: firstly, the electronic swipe card for bulk-billing—and it is fair to say that a solution has now been found that most people think is a much better approach—and secondly, the government’s initial desire to fund the safety net through private health insurance. Attempts to expand the role of private health insurance to lock a two-tier approach into bulk-billing were largely removed. The significance of the removal of the attempt to fund the safety net through private health insurance should not
be overlooked. This was a very dangerous measure that would have radically altered the focus and nature of Medicare and our out-of-hospital health system well into the future. The fact that it has not gone ahead is already a significant win for those in the community who opposed it, including the Democrats.

I have been very disappointed in the attitude of those who have taken the view that any attempt to negotiate better outcomes for the Australian people in this context should be condemned, purely because those improvements would have to come from the Howard government. It is not acceptable to use the public and the health system as political footballs, leaving people continuing to suffer, solely in an attempt to cause political damage for the government. I, and all Democrats, have no great liking for this government in many areas, which would come as no surprise to anybody—there are many areas where we are strongly critical—but I do not believe it is responsible to leave Australians without help, or to not make an attempt to try and assist them, purely so that we can score political points, particularly in an issue as fundamental as Medicare and health.

Unless opponents of the government who are advocating about Medicare can bring some more truthfulness to the debate and stop reinforcing some of the romantic mythology about Medicare, then, quite frankly, the government will continue to cause political damage for the government. I, and all Democrats, have no great liking for this government in many areas, which would come as no surprise to anybody—there are many areas where we are strongly critical—but I do not believe it is responsible to leave Australians without help, or to not make an attempt to try and assist them, purely so that we can score political points, particularly in an issue as fundamental as Medicare and health.

I believe that Australians need more help with health costs and that bulk-billing needs more incentives. I am therefore quite disappointed that the Democrats, this week, have not been able to reach agreement with the government on putting in place further assistance for Australians in this area. We did explore a range of options to get stronger bulk-billing incentives and we will continue to promote and pursue those in the political debate, but we were not satisfied, in the time frame available, that these could be successfully negotiated with the government at this time, or that they would be sufficiently beneficial and durable to make it worth giving early passage to the legislation enhancing the safety net. In our negotiations we also looked at whether we could get further strengthening of the safety net, but the possible gains here were not large enough, again, for us to believe that it would be justifiable to give early passage to legislation regarding the safety net, particularly given that that particular area does come before the Senate for debate, for consideration and for potential amendment. Obviously, of course, any amendments that are made would, at the end of the day, need to receive the agreement of the House of Representatives. Nonetheless, the Senate can do much more in exploring options in this area than it can with other areas of the MedicarePlus package.

Legislation to do with the safety net will still come before the Senate in February, when the related Senate inquiry reports, and the Senate will be able to attempt to amend it—most importantly, unlike every other aspect of the government’s Medicare package. It should be made clear, because it has not been made clear in the public debate—indeed, some of those whose main priority is to attack the government rather than get better health results for Australians have tried to
make sure that it has not been clear—that every other aspect of the government's MedicarePlus package except the safety net will not come before the Senate to be amended, and it was never going to. So the only available avenue to amend the package overall was through negotiation with the government. Reaching agreement or being willing to accept one particular component of the MedicarePlus package that requires legislation through the Senate is not in any way the same as giving overall approval to the MedicarePlus package.

As I have said, there are a number of areas where the Democrats believe further improvements not only could but must be made, but we had the same comment to make in relation to the proposals that the ALP have put forward to date. There need to be major overhauls, major changes and difficult decisions in this area and, until at least one of the larger political parties acknowledges that, the political reality—from the role the Democrats play, trying to be effective and responsible in the balance of power in the Senate—is simply that we need to look for opportunities to move things in the right direction. There are plenty of Australians who are suffering now. To leave them continuing to suffer, purely because we cannot get the total amount of change that we believe is necessary, would be irresponsible in the extreme. That is why the Democrats worked hard over the last fortnight to try and negotiate a better package. Whilst we were not successful, and whilst the government would not go far enough towards what we wanted to get agreement, it is appropriate to acknowledge, nonetheless, the efforts that the government and the minister made to attempt to see if agreement could be reached on some of these areas.

However, we will continue talking with all parties who are interested in getting better results, including the government, over the next few months. The Senate inquiry is due to report in February. We are still keen to ensure that that date is met because we do not want the issue to drag on unnecessarily, but we do believe that there is some value in further examining some of the extra proposals that are now in the public arena. The inquiry will provide an opportunity to re-examine the MedicarePlus proposals and the Democrats' suggestions for improvements. The extra time and the further Senate inquiry, which the Democrats supported, will give us all an opportunity to participate in further public debate on Medicare. It provides an opportunity and a challenge to those who want to put forward alternative approaches as to how to make Medicare better. While there may be many good reasons to attack the government, it would not make Medicare better. It does not provide extra help to the Australian public who are struggling with growing out-of-pocket expenses. By all means attack the government. We will continue to do that. But we will also be focused on putting forward ideas that we believe will help improve things for Australians. Finally, I asked the whips who were in the chamber at the time whether I could incorporate a speech from Senator Greig. I seek leave to do so.

Leave granted.

Senator Greig's incorporated speech read as follows—

I wish to draw attention to yesterday's announcement that the Government will push ahead with its proposal to exclude people addicted to illicit drugs from the Disability Discrimination Act.

This is an issue to which all fair-minded Australians, properly informed, would respond with concern and dismay, and one I believe, that points to an ongoing and sustained attack on community cohesion.

The Prime Minister says he does not believe addicts should be protected from discrimination.
The Attorney General says anyone voluntarily engaging in behaviour resulting in a disability must take personal responsibility.

The Australian Chamber of Commerce and Industry (ACCI) which lobbied for the change after a Federal Court ruling, says it supports sensible laws protecting the genuinely disabled, and calls on the Government to restore confidence in the Act by clarifying employers’ rights and obligations.

On the face of it, the Government’s argument is a simple one.

Drug addicts break the law, by choice, and in doing so, forfeit their claim to protection from discrimination, especially in the workplace. An employer should be able to sack or refuse to employ someone if they have an addiction. After all, drugs in the workplace pose serious risk, why should addicts be given special rights?

Not only is this simple argument based on false premise, but it hides a more complex reality.

In the first instance, if we can accept that addiction is a disabling force, is a disability, then claiming the right to be able to discriminate on that basis becomes a difficult position to defend.

And there are many reasons why we would accept addiction is a disability.

Firstly, in defining disability, HREOC draws on medically accepted diagnostic protocols that clearly include substance addiction within the definition of a “disorder”.

Secondly, the Act gives regard to impaired capacity, without regard to cause. Acquired brain injuries, mental health issues and other impairments that can arise from substance use, whether legal or illegal, are protected under the Act to the same extent as those arising from any other cause.

Addiction can also arise from misuse of substances prescribed for pre-existing disabilities, for example psychiatric disorders, or those requiring pain relief.

It is clear in the Act’s definition that addiction qualifies as a disability—it impairs, it restricts, and it affects learning, thoughts, perception, emotion and judgment.

By contrast, temporary loss of capacity through intoxication does not fall within the definition of a disability, because the Act makes a medically significant distinction between “disorder” and “condition”.

Contrary to concern expressed by the ACCI, this means anyone dismissed for workplace intoxication has no recourse under the Disability Discrimination Act. This is very clear.

The view that the Act creates or bestows additional rights to which addicts should not be entitled also cannot be supported. What the Act does do, is protect people from less favourable treatment that is not reasonable or justifiable—it ensures a level playing field, equality of access, and judgement on individual merit.

The Prime Minister’s proposal, simple as it is, will prevent this.

It will legalise discrimination in employment, accommodation, education, provision of goods and services and club membership. It removes the necessity in law to ensure people with addiction to illegal substances are treated with respect, dignity and equality and in doing so, undermines the basis upon which our fair and democratic system is built.

Actively excluding a group from discrimination protection places it at immediate risk. This simple act invites those with any number of moral or ethical views to act out their value-laden objections, and to do so with the full support of the law.

The human rights implications are profound, and many human rights specialists assert that this proposal will directly impact upon a range of international human rights obligations.

Trampling of human rights aside, the proposal raises many other significant issues.

Addiction is difficult to define. The Alcohol and other Drugs Council of Australia is concerned that even within its sector, consensus is lacking. At what point does substance use become abuse? When does experimentation cease and addiction begin?

According to the Australian Institute of Health and Welfare, over two million Australians used cannabis in 2000. Almost half a million used amphetamines, and in a single month almost 81,000 had used heroin.
The Alcohol and other Drugs Council, the drug sector’s peak organisation, says the number of users defined as “addicted” depends entirely on who’s defining, and soon, who’s discriminating.

If it is determined for example, that weekly use constitutes an addiction, then one million of the aforementioned cannabis users could be subject to discrimination in all areas of their lives, without any legal recourse.

Young people aged 14-29 who are the highest transitory users of illicit drugs, could be barred from employment and education on the basis of their “addiction”, condemning them to a life of poverty.

This Government’s already excessive watering down of industrial relations laws, virtually no offer of protection to young people in its recently introduced Age Discrimination Bill, and the increased casualisation of the workforce, already makes work a tenuous prospect for many. The possibility that people of any age could now also be legitimately sacked for experimental drug use when not even at work is completely outrageous.

This inability to easily and consistently define addiction means that almost six million Australians who have used an illicit drug could have been placed at risk of discrimination if this test were applied at the time of their use. This is an extremely wide net to cast.

The Disability Discrimination Act also currently prevents discrimination on the basis of an imputed disability. This means, discrimination cannot occur on the basis of a suspected disability.

Will excision of addiction from the Act also open the possibility of restricted or non-existent protection to people on the basis of suspected addiction?

In a recent Bulletin article, a caravan park landlord says:

“we’re not educators, social workers, we just rent vans. If they come in here and they’ve got bad teeth or sores over their face, you know they’re on go-ey so you don’t take them.”

It’s already happening. People in such dire poverty they can barely afford basic accommodation—let alone new teeth—and they are refused access on the assumption they’re a junkie.

This is an appalling dismissal of human rights, and the Government is seeking to legitimise it.

To add to the human rights and definitional problems contained in the proposal, there is the further problem in that it only references addiction to illegal drugs.

This is in spite of all of the research and data showing the social and economic costs associated with misuse of legal substances that far outstrip the costs associated with illicit drugs.

We already know the enormous impact caused by alcohol and tobacco addiction for example and just last week, the National Drug and Alcohol Research Centre released a report showing a dramatic increase in pharmaceutical drug use, which are known to have significantly more serious side-effects than many illicit substances.

By creating a distinction between classes of drug, the Government’s real agenda, if there were ever any doubt, becomes clear—it is the drug’s illegality, rather than addiction itself, that is the issue here.

This is an important point because as with the definitional problems discussed earlier, this distinction is entirely value based. It says that rather than addiction per se being the issue requiring clarification, it is the illegality of the substance that causes problems for those seeking to discriminate.

How can an employer possibly justify claiming the right to dismiss an employee addicted to an illegal substance, but not to a legal one, when in reality if either addiction even had an impact on the workplace that justified discrimination, the distinction between them on the ground of their legality may be negligible or non-existent. It makes no sense.

If the Government were legitimately concerned about addressing issues of drug addiction, it would seriously consider measures that reduce addiction. Instead, it targets a particular group of already at-risk people by focussing solely on the issue of legality, and increases their risk even further.

New South Wales has already enacted changes to its anti-discrimination laws, despite strong opposition. While it restricted discrimination against people with addictions to employment, like the
Federal proposal, it too contains exemptions for people receiving treatment.

Many experts challenge the appropriateness of distinguishing between those in and out of treatment, arguing that many either cannot get a place or cannot find the right type.

Anex, an organisation committed to reducing drug related harm, share this view, adding the Government ignored recommendations to expand needle and syringe programs to cater for demand—the Minister simply responds by saying users should just say “no”.

The Government’s failure to increase treatment funding commensurate with increases in law enforcement, underscores its simplistic Tough on Drugs approach and propensity to victim-blame.

Far from deterring drug use, this proposal reduces the incentive to seek treatment for fear of dismissal or eviction, which in turn is likely to result in increased overdoses, mental and other health complications, HIV/AIDS and Hepatitis transmission, and other social and family problems.

A recent report by Hanover Welfare Services, St Vincent de Paul and the Salvation Army, found the most effective drug strategies combine adequate housing, support and health services, and a stable income. This proposal represents the complete antithesis to that view.

Instead, the Health Minister believes we should take the same hardline view on drug related law breaking as we do on other kinds.

However by removing fundamental human rights as this proposal does, the bar for illicit drug users is raised far and above that for other criminal activity.

A simple analogy would be if a drink driving conviction was used as grounds for dismissal or eviction even if it had nothing to do with either your place of work or residence. This would cause an outrage.

The Government thinks because it is picking on the substance addicted no-one will notice. I do not believe ordinary Australians would countenance this lack of compassion.

The Prime Minister is attempting to drive a wedge between the “deserving” and the “undeserving”, the “genuinely” disabled and “others”, by claiming that inclusion of those with self-induced impairment undermines protections to those with “real” disabilities.

I suspect someone with a spinal cord injury after a shallow dive, or with an acquired brain injury after driving at high speed, might question claims about the validity of their impairment.

I draw comparisons too with early HIV debates that sought to distinguish between deserving homosexuals and drug users on the one hand, and undeserving medically-acquired cases on the other.

Thankfully we’ve moved on, so that even Tony Abbot believes these behaviours do not make HIV/AIDS fair game for judgement—what diminishes one diminishes all he said.

I ask, what is the difference? Drug addiction has common characteristics regardless of whether one is receiving treatment, or is addicted to legal or illicit substances—and all are deserving of equal protection under the law.

Finally, I wish to respond to the ACCI’s concern about workplace drug use.

In the three years since the Federal Court ruling, there have been very few complaints of discrimination. They can be counted, almost certainly, on one hand.

Why? Because existing worksafe and OH&S provisions, and in some industries, drug testing, provide adequate responses to workplace drug use without invoking anti-discrimination provisions.

Many legal experts have argued current interpretation of the Act does not inhibit a business’s right to make legitimate decisions about a person’s behaviour, on the basis of objective, unbiased information.

Intoxication is not a protected state, and so offers no protection to those substance-affected at work. Tests of reasonableness and ability to consider a person’s inherent capacity to fulfil the requirements of a job provide employers with further safeguards.

The Act does not confer special rights—it PROTECTS PEOPLE WITH DISABILITIES FROM LESS FAVOURABLE TREATMENT THAT IS UNREASONABLE OR UNJUSTIFIABLE.
Quite simply, there is no justification for this change, the move is another ideologically driven plank in the Government’s tough on drugs strategy.

Clearly employer groups are concerned about the implications of a newly articulated requirement and other community members may join them. However, a civilised and compassionate community will not shun that requirement, but seek to be educated about it.

People with addictions often become so as a consequence of social isolation and exclusion. Further and deliberate exclusion will only worsen their circumstances and those of the entire community.

For these reasons the Australian Democrats strongly support the referral of this Bill to a committee inquiry to ensure full community debate about the important issues it raises.

Senator BRANDIS (Queensland)  (1.31 p.m.)—On Monday of last week, 24 November, the report of the House of Representatives Standing Committee on Economics, Finance and Public Administration into cost shifting was tabled in the other place. The report bears the title *Rates and taxes: a fair share for responsible local government*. The committee was chaired by the member for Wannon, Mr David Hawker. The report highlights one of the most serious structural problems in intergovernmental relationships in Australia today: the increasing tendency of one level of government to shift the cost of delivering services to other levels of government.

Cost shifting among levels of government is not a new phenomenon. It has been recognised, in one way or another, as one of the imbalances which arise within all nations which have multitiered governments. In the United States, the imposition of a cost by one level of government upon another, without any or any sufficient funding, is sometimes called an ‘unfunded mandate’. Almost invariably, the movement is in a downward direction among the hierarchy of governments. And, although the House of Representatives committee report—to which I will refer, for the sake of convenience, as the Hawker report—found some evidence of cost shifting from the Commonwealth to the state and territory governments, this is overwhelmingly a phenomenon which affects local government. In the vast majority of cases, the villains are the state and territory governments. In short, as the report found, more and more state and territory governments are imposing costs upon local government, without providing the funding to local authorities to enable them to meet those costs.

How does cost shifting occur? According to the submission to the Hawker inquiry of the Australian Local Government Association, it can occur in eight particular ways—although this list is not exhaustive—firstly, where local government is required to provide services which had previously been provided by another level of government; secondly, where other levels of government require the provision of concessions and rebates by local government; thirdly, where responsibility for the provision of services is transferred to local governments by legislation; fourthly, where local government is required to be the exclusive provider of an essential local good or service; fifthly, where local government is required to be the sole provider of a new and innovative service which has no historical funding precedent; sixthly, where local government is required to pick up services as a result of the direct transfer of ownership of infrastructure from one level of government to another; seventhly, where government policies impose upon local government responsibility for regulating compliance; and eighthly, in circumstances where fees and charges chargeable by local government are prescribed under state legislation, and those fees and charges are not indexed.
It will be apparent that there is a significant amount of overlap between those categories. What they all have in common, though, is this: a higher level of government—and that, as I have said, is in most cases a state or territory government—requires local governments to take responsibility for the provision of a service, without sufficiently, or in some cases at all, funding that service. In those circumstances, the most common outcome is that the local authority passes the cost on to the ratepayer, notwithstanding that the source of the extra cost is not the local authority but the state or territory government.

Let me give a couple of examples of this phenomenon in my own state, Queensland. The Hawker committee received evidence from the Caboolture Shire Council that the cost to it of complying with recent state legislation requiring the remediation of closed landfills was $1 million over 15 years. The annual cost to the Maroochy Shire Council arising from compliance requirements under the state Integrated Planning Act is estimated to be $150,000. In neither case is there compensating funding from the Queensland government for the costs incurred as a result of state legislative mandate. Those are but two of the 74 specific examples tabulated in appendix C of the report about which the Hawker committee received evidence from local authorities throughout Australia. In the words of the Hawker report, at paragraph 2.37:

... the roles of local government cannot expand without funding and resources. Where that expansion is taken over from another sphere of government, without funding or resources, it compounds the financial problems for local government and may reduce public accountability for the relinquishing provider of the service. This is especially true in rural and remote regions, where councils are small and have a very limited revenue base but expectations from the community for a wider range of services than previously delivered.

The issue of cost shifting has several dimensions. It has a jurisdictional dimension: at what point do the responsibilities of local government end and those of state or territory governments begin? It has a constitutional dimension: how is it acceptable for one level of government, by its own unilateral act, arbitrarily to impose responsibility for service delivery upon another level of government? But, most importantly, it has an economic dimension. Cost shifting produces structural distortions, by creating cost centres without providing for compensating revenue to fund them. It produces duplication of functions and creates coordination costs between governments. It misallocates resources. According to evidence given to the Hawker committee, the cost to Australia of this misallocation of resources arising from cost shifting may be as high as $20 billion per annum.

The issue of cost shifting must also be seen in the context of the respective responsibilities of the Commonwealth and state governments for funding local government. Traditionally, the financial support of local government had been seen as primarily the responsibility of the states. However, since 1974-75 the Commonwealth has provided direct funding to local authorities by way of general purpose grants—now called financial assistance grants. It also provides specific road funding, in particular under the Roads to Recovery program. In the current financial year, the Commonwealth will provide some $1.449 billion in direct financial assistance to local government.

I want to make particular mention of the Roads to Recovery program, which is the principal form of specific purpose funding provided by the Commonwealth to local governments. Whenever I travel in rural and regional Queensland, as I often do, and meet
with mayors and councillors, they almost invariably praise the Roads to Recovery program as one of the best initiatives, from the point of view of local government, that the Commonwealth has ever undertaken. I hope that funding for this program is renewed in the 2004-05 federal budget. I should also note in passing the seminal role of my colleague Senator Ian Macdonald, in his earlier guise as minister for local government, in initiating this extremely successful program.

I believe that there is a very strong case to be made for expanding the provision of direct financial assistance from the Commonwealth to local government—not by increasing overall the amount of Commonwealth outlays to other governments but by rebalancing the relativities between payments made by the Commonwealth to state and territory governments on the one hand and to local governments on the other. I mentioned before that in the current financial year the Commonwealth will directly fund local authorities to the tune of $1.449 billion, but that is, comparatively speaking, a drop in the ocean compared to the direct payments by the Commonwealth to the states and territories. In the current financial year the Commonwealth will make payments totalling $56.2 billion to the states and territories, of which $31.7 billion will comprise GST revenue remitted to the states and territories as general grants, and $24.5 billion will comprise specific purpose payments, national competition policy payments, budget balancing assistance and other payments. Of that $24.5 billion, the lion’s share—$16.59 billion—comprises specific purpose grants.

The Commonwealth is now funding state and territory governments at an unprecedented level. And yet, as the Hawker committee’s report reveals, those governments, in turn, are increasingly engaged in the practice of cost shifting to local government while failing to pass on to local authorities the funding necessary to support those additional responsibilities. So the Commonwealth government provides money to the state governments, those state governments pocket the money and shift the burden to local governments, and the ratepayer gets it in the neck. If the Commonwealth assumes an expanded role in specific project funding paid directly to local government, bypassing the state bureaucracies, it could look to the success of the Roads to Recovery program as an illustration of what can be achieved, and treat that program as a template for other funding models.

This brings me to one of the central recommendations of the Hawker report: for a historic reconfiguration of intergovernmental financial arrangements so as to give local government, for the first time, a seat at the table. At the moment, only the Commonwealth, state and territory governments are represented at negotiations over intergovernmental funding arrangements. By recommendation 2, the Hawker committee proposed that local government in future nominate one representative from each state and territory to represent that level of government at all future negotiations. It is a recommendation I wholeheartedly support—as I also support the committee’s call for a summit among all three levels of government to discuss the future of intergovernmental financial relations in Australia.

If we were to follow the course which I recommend and expand the role of direct project funding from the Commonwealth to local government, in some respects bypassing inefficient state bureaucracies, then the saving to ratepayers would be considerable. But, because this is a more effective and targeted mode of service delivery, the efficiencies will also ensure that taxpayers receive more value for their tax dollar.
It is 30 years next May since the Whitlam government proposed, at a referendum, the constitutional recognition of local government. That referendum was defeated, having failed to achieve a majority in any state other than New South Wales. With the passage of the years, it is time to recognise that, on this occasion, Mr Whitlam’s vision of an enhanced and expanded role for local authorities was the right vision for Australia. The Hawker report has focused our attention upon the increased burden of cost shifting now being borne by local authorities in Australia. There is now an urgent need to address the financial anomalies and structural imbalances which have put such pressure on Australia’s local authorities at a time when their responsibilities are expanding as never before. I welcome the recommendations of the Hawker report and look to the government to deal with them in a timely way.

Trade: Free Trade Agreement

Senator LUNDY (Australian Capital Territory) (1.44 p.m.)—I rise today in the matters of public interest debate to highlight the intent of the Howard government to undermine our nation’s cultural identity by the role that they are playing in the negotiations between Australia and the United States on a free trade agreement. It has become clear over the past months, weeks and even days that the Howard government, despite their hollow rhetoric, are about to relinquish our ability to preserve, develop and enhance Australia’s cultural identity to the economy that has the greatest clout in the area of cultural content—that is, the US. The threat is that the Howard government will trade away any current and perhaps future ability to support and regulate film, television and new media industries. Our fear is that these industries will become a cheap bargaining chip to get the deal done. This is an abhorrent position, one which risks destroying our ability as a nation to tell Australian stories and to have those stories heard both here and overseas, and I will explain why this is so.

Labor believes that it is the right of every Australian, both now and in the future, to create and share in Australia’s identity through the production of feature films and television programs that portray the diversity of Australian life, culture and heritage. We are talking about programs and films where we see ourselves reflected in drama that assists in our self-assessment, our pride and our identity. We already know that many young people in particular often express the view of not feeling as though they belong in Australia, and that sense of not belonging is related to having a strong or powerful link with our cultural identity. What is really needed in Australia is a vision for that cultural identity and for Australian culture generally. What we are getting from the Howard government is the threat of trading away our ability to do that. In other words, under the Howard government we are moving in the wrong direction. Rather than strengthening our capacity to give form and substance to what it is to be Australian in all our wonderful diversity, we are moving towards a situation of allowing others who have the economic power to dominate even more and to take away our ability to assert ourselves.

Whilst Australians have great pride, this is also about offering something to the rest of the world. I am immensely proud of what Australian culture means and what it is. And I believe that we have something to offer the rest of the world in how we express ourselves, how we go about our daily lives and, of course, how we reflect that through our cultural content, our creative works in film and television, other digital media and new media productions. It is an amazing thing and, I think, a potential that has not yet been fully appreciated and certainly not fully explored in public policy. Despite the Howard government having made some rather loose
motherhood statements about the importance of the industry to Australia, on 3 March this year, Minister Vaile even went so far as to say:

The Government remains committed to preserving its ability to regulate in relation to social and cultural objectives, and will ensure the FTA is consistent with that goal.

I believe that statement was specifically designed at the time to allay the emerging and growing fears of the cultural sector. We now know the truth: the Howard government has already put its numbers on the table and we know that this was a trick. It was a trick designed to calm the anxiousness of the sector, which was justifiably fearful of a sell-out. We know that those numbers are on the table and we know that the Howard government is unwilling to make that commitment. It was prepared to use motherhood statements to pacify growing anxiousness to offset a growing campaign about the need to preserve, protect and subsequently enhance our cultural identity. But, when push came to shove and we asked the minister—in this place and other places—to give a guarantee that we can still regulate and support the cultural sector, it was not forthcoming.

Labor believes that what the Howard government has done is to put a reservation to the Americans containing a number of commitments. Some of them, we believe, are specifically to lock in the 55 per cent transmission quotas on delivery platforms and lock in the advertising quotas on delivery platforms. The Australian content quota for television and broadcast is 55 per cent and the advertising quota is currently 80 per cent. This is what we call ‘lock in’ or ‘standstill’; it is putting a cap on the current quotas. So, no matter what happens in the future, Australia will lose the right to improve these percentages of Australian content quotas.

This is exactly what the cultural sector quite rightly and justifiably has been campaigning against. It ties the hands of any future Australian government. Pay TV currently has an expenditure requirement on delivery platforms of 10 per cent, and we do not know whether this position will change. The 10 per cent expenditure requirement currently translates to only 3.2 per cent of all transmissions on pay TV containing Australian content. This content can include repeats and programs which have already been shown on free-to-air television. But we cannot be sure about anything else the government has quietly traded away. The fact is that we are working on small snippets of information that become public because it is a secret. The Howard government has gone to great lengths to keep its negotiations with the US on the free trade agreement a secret—a secret from the people it directly affects, a secret from the parliament and a secret from the Australian people. Because there has been a deliberate effort by the Howard government to keep these negotiations secret, there are very few facts for the cultural sector to work with. So it is a bit rich for the Howard government to attack the cultural sector—in particular, the film industry—and say, ‘You’ve got nothing to worry about. Why are you saying this?’ They are saying it because they do not know and they are fearful, with the evidence on the record to date, that the Howard government is selling them out. No better reason has existed for a campaign for a very long time.

The Howard government’s position became all the more clear recently with the visit of President Bush, when the Prime Minister indicated that Australia would be ‘flexible’ when it came to new media regulation in the future. The shockwaves that went through the industry were palpable. For the first time, here was the Australian Prime Minister, the Howard government, putting
new media on the negotiating table. Gone then was any credibility from motherhood statements of protecting the interests of Australian culture. I received many letters, emails and phone calls from very distressed constituents who are terrified of the ramifications of trading away these rights. The question is: how can any Australian government possibly meet its cultural and social objectives if new media is capped at any level? That will be tying the hands of the Australian government. A future Australian government will not have the tools to meet those objectives because they will have been traded away.

How can we possibly try to second-guess what new technology holds for this industry? In the chamber last week my colleague Senator Conroy gave a good analogy of the importance of retaining our regulatory ability when he highlighted the fact that, had this free trade agreement with the US been negotiated back in 1920 and the current position of this lock-in, stand-still or capping of Australian content had been put in place, it would have meant that the only form of communication and broadcasting that would have been affected would have been radio. Once television was invented, we would have had no ability as a nation to regulate for Australian content. No local content quotas or any form of regulation for television would mean that we would not have an industry today. The economics of the film and television production industry means that very large economies with lots of infrastructure and massive government subsidies would naturally, if you look at economic theory, dominate those markets—they can produce more for less, which means the networks pay less for it. There is no obligation in that scenario for any Australian content at all to be produced.

Only 20 years ago the local content quotas for film and television were set at 35 per cent. At the time that was thought to be an appropriate level, just as some would argue that 55 per cent is an appropriate level for today’s expectations. The question is: what will be appropriate in 10, 20 or 50 years time? The fact is that nobody knows, but no government has the right to tie the hands of any future Australian government and prevent them from being able to make those determinations.

Labor also thinks it is unreasonable that the government is prepared to attack an industry when it is clearly going through some hardship. The film and television industry, as we have seen by the figures released this year, is already going through a difficult time. This is highlighted in the national drama production survey, which revealed a dramatic drop in feature film and TV drama production. According to the survey, production of Australian feature films has plunged by one-third, down from 30 in 2001-02 to just 19 in 2002-03. Total expenditure on feature film and drama production is down by 23 per cent. There were no Australian features with budgets over $10 million this year, and only one in the $6 million to $10 million range. This dramatic decrease has occurred in one year under the local content transmission quotas of today, which are 55 per cent. So we are potentially talking about a whole industry’s ability to keep producing and having the underlying strength in the sector to have the ability to keep producing.

I would like to conclude by saying that the contribution made by artists and creative professionals to our cultural and social fabric is clearly being undervalued and ignored by the Howard government. It is now even more evident in the approach the Howard government has taken in the negotiations with the US free trade agreement that that is something it is prepared to sell out and walk away from. The fears expressed by the sector have been completely justified and are well
founded and serious. Labor will not support any free trade agreement that will undermine Australian culture. Labor will insist on nothing short of a complete exclusion clause for cultural goods and services in the Australia-United States free trade agreement.

Nanotechnology

Senator TIERNEY (New South Wales) (1.58 p.m.)—I address as a matter of public interest a new wave of technology that is set to revolutionise the day-to-day living of Australians, and that is nanotechnology. Given the lateness of the hour, I seek leave to incorporate my speech.

Leave granted.

The speech read as follows—

Nanotechnology has been making headlines around the country recently as people are realising its potential.

Nanotechnology is currently being trialled in cosmetics, and could one day lead us to a cure for cancer.

At its very essence, nanotechnology is based on the discovery that the physical properties of many materials are different at the nanometer scale. A nanometre is one billionth of a metre.

At this size, researchers have found that factors such as the way material conducts heat or electricity, its reaction to light, and its strength can change when compared with reactions at larger sizes.

And I’m not just talking about the future, some aspects of this technology are already available to us.

At the nano scale, it is possible for human tissue to fuse with synthetic material to create human tissue that is many times more resilient.

Currently this is being used in patients who receive new heart valves made partially from human tissue and partially from synthetic materials. The result is a heart valve that is stronger and far less likely to require further medical interference.

Another example of how this technology can be used was reported in the Sydney Morning Herald on November 18.

The article states “Tiny particles of ultra pure iron, each as small as a billionth of a metre, are being developed by Sydney researchers as a new weapon to fight pollution.”

“If it works,” the article continues, “nanoparticles of iron could be used to sweep clean contaminated industrial sites, filter agricultural chemicals from water running off farms, and even recycle drinking water for cities.”

This idea works off the premise that “When something made of iron is left outdoors, it quickly starts to rust or oxidise. It is iron’s overwhelming desire to react with the environment that scientists are confident can be harnessed.”

“Dr (David) Garman, (executive director of the Co-Operative Research Centre for Waste Management) said that when contaminated water flowed through iron ‘nano-dust’ the metal reacted with the pollution, causing it to break down harmlessly.”

The Sydney Morning Herald also reports on November 17 that the Institute for Soldier Nanotechnologies in the US “hopes to create a suit that will be bulletproof, make soldiers almost invisible. It will be designed to detect viruses and bacteria, stiffen to protect a broken bone, and dispense drugs to heal a wound.”

There is even talk of common household paint being mixed with sensitive nano-powder, which when painted on a wall acts as a large sensor to detect any changes to heat, air composition or movement in the room.

This would serve as a large gas and smoke detector, fire detector and burglar alarm in one.

Clearly, this technology presents us with a realm of unending possibility.

The discovery that we can now bond natural materials with synthetic fibres at the nano-size means that there is now the possibility of growing half-natural, half-synthetic organisms capable of withstanding intolerable force and pressure.

This technology is admittedly in its infancy and the majority of funding for nanotechnology in
Australia comes from the Australian government and some state governments.
The Australian Government is injecting some $3 billion into our innovation systems through the five-year Backing Australia’s Future initiative.
The Major National Research Facilities Programme is an important part of Backing Australia’s Ability, providing $155 million in funding over five years.
I recently addressed the Nanostructural Analysis Network Organisation Facility at Sydney University.
This facility is doing world-class work that will help create wealth for the economy, meeting the objectives of the Major National Research Facilities Programme which are to:
- Improve Australia’s capability in science, engineering and technology;
- Maintain and enhance Australia’s international and scientific competitiveness;
- Support the rapid commercialisation of research results; and
- Retain local talent and attract leading international researchers.
By encouraging innovation in Australia we improve our record in commercialisation of ideas.
The Sydney University Nanotechnology facility provides quality infrastructure to scientists and industry across Australia.
It helps Australian researchers to retain intellectual property and take advantage of commercial opportunities here in Australia.
The research that results from this facility, and others like it, benefits the whole community.
It enables further strategic research in this important and emerging area.
It also allows the establishment of greater strategic relationships which will ultimately lead to the commercialisation of nano products, and the research facilities will become self-sustaining.
Unfortunately when it comes to State funding, my state of New South Wales falls behind in supporting the work of nanotechnology research, offering only $2 million to the Nanostructural Analysis Network Organisation.
To put it in perspective, the Victorian state government provided $12 million last year to establish Nanotechnology Victoria to help support and commercialise local nanotechnology research.
Australia is taking part in a world-wide interest in nanotechnology research.
According to recent United States Federal Government estimates, sales of nanotech-related products are expected to reach $US1 trillion by 2015.
As word is spreading about the immense potential that nanotechnology R&D brings, private investors are taking interest.
The Sydney Morning Herald reported on November 18:
“Smart money is lining up now, with companies such as IBM leading the grab for intellectual property could decide who owns the future of the nascent industry.”
The article continues, “While most of the 700 companies currently involved in nanotechnology are small-scale operations run by former academics, they will eventually have to link with electrical and chemical giants such as IBM and DuPont to get their products to market.
“These industrial giants are expected to be a necessary partner for the nanotech firms, which will need their deep pockets and manufacturing capabilities.
“Like the biotechs and pharmaceutical research firms today, these nanotech firms, if successful, can expect to receive a potentially lucrative licence fee in return.”
This private investment is what is needed to make nanotechnology-infused products commercially viable.
An example is reported on in the Sydney Morning Herald on the 17th November.
The report talks about nanotube devices and some commercial applications.
“Nanotubes are cylinders, just a billionth of a metre wide, that can be assembled to create materials 10 times lighter and 10 times stronger than steel.”
Until about five years ago all nanotubes were carbon. Then it was found that with lasers at extremely high temperatures they could also be made in boron nitride. However the process was expensive, producing just grams at a time. Then Canberra-based physicist Dr Ying Chen’s team won an international race to revolutionise the process, discovering how to make them with technology long used by miners to crush rock. Instead of rock, the Australian National University ‘crushes’ boron in nitrogen gas.” The article continues, “Nanotubes would work like sponge to store hydrogen gas as fuel to run cars. Golf clubs and tennis racquets of nanotubes would be almost unbreakable. “(Chen’s) team is also working on nanotube devices. IBM has produced a nanotube transistor 500 times smaller than silicon transistors.” Co-operation between researchers and commercial bodies will ensure that commercial applications of nanotechnology will be successful. Another way to ensure that nanotechnology is a success is to make it accessible. One way to do this is to simplify scientific measuring procedures in Australia. Parliamentary Industry Secretary Warren Entsch recently recommended a type of “one stop shop” for physical, chemical and biological components. This would bring the amalgamation of the National Measurement Laboratory, National Standards Commission and Australian Government Analytical Laboratories together under one umbrella organisation called the National Measurement Institute. The National Measurement Institute means that the many sectors of measurement will correspond more efficiently with minimal red tape. This will ultimately mean a higher profile for measurement technology services in Australia and overseas. It is the culture of collaboration which will ensure that sophisticated technologies such as nano will revolutionise the commercial field in Australia and overseas. This technology has the propensity to end evolution as we know it and create endless technological possibilities in the future.

QUESTIONS WITHOUT NOTICE

Social Welfare: Disability Services

Senator DENMAN (2.00 p.m.)—My question is to the Minister for Family and Community Services, Senator Patterson. I refer to the report of the Australian Institute of Health and Welfare, Unmet need for disability services, which states that there were over 20,000 people with disabilities who were unable to get the accommodation, respite and community services they needed in 2001. Given that the pressure for families increases during the Christmas period, what will the minister do to ensure that people with disabilities have access to services they need?

Senator PATTERSON—Senator Denman comes from Tasmania—a state where the issue of the contributions of the state to people with disabilities is not as serious as it is in other states. I give credit to Tasmania for the way it is dealing with people with disabilities. Senator Denman most probably is not aware that some other states are not doing as well as Tasmania. Some of the issues she has raised are not issues for the Commonwealth. I know people get irritated when they hear federal members say there are issues which are state based, but some of the services to which Senator Denman refers are services which should be provided by the states.

Day after day since I have been in this portfolio I have been reading about various services for the disabled being withdrawn—withdrawn in Victoria, withdrawn in Western Australia and withdrawn in New South Wales. Only today I came across the case of a young person who is being employed by a
state Labor government to do some work for them. She said to me, ‘Senator, they promised to pay me, and they are not paying me.’ So I am about to ring the minister for community services in that jurisdiction and tell them what they are doing.

Senator Vanstone—Name them.

Senator PATTERSON—No. I have just met the person. I am going to raise the issue. The education minister might be aware of it but the person responsible may not be. I will give them a chance, because I am concerned about the individual—not about making grandstanding statements in here. Senator Denman needs to go and talk to the state ministers and get them to do something about people with a disability. It is the United Nations day for recognising people with disabilities and the challenges they face.

Senator Faulkner—So you can’t answer the question.

Senator PATTERSON—I can answer the question. Day by day the states are withdrawing services for people with disabilities. Day by day I hear stories about the way the states are performing. Senator Denman needs to get the states to do something. Let us compare what this government has done and what Senator Newman did. We have done things that the Labor Party never did. We brought in a carers payment for people caring for children under 16 who previously did not get a carers payment. Where there were two children with a disability who did not on their own qualify their carer to receive a carers payment, we allowed the disability of those two children to be put together to entitle the person caring for them to get some benefit. They are the sorts of caring things this government has done. Labor needs to talk to its Labor mates in the states and urge them to get on and deliver services to people with disabilities.

Senator DENMAN—Mr President, I ask a supplementary question. Minister, I have spent time with my state government on this issue, but I will talk to you about that later. In light of the final report of the Young Carers Research Project by Carers Australia, is the minister aware that at least 388,800 carers are under the age of 26 and that 18,000 of these are primary carers? Given that there are so many young carers in Australia, why has the government taken no action in relation to the recommendations of the report? Given that the unmet need for disability services is increasing as a result of our ageing population, what is the minister doing to ensure that people with disabilities and their families and carers have access to the services they need?

Senator Faulkner—Next to nothing.

Senator PATTERSON—Senator Faulkner says, ‘Next to nothing.’ Let me tell you that—

The PRESIDENT—Minister, I would ask you to ignore the interjections.

Senator PATTERSON—we have provided carers with direct payments totalling almost $1.5 billion per annum. We have carers payments being made to approximately 76,000 customers at a cost of $700 million a year. Senator Denman raises the issue of young carers. That is an issue that this government has been concerned about. We are looking at those issues. If Senator Denman really cares about people with disabilities, she will go back to the states and get them focused on what they should be doing because they are withdrawing services at a rate of knots. I read it day by day in the newspapers. The states need to get on and do something about the things which they are responsible for and in which they are lagging behind. We have got nearly $1 billion more in funding under the agreements. We need to
see the states doing what they should be doing.

DISTINGUISHED VISITORS

The PRESIDENT—Order! I draw the attention of honourable senators to the presence in the chamber of a delegation from the Austrian Senate, led by the President, Senator Hans Ager. On behalf of honourable senators, I have pleasure in welcoming you to the Senate and trust that your visit will be both informative and enjoyable. With the concurrence of honourable senators, I propose to invite the President to take a seat on the floor of the Senate.

Honourable senators—Hear, hear!
Senator Ager was seated accordingly.

QUESTIONS WITHOUT NOTICE

Economy: Growth

Senator LIGHTFOOT (2.07 p.m.)—My question is addressed to the Minister representing the Treasurer, Senator the Hon. Nick Minchin. Will the minister advise the Senate of recent indicators of the strength of the Australian economy and how the government’s responsible economic management is continuing to boost economic growth? Is the minister aware of any alternative policies?

Senator MINCHIN—I thank Senator Lightfoot for that well-written question. Today’s national accounts confirm the continuing strong performance of the Australian economy. The economy grew by no less than 1.2 per cent in the September quarter and 2.6 per cent during the year. That is our best quarterly growth figure since the December quarter 2001. It comes after the low figure of 0.3 per cent in the June quarter, which was affected by the war in Iraq, SARS and, of course, the drought. We have weathered that storm in June and the economy is roaring back to strong growth.

Exports of goods and services rose by 1½ per cent in the quarter, reflecting the recovery from the drought. Farm production rebounded by 17 per cent and private business investment was up 2.1 per cent. The gross operating surplus—which, as former Treasurer John Kerin now knows, is an indication of profitability in the economy—grew by two per cent in the quarter and 4.9 per cent throughout the year. These very good figures in today’s national accounts show that we have come through very significant challenges early this year and returned to strong economic growth. We have continuing low inflation, solid company profits and very strong business investment.

These figures are consistent with the budget forecast for 2003-04 and will continue to put us very close to the top, if not at the top, of the growth league for the developed world. As I said earlier this week, these great economic outcomes are not the result of chance; they are the result of 20 years of economic reform led honourably by the former Hawke-Keating government with our support and continued by us in government. But we cannot assume that these good economic results will simply continue no matter what. They will only be continued if we have a government committed to ongoing economic reform and committed to making often tough decisions in the long-term national interest. For that reason, we on this side of the chamber welcome the comments from the newly elected opposition leader, Mr Latham, that he intends to be a positive contributor to policy development and economic growth and development. He stated that he will abandon the failed approach of his two predecessors and take a constructive, bipartisan approach rather than the opportunistic, obstructionist approach which has characterised the Labor Party for the last seven years.

We would like to give him some gratuitous advice and suggest that he might commence this process of bipartisanship by showing his commitment to sound economic
For example, he could agree to pass our legislation to contain the growth in the Pharmaceutical Benefits Scheme, which those opposite know is running out of control. He could help us by passing our reforms to the disability support pension to make sure that that is a sustainable program. He could do something for small business; he could support the full privatisation of Telstra, which those opposite know must and should happen. He could pass our higher education reform package so that we can make a big injection into higher education reform in this country. He could support our reforms to cross-media ownership laws. He could pass our MedicarePlus safety package with its safety net for all Australian families. He could pass our unfair dismissal exemptions for small business; he could do something for small business in this country. He could reverse Labor’s opposition to our reforms to international tax arrangements and reverse Labor’s opposition to tax changes to encourage foreign workers to come to Australia and work and contribute to the Australian economy. He could reverse all this negativity which we have seen from the Labor Party. He could give reality to his statement that he will now support a positive, constructive program. He now has the opportunity to demonstrate his own economic reform credentials and his rejection of Labor’s ‘just say no’ mantra of the last seven years.

Will the minister take the advice of the Social Security Appeals Tribunal and list this severe condition to assist the family involved to regain the payment?

**Senator Patterson**—Of course I am not going to talk about an individual case here in the chamber; I do not think it is appropriate. Senator McLucas has brought to my attention a particular case that has been raised by the SSAT. When Senator Vanstone was in this portfolio she became aware of such cases during a review of children with particular disabilities, and when it was obvious when we were reviewing them that those conditions meant very few of them could be taken off that benefit, those conditions were then listed.

This government is about ensuring that those people who are deserving of assistance from the taxpayer get it and that others are encouraged to go into another program which would help them to find work. I have to say that that is something Mr Latham has talked about, and I hope that with his newfound focus on reducing his crudity—as he has said he is going to do—he is going to be positive, cooperative and bipartisan on issues where it is important. I hope he will show that leadership in the Labor Party and that we will see a bipartisan approach on things like the reforms of the disability support pension in the bill that is before the chamber and that has been languishing here.

I am expecting to see the Labor Party respond in a responsible way that indicates it is serious about ensuring that those people who require long-term care and have conditions that ought to be listed are listed but that in situations where it is obvious that people’s performance and ability changes over time it will understand that it is important that those not be listed and that there be a review so as not to keep people on the disability pension or have carers caring for somebody when the
situation has changed. I will look at that particular issue and will hopefully be able to get back to Senator McLucas before we rise tomorrow afternoon, tomorrow evening or Sunday morning—whatever time we are going to be finishing—on that condition but on not the individual case.

Senator McLucas—Mr President, I have a supplementary question. Is the minister aware that the Social Security Appeals Tribunal stated that there was no doubt that the child’s condition is severe and requires extremely time-consuming care and attention? It also stated that unfortunately the child disability assessment tool does not measure the care and attention required. Why won’t the minister change the rules to ensure that the parents of severely disabled children get the support that they need?

Senator Patterson—I believe I answered that question in the first part of my answer. There are some conditions that have various levels within them. For example, with cerebral palsy, some children have mild cerebral palsy; other children have very severe cerebral palsy and will always need constant care. Some diseases or disorders have various levels within them. I am familiar with a lot of disorders; I am not familiar with the one to which Senator McLucas is referring. I am not sure whether some children would grow and develop, develop skills and be able to become more independent. Children with down syndrome are now much more able to live more independent lives than they were 30, 40 or 50 years ago when they did not go to school and did not learn social skills. I do not know about this particular disease. I will look at it. It may be one of the ones that are currently under review. I believe that from that review some may go on. I do not know about that particular disease. I will find out about it. (Time expired)

Immigration: Border Protection

Senator Johnston (2.15 p.m.)—Will the minister inform the Senate of how the government is working to protect Australia’s borders? Will the minister also inform the Senate of any alternative policies in this area that she is aware of?

Senator Vanstone—I thank Senator Johnston for the question. Border control is undoubtedly an issue of great concern to Australians. Being an island continent, we do want to protect our borders, and the Australian community supports very strongly this government’s border control policies. On the other hand, on the other side of this chamber, we have some confusion, to say the very least. The President of the Australian Labor Party and the parliamentary Labor Party seem, from remarks in the media, to be completely opposed to each other on the issue of border protection. In January last year, this situation was described by a Labor adviser, I think to Duncan Kerr, as a yawning schism between the xenophobes—like Mark Latham; I am not sure Mark Latham wants to wear that label, but nonetheless—

The President—I ask the minister to address—

Senator Vanstone—Mr Latham.

The President—Thank you.

Senator Vanstone—Mr Latham, the xenophobe, and the compassionites like Dr Lawrence. Dr Lawrence is quoted in the press today as saying—in a somewhat condescending way I thought—that she ‘hopes Mark can get his head around the complexity’. What kind of confidence does that give you? He is the new leader of the Labor Party and the Labor president says in other language, ‘Look, he’s a bit of a drongo but I hope he can get the detail right.’ She said that she ‘hopes Mark can get his head around the complexity’, particularly of keeping people detained. She went on to say that she hopes
that the Labor Party will have a civilised discussion at the next conference and will perhaps come to some understandings ahead of the conference so that Labor is united before the Australian people on this issue.

That invites the question: what does Dr Lawrence think? On the one hand, she is saying, ‘Let’s sort it all out and be united before we come to the conference in January.’ The Australian people would welcome that. They endorse our strong border protection. They know that this side of the chamber is unified. They would like the other side to come on board with us on those issues. But only a month before, Dr Lawrence was saying that she hoped all the issues were not nailed down at the Labor Party conference. She was hoping you could have genuine debate and an airing of differences. She has now changed her mind. That may be because of the election of Mr Latham, who said of Labor for Refugees, ‘The first priority of your organisation is to find excuses for people who break the law.’

I welcome Mr Latham’s strong border protection views. People smugglers must be told in the plainest possible way that Australia does not have soft borders, that we do not accept queue jumpers and that people should come in through the front door. I understand that there is some hope that Mr Latham supports this view, saying of groups like Labor for Refugees, ‘You are asking us to replace the rule of law with an open door asylum seeker policy.’ Mr Latham strongly supports the retention of mandatory detention ‘to avoid chaos in the processing of asylum seekers’ in this country. We look forward to the January conference to see if finally the new leader can bring this lot on board and support strong border protection.

**Health and Ageing: Aged Care Facilities**

**Senator FORSHAW** (2.20 p.m.)—My question is directed to Senator Ian Campbell, representing the Minister for Ageing. Is the minister aware that there is a shortage of some 10,388 aged care beds in Australia? Is the minister also aware that there are over 2,000 elderly people in hospitals waiting desperately for a nursing home bed, including 900 in New South Wales, 565 in Victoria, 142 in Western Australia, 117 in Tasmania, 95 in South Australia and 60 in the Australian Capital Territory? Why has the Howard government allowed this crisis to occur and what immediate action will the government take to address it?

**Senator IAN CAMPBELL**—I thank Senator Forshaw for asking a question which I know is of concern to people in every town and suburb of Australia. We in Australia—as in many other countries around the world—have what is regarded generally as an ageing population. That is, we have more people moving into the older age bracket and we have fewer people in the younger age brackets entering the work force. This government has done more to address the issue of the ageing of the population than any previous government. If you look at the figures and the report released by the Treasurer with last year’s budget, the 2002-03 budget—the Intergenerational Report, which I commend to the honourable senator opposite—you realise that the government is going to ensure that its obligations and responsibilities are met to those people who are entering their retirement years and entering those years when they require aged care facilities and is going to ensure that people moving into those age groups will in fact have the care that they are expecting in future years.

To do that you need to make decisions now. This government, putting aside the issue of aged care—which I will get to very
quickly before Senator Forshaw leaps to his feet and takes a point of order—has been taking a range of decisions to ensure access to medicines, which are a vital part of the health needs of people as they age, and access to health care more generally. This government has addressed those concerns with significant proposed reforms and improvements and by strengthening the Medical Benefits Scheme and also the Pharmaceutical Benefits Scheme. Reforms for both of those have been blocked, obstructed or delayed in the Senate—or in fact all three.

This government is committed to ensuring that ageing Australians, people who require care as they enter their post-retirement period, are guaranteed the care they deserve in a country like Australia and that people in their middle age can look forward to getting government funded and government supported medical treatment, medicines and supports for their medicines. We bid our Austrian friends goodbye and bon voyage.

**Opposition senators interjecting—**

**Senator IAN CAMPBELL**—They are easily distracted over there, Mr President. Importantly, this government has not only worked very hard in the aged care sector to put in place a regulatory structure, which was entirely nonexistent prior to 1996, to ensure that aged care facilities are of high quality and that there is a sound system subject to a world-class accreditation program but also recognised that the sector needs more funds. The Howard government has a sound record not only in ensuring that there is a regulatory regime to guarantee the quality of care and backed it up with solid resourcing, which the Labor Party has refused to match.

**Trade: Free Trade Agreement**

**Senator RIDGEWAY** (2.26 p.m.)—My question is to the Minister representing the Minister for Trade, Senator Hill. Will the minister confirm the comments in the recent DFAT Australia-US free trade agreement briefing leaflet that the government believes that the investor-to-state dispute resolution mechanisms are a valuable instrument in trade treaties and will agree to include those mechanisms in the proposed Australia-US
free trade agreement? Is the minister aware that, under the NAFTA, US corporations have aggressively sued the Mexican and Canadian governments to seek compensation for laws that affect their interests? Given the various cases which have resulted in millions of dollars of compensation being paid by the Mexican and Canadian governments, what steps has our government taken to ensure that we will be protected from being sued by US corporations as a result of a free trade agreement?

Senator HILL—I am confident that those matters have been taken into account in the negotiating process, particularly if the alleged shortcoming by the honourable senator is so well known.

Senator Conroy—The Americans have told you you’ve got to have them and you’ve rolled over.

Senator Alston—Why do you hate Americans?

The PRESIDENT—Order, Senator Alston and Senator Conroy! Conversations across the chamber when a minister is on his feet are disorderly.

Senator HILL—Whilst I understand the point that is being made, I can assure the honourable senator that the Australian government are working hard to achieve a good free trade outcome through these negotiations with the United States. We are interested in expanding trade opportunities and growing the Australian economy. There is no better opportunity than through the enormous United States market. That is what we are about. It is a difficult negotiation being very ably led, I might say, by Minister Vaile. It is well advanced. I think that the better position for all of us to take at the moment is to allow the negotiations to proceed. I, for one, am confident that the outcome will be a good one.

Senator RIDGEWAY—Mr President, I ask a supplementary question. I thank the minister for his answer. Similar views were expressed in the Mexican and Canadian parliaments. How will the government protect Australia’s right to regulate in its own national interest? Isn’t it true that, under these investor-to-state dispute resolution mechanisms, corporations will be able to sue our government if we enact legislation or regulations that affect their interests, and get those laws and regulations overturned? Isn’t it also true that in Canada governments have not only had to pay large amounts of compensation but had to overturn domestic regulation at the insistence of US corporations? Can the minister guarantee that the same will not happen in Australia and that we will be free to enact whatever regulations are in our own best interests, even if this means reduced profits for US corporations?

Senator HILL—I am advised that the difficulties outlined by Senator Ridgeway have been noted and, as I expected, taken into account. The experience of the NAFTA chapter 11 case has led, I am told, to some refinements of that mechanism. On that basis, the points being made by Senator Ridgeway have been noted and are being taken into account in the negotiating process.

Trade: China

Senator MARK BISHOP (2.30 p.m.)—My question is to the Minister for Justice and Customs, Senator Ellison. In light of the trade and economic framework agreement signed with China on 24 October in Canberra, can the minister confirm for the Senate that, for the purpose of antidumping law, Australia will for two years not treat China as an economy in transition, in line with article 15 of the WTO accession protocol? Can the minister also confirm the statement by Minister Vaile that under the agreement Australia has not given China market economy
status, pending an assessment in two years time of China’s status as a market economy, as a forerunner to developing a free trade agreement? If China is not an economy in transition or a market economy, can the minister please tell Australian industry how he will be approaching the investigation of anti-dumping complaints against China in the next two years?

Senator ELLISON—There is a question in there for Minister Vaile, the Minister for Trade, and I will convey that to him. There are certainly two aspects to Senator Bishop’s question which I am pleased to answer. We have approached constructively how we deal with China and other markets in transition. Senator Bishop knows only too well that we have put in place measures which give Australian industry certainty, and we have done that after consultation with both Australian industry and China.

What we have come up with is a general agreement in relation to economies which were once centrally planned—which we have with China and Russia—and how we treat them in the transition to a free market. We have said that the test is to ask whether market conditions prevail. We will apply that. The bill before the Senate will place our current system for dealing with former centrally planned economies such as China onto a firm legal footing. The government remains committed to ensuring an effective antidumping system, and, of course, our manufacturing industry—which would be of great interest to those members opposite with their constituencies, if they are interested in them—will continue with the same level of protection against damage that can be caused by unfairly dumped exports.

As I said, Australia has consulted with China. We value greatly our relationship with China, who is, after all, our third largest trading partner, and we are committed to maintaining the positive direction of that relationship. As I said, and as I advised the Senate Legal and Constitutional Legislation Committee in a letter on 24 March this year, there was consultation with China and we have, as a result of that, now reached agreement.

As to how I will treat each application for dumping, that is a matter which depends on the merits of the application. I cannot describe to the Senate—or anyone else, for that matter—what decision I may or may not make with respect to any particular application from China or any other country. That would be totally inappropriate. We do take each case on its merits. We have now said in legislative form how we will deal with those applications, and we have given certainty to both industry and those people who export from China.

Senator MARK BISHOP—Mr President, I ask a supplementary question, arising from the minister’s response. In two years time, when the minister will be making an assessment of China as to whether it is a market economy, what will the process be, what criteria will the government be using and what regard will be given to the attitudes and judgments of our other trading partners, such as the EU, the US and Japan?

Senator ELLISON—Again, Senator Bishop is asking for a whole-of-government answer as to what we may or may not do in two years time. I can say, from my point of view, that in any review of this process I will be consulting—as I have done in this case—with industry, with trade and with concerned governments such as the Chinese government, which we have done. That is the approach we will take.

ComLand: St Marys

Senator NETTLE (2.35 p.m.)—My question is to the Minister for Finance and Administration. Can the minister provide the details of the land development joint venture
between government business enterprise ComLand and Lend Lease to develop the former Australian Defence Industries site at St Marys in Western Sydney? Can the minister specifically detail any arrangements between the Commonwealth and Lend Lease with regard to indemnity for any claims for illness, injury or death that may arise from contamination of the site?

Senator MINCHIN—We announced in the budget that we would be progressing the sale in relation to that matter, and we are in the middle of commercial negotiations over it. As soon as I have something that I can report both to the parliament and to the public, I will do so.

Senator NETTLE—Mr President, I ask a supplementary question. Given the site’s history as a dumping ground for explosive ordnance and chemical and radioactive waste, and given that intermediate level radioactive waste was stored on the site for 30 years, doesn’t the public, as a de facto shareholder of ComLand, have the right to know the details of any such indemnity agreement? How can the minister justify placing such a liability on Australian taxpayers whilst denying them access to the terms of the agreement?

Senator MINCHIN—As I understand it, an enormous amount of work has been done to rectify that site. Whatever further rectification might be required will ultimately be a matter for the commercial negotiations that are currently under way, and we will report on those as soon as they are concluded.

Defence: Airborne Early Warning and Control Aircraft

Senator MARSHALL (2.37 p.m.)—My question is to Senator Hill, the Minister for Defence. Can the minister confirm that the government has decided against exercising the contract option that would have given Defence two additional airborne early warning and control aircraft at a significantly reduced cost? Doesn’t this mean that Defence will now get six AEW&C combat systems but only four planes? Minister, what is the point of having six combat systems if we only have four planes, and why hasn’t the government taken up the option to acquire the extra planes—an option which leading commentators have described as ‘a bargain by any measure’?

Senator HILL—I guess it reflects the different approach of the coalition and the Labor Party to running national finances. The Labor Party always seemed to find more money. If it did not have it, it would put up taxes or it would borrow it. It put up taxes and still left a deficit of $10 billion in its last year in office. It left debts of some $90 billion. This government, by contrast, purchases what it can afford. That way we can keep the budget in surplus and we can give benefit to ordinary Australians. Through that prudent financial management, we were able to purchase four AEW&C aircraft. These are state-of-the-art aircraft, and the contract is—as I think I said the other day—ahead of time, on budget and on capability.

Senator Chris Evans—How are the Eurocopter aircraft going? You don’t talk about those anymore.

Senator HILL—You wanted to ask about these aircraft, not Eurocopters. We will talk about Eurocopters if you like. So it is true that the government has decided to purchase four of these. The acquisition of the aircraft is well advanced. The new Northrop Grumman radar is being structurally tested at the moment in California. It will deliver a major multiplier benefit to the ADF, and we are looking forward to their early introduction into service.

Senator MARSHALL—Mr President, I ask a supplementary question. The minister did not answer why we needed six systems if we only have four aircraft. Isn’t it true that
the reason Defence only got four planes in the first place was that the government took so long to decide whether to sign the contract? Minister, if the contract had not been mismanaged in the initial stages, wouldn’t we now have seven planes, seven combat systems and a genuinely viable AEW&C capability for Defence?

Senator HILL—You can buy any number of aircraft you like, if you are prepared to pay for them. This government decided that the number that it needed to do the task was four. It has extra systems for sustainability, that is true. Furthermore, it is at a budget price that it can afford. As I said, that is the contrast in the way in which this government does business compared with that of the previous Keating government.

**Law Enforcement: Gun Control**

Senator SANTORO (2.41 p.m.)—My question is to the Minister for Justice and Customs. Will the minister update the Senate on the success of the National Handgun Buyback? Equally important, is the minister aware of any criticisms of this important public policy initiative?

Senator ELLISON—This is a very important question for all Australians from Senator Santoro from Queensland. As a result of the tragic events at Monash University there was widespread feeling that something had to be done, and the Prime Minister led the way in relation to hand gun ownership reform in this country. As at 30 November this year, there has been a buyback of 34,257 hand guns, including just over 122,000 parts. As well as this, we have put in place reforms across the nation which relate to such things as graduated access to hand guns, a minimum participation rate, the authority of sporting clubs to expel members—and that was at their behest—education and reporting provisions by medical authorities.

All this spells good news in the area of law enforcement but, importantly, we have done this with the cooperation of state and territory governments and also the sporting shooters sector, which has been very constructive in its suggestions in this regard. We have also been engaged in what is perhaps the most important part—that is, the pursuit of illegal firearms. Just recently we saw the Australian Crime Commission work with the New South Wales Police in a four-month investigation which resulted in a massive illegal firearms seizure and a number of arrests in New South Wales. The series of raids resulted in 813 illegal firearms being seized by the Australian Crime Commission and the New South Wales Police.

Senator Santoro asked a very good question: am I aware of any criticisms of this important public policy initiative? The Leader of the Opposition, Mr Mark Latham, accused the Prime Minister of posturing on this and, in fact, referred to this very positive initiative in November last year as ‘a con job on the Australian people’. He really is at odds with Labor state and territory governments. We have seen support from the police minister in South Australia, Kevin Foley, who told the *Sunday Mail* on 15 June this year that the new hand gun laws ‘would make the streets safer’. It was also supported by the New South Wales police minister, John Watkins; the ACT police minister, Bill Wood; and WA police minister, Michelle Roberts. They have all lent their support to this very important initiative. But what do we get from the Leader of the Opposition, Mr Mark Latham? He said that this was a con job; he tried to bring this down as a political stunt.

What we have put in place is something which is of great significance to the security and safety of all Australians. We have not only embarked upon the pursuit of illegal firearms but also succeed in the buyback of over 34,000 hand guns. We have done it
working with the states and territories and with the sporting shooters sector. Mr Latham says that he is interested in being positive. He said that he would work with the Australian government in relation to the national interest. Let us see him support this. Let us see him resile from what he said before. He could take some lessons from that old song which says to accentuate the positives and eliminate the negatives, because what we have here is a person who pretends to be positive, who says he wants to work on things in the national interest, but who then says that the National Handgun Buyback was a con job. (Time expired)

Superannuation

Senator SHERRY (2.45 p.m.)—My question is to Senator Coonan, the Assistant Treasurer. When will the compulsory superannuation guarantee, now nine per cent for Australian workers, be fully protected by the Liberal government where it is unpaid and a business fails, as are other employee entitlements?

Senator COONAN—I thank Senator Sherry for the question. As everyone in this Senate knows, this government has taken steps to ensure that superannuation is safer than ever before and has, as part of its superannuation policy taken to the last election, ensured that the superannuation guarantee would be reported quarterly. That makes it much safer and gives those affected employees who otherwise might not make contributions a much earlier opportunity to investigate whether or not those superannuation guarantee payments are made. Enforcement has been strengthened, as indeed have administrative arrangements undertaken by the Australian Taxation Office to ensure that superannuation guarantee payments are made in a timely way and that, if there is any failure to pay, the ATO has an earlier opportunity to ensure that those payments are made with the issue of vouchers and to follow up the employer responsibilities.

One of the difficulties has been the privacy requirements that attach to any taxpayers’ information in respect of matters administered by the ATO. One issue that has been brought to my attention is that, when some people have been trying to follow up whether or not payments have been made, often that information is not available to them in the detail they would have wanted so that they could otherwise ensure that they are in a position to be able to prove an insolvency, if indeed there is an insolvency, and recover their superannuation payments. Senator Sherry, this government has in fact done a great deal to ensure that the superannuation guarantee—which, of course, is compulsory—is enforceable, is paid on time and is able to be recovered.

Senator Sherry—Mr President—

The PRESIDENT—Senator Sherry, are you asking a supplementary question now, because I believe the minister—

Senator Sherry—No, I rise on a point of order. I got to my feet before the minister sat down.

The PRESIDENT—What is your point of order?

Senator Sherry—My point of order is on relevance. The question went to what happens to outstanding moneys when a business fails. The minister is not answering my question.

The PRESIDENT—The minister has a minute and 42 seconds left to answer her question, and I cannot direct a minister on how to answer a question.

Senator COONAN—I am not quite sure whether or not a point of order is being taken by Senator Sherry or whether he has asked a supplementary question or what he is seeking to do in relation to the point he makes.
The PRESIDENT—Senator Sherry did take a point of order on relevance. I pointed out to him that I cannot direct you as to how to answer the question, but I did say that you had a minute and 42 seconds left if you wished to enlarge on your answer.

Senator COONAN—I do not wish to.

Senator SHERRY—Mr President, I ask a supplementary question. The minister did not want to answer because they are going to do precisely nothing when a business fails. Why don’t the Howard government’s so-called safer super proposals also ensure full compensation in the event of theft and fraud and trustee negligence, and why do they not extend compensation to post-retirement products such as pensions and annuities? Why is the Liberal government so weak and wimpy in protecting Australians’ compulsory superannuation, and when will a Liberal government adopt Labor policy to compensate and protect Australians in the circumstances outlined?

Senator COONAN—Thank you for the supplementary question. When it comes to alternative policies on superannuation, Senator Sherry really has a hide. He sits around for something like eight years thinking about these issues, and what does he come up with? Nothing more than initiatives that this government has already introduced or has in prospect, and then he adds a heavy dose of overregulation—regulatory overkill that would actually strangle business and pass costs on to the superannuation members.

Senator Sherry interjecting—

The PRESIDENT—Order! Senator Sherry, you have asked your question. Senator Coonan, you can continue now.

Senator COONAN—Thank you, Mr President. Bereft of ideas of its own, the Labor Party leaves this government to do the heavy lifting on superannuation and then says, ‘Me too’. There is nothing new, nothing fresh. It just says, ‘Me too,’ except when it comes to compensation, and Senator Sherry knows that his policy is out of step with the thinking of every major regulatory body.

Agriculture: Sugar Industry

Senator CHERRY (2.51 p.m.)—My question is to the Minister representing the Minister for Agriculture, Fisheries and Forestry. Is the minister aware that the Moreton sugar mill at Nambour closes today, with the loss of up to 450 local jobs and the threat to the future of some 150 Sunshine Coast cane farms? It is now some 15 months since the federal and Queensland governments agreed on a sugar reform package, but no progress has been made since then. Is the minister aware that this delay has meant that regional funding has not been available for the development of alternatives for the Moreton sugar mill such as a new ethanol plant at Yandina? Will the government be responding favourably to the cane growers’ call to reinstate the income assistance part of the package, given that so much of the reform funds remain unspent and the financial crisis caused by a corrupted world sugar price has not abated?

Senator KEMP—Senator Cherry, you raised an issue regarding a sugar mill. Were you referring to the South Johnston sugar mill?

Senator Cherry—No, Senator.

Senator KEMP—I do not have a brief on that matter, but I will refer your question to the relevant minister.

Superannuation

Senator SHERRY (2.52 p.m.)—My question is to the Minister for Revenue and Assistant Treasurer, Senator Coonan. Is the minister aware that, under the Liberal government, lost superannuation accounts have increased dramatically from $2.6 million in 1998-99 to $4.6 million in 2002-03? Haven’t lost moneys also increased dramatically over
the same period from $3.6 billion to $7.36 billion, and haven’t one in three Australians a lost superannuation account? Even though most lost account members have portability and can roll together their lost accounts, does the minister admit that they fail to do so because of red tape or high exit fees? When will the Liberal government adopt Labor policy of automatically consolidating or rolling together lost superannuation accounts?

Senator COONAN—I did think this was question time instead of comedy hour. Of course, the Labor Party gets pretty upset about this, because superannuation is one of the areas where the Labor Party has actually tried to do something and still cannot manage to get a policy other than by pinching the coalition’s policies, trying to add on a whole lot of regulation and then screaming across the chamber because they do not have the intellectual grunt to work out a policy that might actually suit the Australian people. All they can do is to try to plagiarise ours.

As usual, it is not a correct assertion from Senator Sherry that this government has had any responsibility for any increase in lost super accounts. The responsibility for lost super accounts in this country can be fairly sheeted home to the Labor Party, which has opposed our policy for portability since 1996 when it was first mentioned and then again when it was taken to the Australian people in the last election and voted for as part of our election policies. Since that time, the Australian Taxation Office has taken major initiatives to match lost superannuation with the accounts of those who are otherwise entitled to those moneys by the use of tax file numbers and a number of other measures, because it is not appropriate that people should be disconnected from their super.

Senator Sherry and the Labor Party are responsible for the fact that Australians feel so disconnected from their superannuation. They are disconnected because they have no choice, and the only prospect that the Labor Party has for them is that they have to stay in a fund unless they are entitled, in other ways, to move it as a way of being portable. The portability proposals have been systematically opposed in this place, and Senator Sherry has the absolute hide of saying that he is going to vote against the second set of portability regulations. How can he, on the one hand, complain that there are lost super accounts and, on the other hand, be voting against the government’s portability regulations? They will do the very thing that we all want, which is to make sure that people have an opportunity to be connected with their savings, to get rid of a lot of small accounts incurring a lot of extra charges and to be able to consolidate them and to make some sensible fist of their saving.

Senator SHERRY—Mr President, I ask a supplementary question. Doesn’t the minister know that most of the $4.6 million lost accounts already have portability? In reference to her government’s program—the unclaimed moneys campaign—hasn’t it reunited Australians with just $5 million out of $6.8 billion in lost superannuation moneys? I ask again: when will the Liberal government adopt Labor policy and automatically consolidate or roll together the millions of lost Australian superannuation accounts?

Senator COONAN—There is a fundamental contradiction. If everyone has portability, why are the Labor Party now voting against it? Why are they so worried about endorsing our policy for portability if Senator Sherry says that in fact most people have portability? It is a non sequitur—it does not go—and it is totally illogical. What it really shows is that the Labor Party have no coherent view about superannuation. They have tried to cobble a bit together—a bit from here and a bit from there—and even pinched the name from Tony Blair’s policy and called
The saddest thing of all is that poor old Senator Sherry did not even get to announce the first tranche. He had to tag along with Mark Latham in announcing the policy.

International Day of People with a Disability

Senator Sandy Macdonald (2.58 p.m.)—My question is to the Minister for Family and Community Services, Senator Patterson. As the minister would be aware, today is the International Day of People with a Disability. Will you outline to the Senate how the Howard-Anderson government is recognising and supporting people with a disability? Is the minister aware of any alternative policies?

Senator Patterson—I thank Senator Sandy Macdonald for his question. Today is the International Day of People with a Disability. What we all ought to be doing is taking the ‘dis’ out of ‘disability’ and focusing on the ‘ability’. It is a day that aims to promote awareness of disability issues and the abilities of people with disabilities. The Howard government policy is to provide more opportunities for individuals to participate and achieve their potential, and we have delivered disability funding of nearly $5 billion over the life of this government’s term in office. The funding comprises $2.8 billion to the states and territories, nearly a billion more than they received under the last agreement on disabilities; and $2.1 billion for employment services, up $1.3 billion from the last agreement.

Under the Howard government, employment opportunities for people with disabilities have increased by more than 50 per cent since 1995. Currently, approximately 93,000 people are assisted in seeking and maintaining employment. Since the Howard government’s introduction of legislation to maintain the pension at no less than 25 per cent of MTAWE, we have seen increases in the payment rates of both disability support pensions and carer payments. The Howard disability reforms are about delivering quality services, greater opportunities and fairer wages for people with disabilities. In recent years the Howard government has introduced reforms to enhance opportunities for people with disabilities. These reforms change the way disability employment services are funded and make sure that people with disabilities receive a quality service.

Senator Macdonald asked whether there are any alternative policies. The ALP says it is committed to improving disability services, yet it elected a leader yesterday who referred to somebody with a disability as a ‘deformed character’. This is not a leader who understands disability. This is a leader of a divided party that continually blocks good policy on disability reform. Not once, but twice, Labor has thwarted this government’s attempt to get on with the implementation of good policy reform which would assist people with disabilities back into the workforce. It would assist them to achieve their potential.

If the new Leader of the Opposition is true to his word when he says that if the Howard government does something good for this country he will be supporting it, he will stop his party being divided on this issue and Labor will agree to pass the disability support pension reforms today. Mr Latham has said that he wants serious and sensible policies with regard to mutual obligation in the area of disability pensions. I will repeat that: he says he wants serious and sensible policies with regard to mutual obligation in the area of disability pensions. If he is true to his word about delivering this, then he and Labor will stop being divided on this very issue and pass the disability reforms that are languishing here in this parliament.
If he were true to his word about giving people opportunity, he would be on the phone to his state mates, the ALP premiers, telling them to stop cutting services. I said this to Senator Denman. Day after day I see and read about Labor states slashing funding for disability, even after the significant increase in the Commonwealth-state disability agreement. Take Mr Bracks, for example, in Victoria. We hear that he is cutting back on early intervention funding for children in need and now they are reducing access to taxis for people with disabilities. This is the human cost of Labor’s mismanagement in the states of their finances and it is typical of Labor. When they get their hands on the levers they mismanage their finances and you see people, like people with disabilities, beginning to suffer. If the Leader of the Opposition wanted to show leadership in this area, he would stop referring to people as ‘deformed characters’—and I hope we do not hear that sort of language from him again—and he would stop his state premiers slashing disability services and, most importantly, he would stop being divided on disability reform and pass the government’s reform package immediately.

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

QUESTIONS WITHOUT NOTICE: TAKE NOTE OF ANSWERS

Superannuation

Senator Sherry (Tasmania) (3.03 p.m.)—I move:

That the Senate take note of the answers given by the Minister for Revenue and Assistant Treasurer (Senator Coonan) to questions without notice asked by Senator Sherry today relating to superannuation.

The question I want to ask is: what happens to Australian workers’ superannuation in the event of theft and fraud? What is not understood, I think, by a significant number of people in the Australian community is that in Australia when the nine per cent compulsory superannuation guarantee contributions are made they are not protected in respect of theft and fraud when their money has been stolen.

Why is it important that there should be full protection in the event of theft and fraud of superannuation moneys? Firstly, superannuation is compulsory in Australia and, secondly, it is for retirement. Australians may have to wait for 30 or 40 years before they collect their money. If their money is stolen it can have a truly catastrophic impact on their retirement income and their retirement circumstances.

There are a number of problems in respect of compensation and protection where superannuation is stolen in Australia. Firstly, if a business goes bankrupt or fails and an employer has not paid all their compulsory superannuation contributions, the employee loses them. There is no compensation. The Minister for Revenue and Assistant Treasurer today outlined what she argued were solutions. They are not solutions. There is no compensation in the event of a business failure where superannuation contributions are outstanding—no contribution, not one cent.

The second area where we do not have full and complete compensation is in the event of theft and fraud. Again, it would probably surprise a lot of Australians listening to this debate that if their money is stolen from a superannuation fund there is not full and total compensation in those circumstances. In a similar set of circumstances, if the trustees who are responsible for the governance—the overseeing of the investment and the administration of moneys—are negligent, there is also a problem. If there is trustee negligence and they do not adhere to the superannuation industry supervision law
which regulates superannuation, again, there is no compensation if the trustees are negligent in law.

Another circumstance which I think would surprise many Australians is that if they reach the point of retirement and they decide to purchase a pension or an annuity—that is, an income stream product—with their superannuation, if the money is stolen from their pension or annuity product when they are in retirement, they may not be compensated. It depends on the type of pension or annuity product.

Labor takes a fundamental position of principle in this regard. In the case of theft and fraud or business failure or insolvency or in the case of trustee negligence or in the case of pension annuities when a person has retired, in those circumstances it is catastrophic for the individuals so affected—absolutely catastrophic. In respect of the compulsory superannuation guarantee, where an employer goes bankrupt, that is an employee entitlement. It is a statutory entitlement. Yet the government, whilst it protects some other statutory entitles where an employer fails and a business goes under, will not protect and compensate the compulsory superannuation guarantee. The Liberal government has no solution. It does not believe that Australians should be protected and compensated in these circumstances, and the Labor Party would like to know why.

Labor Party—-and I am very proud of it—has released some 30 individual policies on simpler and safer super, and four of those policies go to the Labor Party committing itself to ensuring full compensation and full protection in the event of theft and fraud, trustee negligence, a business going under or becoming insolvent or a person’s money being stolen from their retirement pension or annuity. The Labor Party will strengthen the security in retirement of Australians in the circumstances I have outlined. The Liberal Party is the do-nothing party. It does not want to do anything to protect Australians’ superannuation. (Time expired)

Senator WATSON (Tasmania) (3.08 p.m.)—I welcome this opportunity to take part in this debate. I raised the question last night in the adjournment debate of the Labor Party’s superannuation policies and the fact that they were fairly deficient in terms of detail. There were certainly lots of threats about increasing regulation, more funding was going to be thrown at the items and obviously more control. It is good to have this sort of debate in this chamber because superannuation is for the long term. In recent times the disappointing feature about the debates on superannuation has been the lack of bipartisanship. You will recall, Mr Deputy President, that during the years when Dawkins was Treasurer a lot of good things came in on superannuation which did attract bipartisan support. I hope that we can, under Mr Latham, get a return to what all Australians are seeking—bipartisanship.

One of Senator Sherry’s very good policies was raising the standards for trustees. But what he is suggesting in terms of compensating for business failure is tantamount to lessening that responsibility of the trustees. As I said last night, there is a lot of internal inconsistency in the Labor Party’s policies. That is the problem. I reminded the Senate last night that Senator Sherry was very good at borrowing systems from overseas. This 100 per cent recovery is one of them. In fact, I think it probably came from the USA’s Employee Retirement Income Security Act 1974, often known as ERISA.

This is where we get the idea of 100 per cent restitution of assets that are lost as a result of
fraud et cetera. In such circumstances Australia has restitution but it is at 90 per cent, not 100 per cent. I remind the Senate that that system was not a resounding success in the US because it was underpinned by moral hazard and it stripped trustees of the responsibility to act prudently. That is the thrust of the problem that you are raising today.

The other point, Senator Sherry, is that you are asking all those members of well-run super funds to make up for the recklessness of trustees who act negligently, who lose members' money. Already we have seen a reaction from some of the super fund members and trustees against being asked to make a contribution to fund the $30-odd million that currently has had to be repaid in accordance with the SIS Act provisions. I think you have to think a little more deeply unless you are going to change the policy and have the taxpayers at large funding this policy, in which case you will take it to another stage of irresponsibility.

I remind the Senate that the government has already provided additional funding for APRA. This is quite substantial. I reject completely Labor’s assertions that the ATO has been unsuccessful in enforcing the superannuation guarantee. That just lacks factual support. In fact, I draw the Senate’s attention to ASFA’s director of policy research, Dr Michaela Anderson, who noted that the assertion that the ATO has not been successful in enforcing the collection of the nine per cent superannuation guarantee was a bit ‘puzzling’. We on this side of the Senate are certainly a little puzzled at Senator Sherry challenging that, particularly when it comes from an authority such as Michaela Sherry from ASFA. I believe it lacks substance. Senator Sherry, we ask you to put a little bit more flesh on those superannuation bones because you have to do better than just throwing more money and more regulation at the matter, with a lack of direction and focus.

This is just too important to have broad, uncosted, unfunded policies in the manner you have suggested so far.

**Senator Wong** (South Australia) **(3.12 p.m.)**—I rise to speak on Senator Sherry’s motion to take note of the answers given to his questions by Senator Coonan. Before I get to the substance of some of the answers given by the Assistant Treasurer, I want to make some comments about the contribution made just now by Senator Watson. Senator Watson called on Labor to show bipartisanship on the issue of superannuation and said ‘as we have in the past’—that is, as the government says it has in the past on the issue of superannuation. I remind the Senate—and any Australians who are interested in super should also listen to this—that this government when in opposition opposed the introduction of superannuation for working Australians. You opposed it, you did not show bipartisanship in what is one of the greatest achievements of Labor and that is to bring superannuation to ordinary working families. So do not stand here and lecture us about bipartisanship. Your support for superannuation is as lukewarm and hollow as your newfound support for Medicare.

In times past, the member for Bennelong described the superannuation system for ordinary working Australians, for which Senator Watson now urges us to engage in bipartisan support, ‘theft’. That is what he called the introduction of the superannuation guarantee system in Australia. He described it as ‘theft’. It is akin to some of his remarks on Medicare. We all know that the Prime Minister in his former life in opposition opposed the introduction of Medicare just as his party opposed the introduction of the superannuation system. So any rhetoric from the other side of the chamber urging bipartisanship should be met with some scepticism by those who are listening.
I want to turn briefly to the issue of lost superannuation. In Australia, we have some 25 million superannuation accounts, despite the fact that there are only nine million fund members and most people understand why that is the case. When people change jobs, they tend to also—unless they are working in the same industry—change superannuation accounts and employers will automatically open another account for them. For a range of reasons, Australians have not been particularly good at consolidating their accounts. For that reason, we have 4.6 million lost accounts in this country and some $7.3 billion in declared lost moneys.

This is an enormous public policy issue because it effectively ensures that Australians have a number of accounts. It means that their balances in the most recent account are obviously reduced because they do not roll over, into that account, moneys that they have previously earned. In addition to the loss to the member, the maintenance of these accounts costs hundreds of millions of dollars a year in extra administration fees. What is the government doing about this issue? The answer is very little and the answers today by Senator Coonan, the Assistant Treasurer, demonstrated the government’s inaction in this regard.

Since 1998-99 there has been an increase in lost moneys from $3.6 billion to over $7.3 billion—more than double. Under the last few years of this government, there has been over a doubling of the amount of money that is in lost accounts. Senator Coonan says, ‘The government’s not responsible for that.’ She runs away from the responsibility instead of looking at some of the parameters of their policies which prevent or fail to properly deal with the issue of lost superannuation. She simply runs away from it and says, ‘It’s not our responsibility.’ In fact, by some convoluted logic I think the minister suggested that the Labor Party was somehow responsible for lost superannuation. Somehow, we have contributed to Australians being disconnected from their super. It is an absurd argument.

What is needed is a policy such as Labor’s—that is, for automatic consolidation to ensure that people with superannuation in previous accounts automatically have their money from their past accounts consolidated into their current active account when they change jobs. Obviously Labor’s policy also indicates that if people want to keep more than one account, they can, they are free to do that, but this policy would ensure that the public policy problem we have at the moment in this country with billions of dollars in lost superannuation would be resolved. (Time expired)

Senator FERGUSON (South Australia) (3.17 p.m.)—In rising to speak to this motion today, let me remind Senator Wong that although she has not been in this place for a long time, she does not know much about the bipartisanship that took place in the early days of the Senate Select Committee on Superannuation which Senator Watson was on for some 12 years and which I later joined and spent five years working with Senator Watson. In those early days, when we were in opposition and the Labor Party were in government there was a spirit of bipartisanship. The bipartisanship that existed in those days and the reports that we wrote, which in most cases were unanimous, helped to give us the world-class system that we have today.

It is only since 1996 and in more recent times that the bipartisanship that existed in the early nineties has been departed from by a Labor opposition that wants to put politics back into superannuation to try to gain some traction. In the early days of the select committee on superannuation, there was an extreme amount of bipartisanship. I know that
because, for 7 ½ years prior to coming to this place, I worked in the superannuation industry and I understand some of the problems that confronted the industry at that time and some of the wrongs that were taking place. In fact, the bipartisanship and the bipartisan approach taken by the coalition in relation to matters dealing with superannuation and in setting up a framework, which we knew would be world-class, were very important.

We heard Senator Sherry today try to explain certain points in his policy—which he calls ‘his policy’—which has taken some 7 ½ years to develop and which in fact delivers very little. After 7 ½ years, I would have thought that there would have been something much more comprehensive than that in any sort of superannuation policy. He talks about the recovery of moneys that might have been lost by theft or by fraud. What Senator Sherry would like us to do is to have a system that underwrites every action taken by trustees, paid for by other superannuation contributors. This will only encourage trustees to be less careful when they are making decisions in relation to the funds and the people who belong to those funds. Senator Sherry is saying that Australians who are in very responsible funds with responsible trustees will have to bail out the others. Quite frankly, I do not believe that 100 per cent recovery exists anywhere else in the world. That would tend to put trustees in a position where they do not have to be nearly as careful as they do when they are trying to make sure that the investments that they make on behalf of their fund members are both responsible and bring good returns.

When Senator Sherry asks a couple of questions in a row, nitpicking about the current government’s attitude towards superannuation, what he overlooks is what this government has already done for superannuation, particularly in the initiatives that were announced by the government in A Better Superannuation System. The Labor Party fail to show any leadership at all. All Senator Sherry has ever done is to oppose and to criticise. When it came to reports from the select committee and when, in fact, the committee had looked into many issues that he wanted to raise, there was never any spirit of bipartisanship. A Better Superannuation System put forward by this government has already enhanced and will continue to enhance the overall attractiveness, the accessibility and the security of superannuation in this country. It builds on this government’s outstanding achievement in retirement income policy.

Quite frankly, I think superannuation is one of the worst words that was ever invented; we should only ever talk about retirement incomes and retirement incomes policy. A Better Superannuation System further demonstrates this government’s commitment to assist Australians to build some financial self-reliance for their retirement and in their retirement incomes. In the area of tax concessions, the concessions that are provided for superannuation make it the single largest tax expenditure item in the budget, amounting to approximately $11.2 billion in 2003-04. That is how important we think superannuation and retirement incomes policy are to this country. We are prepared to put our money where our mouth is when it comes to these matters. (Time expired)
any other financial product. One thing I agree on with Senator Ferguson is that I too would much prefer to be talking about retirement income than using the word ‘superannuation’, but that is the way it is.

The loss of a person’s superannuation can have a catastrophic impact on an individual’s life in retirement, justifying a more vigorous degree of protection of superannuation products than that afforded to other investment products, but the Howard government shows little compassion for ordinary Australians who are suddenly confronted with hardship, those people who have had their dreams and aspirations for their retiring years shattered. The present compensation for losses of superannuation savings and earnings is limited to victims of theft and fraud. Unfortunately, theft and fraud are not the only causes of losses of superannuation savings. Losses can also occur when a business becomes insolvent and it has outstanding superannuation guarantee debts, or when the trustees have been negligent in managing the investments of a fund—in other words, when mismanaging other people’s money.

In the wake of a small number of significant superannuation theft and fraud cases and continued reporting of serious losses to workers where failed businesses have not met their superannuation guarantee commitments, Labor believe that substantial improvements to the compensation regime are essential. Labor, of course, have always been the champions of superannuation and will continue to be. Minister Coonan’s answer to Senator Sherry made it clear that she does not know the history of superannuation in Australia. In fact, it was Labor who introduced compulsory superannuation and it is only Labor who care about workers’ superannuation interests.

Some of the substantial improvements Labor proposes include increasing the amount of compensation, which is presently subject to ministerial discretion, to fully cover losses. Labor also plans to expand the scope of the compensation legislation to go beyond losses for theft and fraud, as I have already outlined. It also proposes to protect post-retirement products, such as pensions and annuities. In addition, corresponding improvements to the regulatory system that are necessary to minimise losses in the first place will be implemented. These changes are outlined in Labor’s policy document. Currently, compensation is financed by a levy on all superannuation funds. This arrangement will be continued and extended to cover the new matters qualifying for compensation. The cost to each member has been costed at less than $1 per year.

Theft and fraud in superannuation is in fact very rare. Until commercial trustee company Commercial Nominees Australia Ltd collapsed in 2001, the compensation provisions had not been activated. The collapse of CNAL left hundreds of fund members with little or no retirement income. Ordinary Australians who had saved and planned for a degree of comfort in their retirement years were hit with the catastrophic acknowledgement that they were now confronted with doing it tough in their retirement. (Time expired)

Question agreed to.

Agriculture: Sugar Industry

Senator CHERRY (Queensland) (3.28 p.m.)—I move:

That the Senate take note of the answer given by the Minister for the Arts and Sport (Senator Kemp) to a question without notice asked by Senator Cherry today relating to the sugar industry, the closure of the mill at Nambour and the sugar reform package.

I wish to note the very short answer given by Senator Kemp to my question about the closure of the Moreton sugar mill. I note that
Senator Kemp, in the absence of Senator Ian Macdonald, obviously did not have a briefing on this issue. I think that in itself is very sad—that the closure of a sugar mill in a town that has had a sugar mill for 103 years and has a proud history of sugar growing does not even rate a brief from the department to the minister. That is something I find very disappointing and symptomatic of the failure of the federal and Queensland governments to reach agreement on taking the sugar industry forward. It is a very sad day for Nambour as there are up to 450 jobs affected by the closure of that mill.

What makes me angry is that the failure of the Queensland and federal governments to agree on reform has tied up $80 million in regional development funding which could have helped the Nambour cane growers to get an alternative plant off the ground. The political games being played by the Beattie government and the Queensland Nationals ahead of the state election have resulted in no agreement and no funding for sugar reform, leaving the industry facing even more uncertainty. But it is not just that. The federal government’s refusal to agree with the Democrats’ demand for a longer excise exemption for ethanol, to give that industry a future, is also denying the sugar industry its best chance of diversifying and value adding. The cane farmers and millers in Nambour, indeed in all sugar towns, have been sadly let down by their governments, both state and federal. Last week, 450 cane growers and their supporters gathered in the Burdekin to endorse the sugar reform committee’s television campaign that highlights the failure of the federal and Queensland governments to further sugar reform.

Other growers in the Burdekin and Mackay areas are now developing their own local action plans, given the failure of government to provide leadership to the industry. For Nambour, the question for 150 cane growers and up to 450 workers, who have relied on sugar for their survival, is how to survive now without a sugar mill, without a workable federal government ethanol policy, without an industry reform plan and without even continuing income support assistance from the federal government. Today’s interest rate rise will just add to the pressure on cane growers, with recent ABARE data showing that Queensland farmers had the biggest farm losses—an average of $92,300 a farm in 2002-03, and with a further decline of $135 million in sugar industry income expected this year. Higher interest rates also mean a continuing rise in the Australian dollar, cutting returns from export prices for the sugar industry.

I look forward to Senator Kemp’s response to the latter part of my question, which asked whether the government will agree with the cane growers’ request to extend the income assistance part of the sugar package, given that most of the funds in the package remain unspent and the financial pressures on cane farmers as a result of the corrupted world sugar price have not abated—in fact, are expanding. I look forward to that answer. I hope it is substantive and I hope that the government ensures that its sugar plans move forward.

Question agreed to.

Senator Boswell—Mr Deputy President, could you inform me what Senator Cherry was talking on? Was it a return to order?

The DEPUTY PRESIDENT—No; it was a motion to take note of an answer by Senator Kemp during question time today, Senator Boswell.

Senator Boswell—I would like to speak on that.

The DEPUTY PRESIDENT—Time for the debate has expired.
SCIENCE: ASSISTED REPRODUCTIVE TECHNOLOGY

Return to Order

Senator HARRADINE (Tasmania) (3.32 p.m.)—I seek leave to make a short statement about a return to order which has not been delivered.

Leave granted.

Senator HARRADINE—I thank you and the Senate. Page 47 of today’s Notice Paper outlines the return to order, which was supported by the Senate, for two documents to be tabled on 29 October 2003. It is now over a month since then. I acknowledge that the Leader of the Government in the Senate, Senator Hill, has done his best to obtain the papers that have been sought to be tabled. The two documents were prepared by the National Health and Medical Research Council. At least one of them was referred to by the leaders forum which took place in late August as being the basis upon which a decision was made by some of the states to abolish the protection given by the act for human embryos which have been developed after 2002. The decision by some states purports to enable researchers and experimenters to experiment on embryos which have been developed since that date.

It is vital for the public to know the basis for that decision. One of the reasons the return to order was sought was to ensure that parliamentarians and the people of Australia are aware of the basis upon which these matters are determined. I understand that the Premier of New South Wales is not prepared to provide the relevant documents. That concerns me. It must concern all members of parliament who believe in parliamentary democracy and who believe in transparency, particularly when decisions, and the documents upon which basis those decisions are made, are secret. I seek guidance from the Leader of the Government here. It is obvious that, in response to his attempts, certain of the states thumbed their noses at him. Others have not. This matter is important. It is outlined on page 47 of today’s Notice Paper. I wonder what the way forward is on this matter because it is now 3½ months since those documents were utilised.

Senator HILL (South Australia—Leader of the Government in the Senate) (3.36 p.m.)—by leave—I understand the points being made by Senator Harradine. What we have said in the past is that COAG documents require the approval of all COAG ministers to be released. That creates a particular problem, at least in the first instance. It is a matter of courtesy rather than anything more concrete. If a state premier or state premiers refuse agreement to the release of a document, that could create the stalemate that Senator Harradine refers to. I think in such circumstances the matter should be referred back to the Prime Minister, who can consider whether he is able to release the document with the objection of a particular premier or premiers. On that basis I will take the matter back to the Prime Minister and seek further advice.

PETITIONS

The Clerk—Petitions have been lodged for presentation as follows:

Trade: Live Animal Exports

To the Honourable President and Members of the Senate in the Parliament assembled.

This petition of the undersigned citizens of Australia draws to the attention of the Senate the stress and extreme suffering caused to cattle, sheep and goats during their assembly, land transportation and loading in Australia, shipment overseas, and then unloading and local transportation, feedlotting, handling, and finally slaughter without stunning in importing countries.

Further, we ask the Senate to note that heat stress, disease, injury, inadequate facilities, inadequate supervision and care, and incidents such as on board fires, ventilation breakdowns, storms and
rejection of shipments contribute to high death rates each year, e.g. 73,700 sheep and 2,238 cattle died on board export ships in 2002. Many thousands more suffer cruel practices prior to scheduled slaughter.

We the undersigned therefore call upon the Senate to establish an inquiry into all aspects of live animal exports from Australia, with particular reference to animal welfare, to be conducted by the Senate’s References Committee on Rural and Regional Affairs and Transport.

by The President (from four citizens) and

Senator Bartlett (from 63,646 citizens).

Constitutional Reform: Senate Powers
From the citizens of Australia to the President of the Senate of the Parliament of Australia.

We the undersigned believe that the Prime Minister’s call for Senate Reform is an attempt to dilute the powers of the Senate and to enable the Executive to have absolute control over parliament.

We urge all Senators to ensure the powers and responsibilities of the Senate are protected in the interests of ensuring good governance on behalf of the Australian people and to oppose any moves by the current, or future, Governments to weaken the ability of the Senate to be a check and balance on the Government of the day.

by Senator Bartlett (from 20 citizens).

Defence: Involvement in Overseas Conflict Legislation
To the Honourable the President and Members of the Senate in Parliament assembled.

The Petition of the undersigned calls on the members of the Senate to support the Defence Amendment (Parliamentary Approval for Australian Involvement in Overseas Conflict) Bill introduced by the Leader of the Australian Democrats, Senator Andrew Bartlett and the Democrats’ Foreign Affairs spokesperson, Senator Natasha Stott Despoja.

Presently, the Prime Minister, through a Cabinet decision and the authority of the Defence Act, has the power to send Australian troops to an overseas conflict without the support of the United Nations, the Australian Parliament or the Australian people.

The Howard Government has been the first Government in our history to go to war without majority Parliament support. It is time to take the decision to commit troops to overseas conflict out of the hands of the Prime Minister and Cabinet, and place it with the Parliament.

by Senator Bartlett (from 19 citizens).

Trade: Live Animal Exports
To the Honourable the President and Members of the Senate in Parliament assembled.

The Petition of the undersigned notes the inadequate numbers of livestock available for Australian slaughter, food consumption and hides; the increase in Australian abattoir closures; the growing negative economic, employment and social impacts on rural Australia; and the unnecessary suffering endured by Australian livestock because of this nation’s pursuit of trade and financial benefits at any cost. Your petitioners call on the members of the Senate to end the live export trade now in favour of developing an Australian chilled and frozen halal and kosher carcass trade using humane slaughtering practices.

by Senator Bartlett (from 1,650 citizens).

Trade: Live Animal Exports
We the undersigned protest in the strongest possible terms against the live-export of Australian animals. During transportation the animals are subjected to inhumane conditions resulting in unacceptably high death rates and suffering. Upon arrival, they suffer extreme cruelty and barbarism prior to and during slaughter—practices that are illegal in Australia. Your petitioners call upon the Senate to immediately, and without delay, ban the live export of Australian livestock.

by Senator Bartlett (from 1,224 citizens).

Communications: Local Television
The Petition of the undersigned shows:

South Australians are concerned about the drastic reduction in local television production in Adelaide.

Television programs such as AM Adelaide provided an outlet for local charities, artists, musicians, and theatre-goers as well as an opportunity
for local businesses to advertise their products at an affordable rate.

As the TV networks continue to centralise their operations in Sydney and Melbourne, young South Australians are being forced to move away to find work in the television industry.

Education organisations running courses for people wishing to pursue a career in the TV industry are faced with the facts that there are fewer places for students to gain work experience and then faced with no employment opportunities.

The petitioners below request that the Senate:
Place a licence condition on all TV broadcasters which requires the provision of a service that is relevant to the local community, including locally produced news, current affairs and entertainment programs.

by Senator Lees (from 366 citizens).

Education: Higher Education

To the Honourable the President and Members of the Senate in Parliament assembled.
The Petition of the undersigned draws to the attention of the Senate, concerns that increasing university fees will be inequitable.
Your petitioners believe:
(a) fees are a barrier to higher education and note this is acknowledged by the Government in the Higher Education at the Crossroads publication (DEST, May 2002, Canberra, para 107, p. 22);
(b) fees disproportionately affect key equity groups—especially indigenous, low socio-economic background and rural, regional and remote students—and note, participation of these groups improved from the early 1990s until 1996 but have subsequently fallen back to about 1991 levels (lower in some cases) following the introduction of differential HECS, declining student income, support levels, lower parental income means test and reduction of Abstudy;
(c) permitting universities to charge fees 30% higher than the HECS rate will:
a. substantially increase student debt;
b. negatively impact on home ownership and fertility rates;
c. create a more hierarchical, two-tiered university system; and
(d) expanding full fee paying places will have an impact on the principle that entry to university should be based on ability, not ability to pay.

Your petitioners therefore request the Senate act to ensure the principle of equitable access to universities remain fundamental to higher education policy and that any Bill to further increase fees is rejected.

by Senator Stott Despoja (from 1,928 citizens).

Medicare

To the Honourable President and Members of the Senate assembled in Parliament.
The petition of the undersigned citizens of Australia draws to the attention of the Senate:
The need to retain and extend the universal public health insurance system Medicare by:
• restoring bulk billing for all
• increasing financial support to the public hospital system
• switching to the public Medicare system the $3.6 billion currently used to prop up the private health insurance industry

We therefore pray that the Senate opposes the introduction of cuts to Medicare services limitations on its coverage and the introduction of up-front fees for GP visits.

by Senator Stott Despoja (from 915 citizens).

Petitions received.

NOTICES

Presentation

Senator Ian Campbell to move on the next day of sitting:
That, upon their introduction in the House of Representatives, the provisions of the following bills be referred to the Foreign Affairs, Defence and Trade Legislation Committee for inquiry and report on 1 March 2004:

Military Rehabilitation and Compensation Bill 2003; and
Military Rehabilitation and Compensation (Consequential and Transitional Provisions) Bill 2003

Senator George Campbell to move on the next day of sitting:
That the time for the presentation of the report of the Employment, Workplace Relations and Education References Committee on the exposure draft of the Building and Construction Industry Improvement Bill 2003 be extended to 13 May 2004.

Senator Stephens to move on the next day of sitting:
That the time for the presentation of the report of the Economics References Committee on whether the Trade Practices Act 1974 adequately protects small business be extended to 11 February 2004.

Senator Ian Campbell to move on the next day of sitting:

Senator Ian Campbell to move on the next day of sitting:
That the following bill be introduced: A Bill for an Act to integrate the Australian Protective Service into the Australian Federal Police, and for other purposes. Australian Federal Police and Other Legislation Amendment Bill 2003.

Senator Ian Campbell to move on the next day of sitting:
That the following bill be introduced: A Bill for an Act to amend legislation about fisheries, and for related purposes. Fisheries Legislation Amendment (Compliance and Deterrence Measures and Other Matters) Bill 2003.

Senator Ian Campbell to move on the next day of sitting:
That the following bill be introduced: A Bill for an Act to amend the law relating to Norfolk Island, and for related purposes. Norfolk Island Amendment Bill 2003.

Senator Ridgeway to move on the next day of sitting:
That the Senate—
(a) congratulates musician and entertainer, Mr Jimmy Little, on receiving the prestigious Red Ochre Award (2003) from the Australia Council for his outstanding contribution to the national and international recognition of Aboriginal and Torres Strait Islander arts;
(b) notes that some of Jimmy Little’s contributions include:
(i) a musical career that spans more than 50 years,
(ii) being Australia’s first Aboriginal pop star, recording his first popular release record in 1956, which reached the ‘top ten’ in the popular music chart,
(iii) achieving a number one hit in 1963 with the song ‘Royal Telephone’, which sold more than 75 000 copies and achieved ‘gold’ status twice,
(iv) many years as a mentor/teacher for Indigenous adult students at Eora College in Redfern,
(v) being named Aboriginal of the Year at the 1989 National Aboriginal and Islander Day Observance Committee awards; elevated to the Australian Country Music Role of Renown in Tamworth in 1994; and inducted into the Australian Record Industry Association Australian Music Hall of Fame in 1999, and
(vi) continuing his role as an ambassador for the National Literacy and Numeracy Strategy in Indigenous education; and
(c) recognises that Jimmy Little is as much a statesman as a musician, who has been an outstanding advocate for his people and a true gentleman and family man.

Senator Forshaw to move on the next day of sitting:
December 3rd, 2003

Senator Ridgeway to move on the next day of sitting:

That the Senate—
(a) notes that:
(i) currently, only G-rated material can be
broadcast between 4.30 pm and 7.30
pm on weekdays and from 6 am to 7.30
pm on weekends,
(ii) the draft for the revision of the
commercial television industry’s code
of practice proposes a drastic reduction
in G-rated television programming,
from 57 hours weekly to 22 hours,
(iii) if the draft proposals are adopted, the
afternoon G-rated period would be cut
to one hour, from 4 pm to 5 pm, and on
weekends to two hours, from 6.30 am
to 8.30 am, and
(iv) the Australian Parents Council, which
represents hundreds of thousands of
parents, has written to the Office of
Film and Literature Classification, the
Australian Broadcasting Authority and
the Federal Attorney-General, con-
demning these proposals; and
(b) calls on the Government to ensure that the
G-rated viewing times remain at current
levels.

Senator Ian Campbell to move on the next day of sitting:

That, on Thursday, 4 December 2003:
(a) the hours of meeting shall be 9.30 am to
6.30 pm and 7.30 pm to adjournment;
(b) consideration of general business and
consideration of committee reports,
government responses and Auditor-
General’s reports under standing order
62(1) and (2) not be proceeded with;
(c) the routine of business from not later than
4.30 pm shall be government business
only;
(d) divisions may take place after 6 pm; and
(e) the question for the adjournment of the
Senate shall not be proposed till after the
Senate has finally considered the bills
listed below and any messages from the
House of Representatives:
Higher Education Support Bill 2003 and
the Higher Education Support (Transi-
tional Provisions and Consequential
Amendments) Bill 2003
ASIO Legislation Amendment Bill 2003
Financial Services Reform Amendment
Bill 2003
Workplace Relations Amendment
(Improved Protection for Victorian
Workers) Bill 2003.

Senator Humphries and Senator Stott
Despoja to move on the next day of sitting:

That the Senate—
(a) expresses concerns over reports of the
continued imprisonment of people
including religious leaders, on matters of
conscience in the Socialist Republic of
Vietnam;
(b) notes that:
(i) the International Covenant on Civil and Political Rights applies to the treatment of Buddhist practitioners worldwide, and
(ii) the Republic of Vietnam still requires religious organisations to be affiliated with state-sponsored umbrella organisations;
(c) expresses its support for a formal, open and effective dialogue between Australia and Vietnam on human rights issues; and
(d) calls on the Government of Vietnam to:
(i) unconditionally release Patriarch Thich Huyen Quang, Most Venerable Thich Quang Do, Venerables Thich Tue Sy, Thich Vien Dinh, Thich Nguyen Ly and other religious leaders in Vietnam from house custody and administrative detention,
(ii) recognise that the practice of religion should not form the basis of the incarceration of any individual, and
(iii) remove restrictions placed on officially sanctioned religions, and the prohibition on church-led private education and charitable work.

Senator Brown to move on the next day of sitting:

Senator Brown to move on the next day of sitting:
That the Senate—
(a) notes that:
(i) the current Deed of Grant for the Regional Arts Fund expires on 30 June 2004 and that the fund can not operate properly in 2004 without an immediate commitment from the Government, and
(ii) more than one million people in regional Australia have participated in the funds’ programs and that almost 2 300 artists have gained employment through the scheme; and
(b) calls on the Government to immediately commit to establishing the Regional Arts Fund as a permanent recurrent fund with an increased allocation of funds.

Senator Nettle and Senator Greig to move on the next day of sitting:
That the Senate calls on the Government to halt the destruction caused by clear fell logging for woodchip in the old-growth forest of Tasmania’s northeast highlands, including the Blue Tier.

Senator IAN CAMPBELL (Western Australia—Minister for Local Government, Territories and Roads) (3.38 p.m.)—I give notice that, on the next day of sitting, I shall move:
That the provisions of paragraphs (5), (6) and (8) of standing order 111 not apply to the Designs (Consequential Amendments) Bill 2002, allowing it to be considered during this period of sittings.
I also table a statement of reasons justifying the need for the bill to be considered during these sittings and seek leave to have the statement incorporated in Hansard.

Leave granted.
The statement read as follows—

Purpose of the Bill
To implement a new industrial designs registration system and make necessary consequential changes to other legislation.

Reasons for Urgency
The Bill will implement a new system for the registration of industrial designs to replace the current system. The Australian Law Reform Commission (ALRC) conducted a review of the existing system and found that it no longer provides effective protection because design registration is too easy to obtain and infringement is too difficult to prove.

This Bill implements a new registration system for designs that will be simpler, faster and will provide more effective protection for industrial designs. Key features of this new system include a streamlined registration process, stricter eligibil-
ity and infringement tests, better enforcement and dispute resolution procedures, a maximum registration term of ten years and clearer definitions. The streamlined registration process will allow for quick and simple registration of designs. The changes to the eligibility and infringement tests will mean that a valid design registration will be harder to obtain, but once obtained will be easier to enforce against infringement.

Extensive consultation with interest groups was undertaken by both the ALRC and the government in developing this new design registration system and it is expected that it will be welcomed by industry and users of the system.

The Bill was referred to the Senate Economics Legislation Committee on 5 March 2003 for inquiry and report. The Committee tabled its report on 28 May 2003 and one of its recommendations was that the Bills be passed.

(Circulated by authority of the Parliamentary Secretary to the Minister for Industry, Tourism and Resources)

COMMITTEES
Selection of Bills Committee
Report
Senator McGauran (Victoria) (3.39 p.m.)—At the request of Senator Ferris, I present the 16th report for 2003 of the Standing Committee for the Selection of Bills. I move:
That the report be adopted.
I seek leave to have the report incorporated in Hansard.
Leave granted.
The report read as follows—
SELECTION OF BILLS COMMITTEE
REPORT NO. 16 OF 2003
1. The committee met on Tuesday, 2 December 2003.
2. The committee resolved to recommend—
   (a) the provisions of the Building and Construction Industry Improvement Bill 2003 and the Building and Construction Industry Improvement (Consequential and Transitional) Bill 2003 be referred immediately for inquiry and report on 4 March 2004 but was unable to reach agreement on which committee to refer the bills to;
   (b) the provisions of the Superannuation Safety Amendment Bill 2003 be referred immediately to the Economics Legislation Committee for inquiry and report on 19 February 2004 (see appendix 1 for statement of reasons for referral); and
   (c) the following bills not be referred to committees:
       ASIO Legislation Amendment Bill 2003
       National Animal Welfare Bill 2003
       National Residue Survey Customs Levy Rate Correction (Lamb Exports) Bill 2003
       National Residue Survey Excise Levy Rate Correction (Lamb Transactions) Bill 2003
       Primary Industries (Excise) Levies Amendment (Wine Grapes) Bill 2003
       Sexuality and Gender Identity Discrimination Bill 2003.

The committee recommends accordingly.

3. The committee deferred consideration of the following bills to the next meeting:
   Bill deferred from meeting of 12 August 2003
   Civil Aviation Legislation Amendment (Mutual Recognition with New Zealand and Other Matters) Bill 2003.
   Bill deferred from meeting of 28 October 2003
   Intelligence Services Amendment Bill 2003.
   Bill deferred from meeting of 25 November 2003

CHAMBER
Bill deferred from meeting of 2 December 2003

Fisheries Legislation Amendment (High Seas Fishing Activities and Other Matters) Bill 2003.

Jeannie Ferris
Chair
3 December 2003

Appendix 1
Proposal to refer a bill to a committee
Name of bill(s):
Superannuation Safety Amendment Bill 2003
Reasons for referral/principal issues for consideration
To examine the bill to ensure that the provisions are appropriate and adequate
Possible submissions or evidence from:
ASFA, ACA, AIIST
Committee to which bill is referred:
Economics Legislation Committee
Possible hearing date: 11 February 2004
Possible reporting date(s): 19 February 2004
Senator Sue Mackay
Whip/Selection of Bills Committee Member

Senator JACINTA COLLINS (Victoria) (3.39 p.m.)—I move:

At the end of the motion, add “and, in respect of the Building and Construction Industry Improvement Bill 2003 or any version thereof that the government might subsequently introduce into the parliament. Obviously these bills have subsequently been introduced into the parliament. Whilst they were not before the parliament when that earlier reference was made, this is consistent with that decision.

Senator IAN CAMPBELL (Western Australia—Minister for Local Government, Territories and Roads) (3.41 p.m.)—I might say a very brief word in response. The reference of a piece of legislation to a references committee is not the usual way for legislation to proceed, but we recognise that from time to time the majority in this place choose to go to a references committee rather than a legislation committee for reasons that the majority come to. We understand that the Democrats will support the reference of the bills now that they have come into the parliament to this committee. Although we will not vote for it, we certainly will not oppose it.

However, I do understand that there is a proposal to extend the period of reporting for this committee. Notice has been given, and I presume we will be dealing with that tomorrow under normal circumstances. My understanding of the broad agreement that was made by the previous Minister for Employment and Workplace Relations, Mr Abbott, was that he would refer these draft bills to this committee before they were introduced into the parliament and at an early date so that consideration by the committee could commence in a timely manner. The reporting period from when it was first referred to this references committee to when it should then report in February next year was a period of just under 20 weeks, which is an extraordinary length of time for bills to be considered by a committee. I do not have the statistics at hand, but I understand it would in fact equal the record of the Medicare package as one of

CHAMBER
the longest committee references in the history of parliament.

As I understand it, there was an agreement that that would be the process with the bills. We predicted that the bills would come to the parliament in the latter period of the sittings and that, therefore, the references committee could get ahead of the game and have the last six weeks to start doing their work and community consultation on those provisions. Now that the bills have arrived, we have a proposal put before us by the Labor Party, I think, that we extend that inquiry from reporting in February to reporting in May. I do not want to pre-empt debate on a motion we will probably debate tomorrow, but this is intrinsically linked to this proposal to refer the bills to the committee. It seems to me that the process proposed and, I thought, agreed to by the former minister has on the face of it been breached. I cannot see the reason for that. I guess I will have that explained to me by opposition and Democrat senators tomorrow.

If the Senate refers these bills to the references committee today and extends the reporting date into May—and I really hope it does not—the Senate will probably not deal with the legislation until potentially June or beyond, depending on what budget week is like. Budget week is a short week and there are usually a whole range of other measures on the table. The effect will be that, at the very minimum, you will have ensured that these bills, which form a centrepiece of the government’s proposals to reform the building and construction industries, are not available for consideration by the Senate as a whole for a period of 30 weeks, which I am absolutely certain will become the longest Senate inquiry into a piece of legislation in Australian history.

Senator IAN CAMPBELL—The committee would then have had 30 weeks to deal with these bills. That is extraordinary. As I have said, I will not oppose the reference of the bills to this committee. The committee already has the provisions before it. It is appropriate, although it is against the government’s protocol, which would say that they should go to a legislation committee. But I seriously ask the Senate to think about whether, if they are fair dinkum about being a house of review, they are making a mockery of the Senate’s role as a house of review by referring provisions off for 30 weeks.

Senator MURRAY (Western Australia) (3.45 p.m.)—As has been endlessly stated in this place when these matters were debated, the bills reflect just half of the 212 recommendations of the Cole royal commission and yet have an absolutely symbiotic relationship with those recommendations. Simply put, the bills had to go to a references committee because, as a workplace relations set of bills, they have to be put into perspective with all those other matters which deal with occupational health and safety, corporations law, criminal law, insolvency law, taxation law and various other whole-of-government issues which the government, in its immense wisdom, has decided not to put forward as a package despite the very strong recommendation, from my party in particular, that it does so. That is the first issue. There are a number of issues which are to be addressed and which are clearly matters of reference. So, for convenience, rather than running two inquiries—one legislation committee inquiry for the bills and one reference committee inquiry for all the other matters—the two are combined into a references committee inquiry. It is a perfectly logical and sensible decision that the Senate came to to deal with a matter like this.

The second point is that, when the draft bill was produced on 15 September, I rang
the then minister, Mr Abbott, and said, ‘If you want those bills referred now, you had better do so straightaway. If you want to get those in and dealt with and examined by a committee as early as possible, you need to start at once.’ Mr Abbott did not do so. It was not until very late in the piece—late in October—that the government came to me and said, ‘We are now ready for these bills to be referred.’ Within four days, I had the reference before the Senate. The Senate then considered the matter and passed the reference. They then had to advertise the due date for submissions. It was impossible for hearings to commence earlier than December. The first of these hearings start in a very short time—next week. You then have to say, ‘What else would delay consideration of these matters?’ Well, unfortunately—or perhaps fortunately for the people concerned in the industry—January is known as a builder’s holiday. People involved in the industry—both from the employer’s side and from the employee’s side—are on holiday and are not available to interact with the Senate. And, of course, many of the senators are on holiday.

The third thing that happened was that late in the piece we received the Senate agenda for next year and notification of when sittings would be held. The nature of this inquiry is such that it has to go to the affected states. These matters are of great concern in Western Australia, Victoria, Queensland, Tasmania and New South Wales, and there is interest in the Northern Territory as well. Therefore the hearings had to be held out of sitting weeks; they could not be held in sitting weeks. That meant that we had to find time. The consequence of that is that a planned reporting date in February has had to be shifted out for the committee to do its work. I have made it very clear to both the committee and the public at large that I believe these bills have to be debated by the Senate and resolved prior to 30 June next year because the government has an agenda to put together a new institution with a great deal of money affected, and it would be wrong not to deal with it by then. The committee has come to the view that the earliest date for reporting would be early in May—I forget the exact date, but I think it is 11 May—and that gives plenty of time for the bills to be either rejected or amended in time for 30 June.

Whilst in theory you might be accurate in terms of weeks, Minister, the practical effect of the process is that it will take a great deal longer than it should have. If the government had been smart enough, brainy enough and far-sighted enough to produce a whole-of-government response to the Cole report and had produced all the bills—(Time expired)

Question agreed to.

Original question, as amended, agreed to.

BUSINESS

Rearrangement

Senator IAN CAMPBELL (Western Australia—Manager of Government Business in the Senate) (3.51 p.m.)—by leave—I move:

That—

(a) consideration of government documents not be proceeded with today;

(b) valedictory statements relating to Senator Alston may be made from 6 pm to 7.20 pm today.

Question agreed to.

NOTICES

Postponement

Items of business were postponed as follows:

General business notice of motion no. 721 standing in the name of Senator Harris for today, relating to the establishment of a select committee on the Lindeberg Grievance, postponed till 4 December 2003.
General business notice of motion no. 734 standing in the name of Senator Allison for today, relating to the use of ethanol and other alternative fuels, postponed till 4 December 2003.

COMMITTEES
Economics Legislation Committee
Extension of Time
Senator McGAURAN (Victoria) (3.52 p.m.)—by leave—At the request of the Chair of the Economics Legislation Committee, Senator Brandis, I move:
That the time for the presentation of the report of the Economics Legislation Committee on the provisions of the Taxation Laws Amendment (Superannuation Contributions Splitting) Bill 2003 and associated regulations be extended to 4 December 2003.

Question agreed to.

BROADCASTING SERVICES
(SAFEGUARDING LOCAL CONTENT AND LOCAL AUDIENCE NEEDS) AMENDMENT BILL 2003
First Reading
Senator LEES (South Australia) (3.53 p.m.)—I move:
That the following bill be introduced: A Bill for an Act to amend the Broadcasting Services Act 1992 to require commercial TV licence holders to provide locally produced and locally relevant news and current affairs, and for related purposes.

Question agreed to.

Senator LEES (South Australia) (3.53 p.m.)—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 LEES (South Australia) (3.54 p.m.)—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—
BROADCASTING SERVICES
(SAFEGUARDING LOCAL CONTENT AND LOCAL AUDIENCE NEEDS) AMENDMENT BILL 2003

I thank the Senate for its consideration of my Private Senator’s Bill.
This Bill will require the Australian Broadcasting Authority (ABA) to impose licence conditions on all metropolitan commercial TV licence holders obliging them to broadcast an adequate amount of locally-produced news, current affairs and other programming.

Two of the objectives of the Broadcasting Services Act 1992 are to ensure that all TV licensees are “responsible to audience and use needs” and to ensure that they will “provide appropriate coverage of matters of local significance.”

My Bill seeks to amend the Act to reinforce these requirements—thereby ensuring that audiences in the smaller capitals have access to locally sourced and produced news, current affairs and other programming.

The ABA has recently introduced a minimum level of local production of TV news in regional areas. However, there is currently no guarantee that the residents of the smaller capital cities (Adelaide, Brisbane, Perth) will be provided with a local news service by the commercial broadcasters. It is of note that Canberra and Hobart are regarded as regional centres by the ABA.

The Bill seeks to add the following conditions to the holders of TV broadcasting licences in all capital cities.

1. That the licensee must produce its own daily evening news service, at the licensee’s premises within its broadcast area. (30 minute time slot minimum).

2. That the licensee must produce seven hours per week (not including news and current affairs) of programming (studio/location based) at the licensee’s
premises within its broadcast area. (This should increase to 14 hours by 2010).

3. When significant community-based events are broadcast that are relevant only to the broadcast area (Anzac Day parades, Christmas Pageants and carols, major rallies or services such as the Bali Memorial Service etc), each hour will be considered the equivalent of two hours for that week.

Over the last ten years or so there has been steady drift in local TV production from the smaller states to Sydney and Melbourne, a drift due to the commercial TV networks focusing on cutting costs.

In September 2003 Channel Seven announced 250 redundancies nationwide. Thirty four of these were in my city of Adelaide. This sort of centralisation on the part of a commercial network simply accelerates the drive to have all production and control centred in Melbourne and Sydney. Adelaide, Perth and Brisbane, for instance, face the very real prospect of having no access to news bulletins other than those made and controlled in Sydney or Melbourne. Already some of Adelaide’s weekend commercial news broadcasts are coming from interstate.

However inconvenient it is for the networks, the fact is not all Australians live in Sydney and Melbourne. The loss of television production in centres such as Adelaide, Brisbane and Perth has a big impact. Local communities lose an important skill base as well as employment and training opportunities. Already, opportunities to gain training or employment in SA, WA, or QLD as a technician, camera operator, audio operator, editor or journalist are diminishing.

Education organisations running courses for people wishing to pursue a career in the TV industry confront far fewer places for work experience. Graduates themselves confront limited employment opportunities and in my home state, young South Australians are being forced to move interstate to find work.

It is impossible to list by name all the people who started their careers in television in my home state of SA and who have gone on to establish themselves in the entertainment industry. Dean Semmler, now a world famous cinematographer, came from Renmark as a young man and started in SA commercial television as a member of the studio props crew, graduating to floor-manager, studio cameraman and news cameraman.

I recently met with the operators of the new Channel 31 community TV station in Adelaide. I take this opportunity to congratulate Channel 31 for giving young people the opportunity to hone their TV skills. During our discussion, the issue of the lack of job opportunities in the local industry was raised.

I was told that many people who start out in community TV and would like to stay in Adelaide, eventually do make the move to one of the eastern states for a permanent job.

One young man graduated from the University of SA in 1999, worked in community television while studying and then gained a scholarship to study in Sydney during 2000. He returned to Adelaide at the end of 2000 to look for a job but accepted a position in Sydney at Foxtel in May 2001 because of the lack of opportunities in Adelaide. This is just one example of the loss of young talent interstate.

Almost as important as job losses is the loss of a sense of local identity. How can a local community or one of the smaller capital cities have a sense of its own identity, a sense of its own uniqueness, when its issues, its events, its personalities, its triumphs and its tragedies are not reflected on television, the most accessed and accessible medium?

The impact on the arts and local business is also significant. My home state of SA is often referred to as the Cradle of Australian Music. Many of Australia’s most successful singers, songwriters and bands came from SA. Their careers were assisted tremendously by exposure on local music television programs. Programs like that no longer exist. In the prevailing climate, young musicians from all genres coming up through the ranks do not have access to the sort of exposure enjoyed by their predecessors.

And music is just one of the many art forms for which South Australia is famous and that now has no medium for exposure. Programs like AM Adelaide promoted new and emerging talent and they
also enabled South Australians to have closer encounters with visiting artists across the whole spectrum of the arts.

This contraction and centralisation of production and control also has an impact on smaller local businesses. Smaller businesses that could afford to advertise and promote themselves on advertising programs like AM Adelaide, are left having to produce their own television ads and compete on the open market for TV advertising time with the big corporates.

Locally produced television programs also provided an outlet for local charities and community groups. It is true that television stations in SA do assist charities and community groups but they do this in the context of the community service obligations rather than community-based programming.

During the 1980s there was a regulation system in place under the Australian Broadcasting Tribunal which allowed the community to attend public meetings to express their views about the level of service provided by the TV licensee. While I understand that this system was not perfect, at least it gave the public an opportunity to make the TV licence holders accountable to the local community. The process was abolished when the Australian Broadcasting Authority was established in 1992. Since that time the level of service to local communities has deteriorated.

So, to reiterate:

This Private Senator’s Bill seeks to:

• Halt the drive to centralise TV production and editorial control in Sydney and Melbourne

• Secure and increase the level of local TV production especially as it relates to news and current affairs in the smaller states.

• Increase employment and training opportunities in the smaller states

• Ensure that there are TV programmes through which writers, artists, local charities, groups and local businesses can speak to their communities

Broadly, the Bill will do this by ensuring

1. That the licensee must produce its own daily evening news service, at the licensee’s premises, within its broadcast area. (30 minute time slot minimum).

2. That the licensee must produce seven hours per week (not including news and current affairs) of programming (studio/location based at the licensee’s premises within its broadcast area. (This should increase to 14 hours by 2010).

3. When significant community-based events are broadcast that are relevant only to the broadcast area (Anzac Day Parade, Christmas carols etc), each hour will be considered the equivalent of two hours for that week).

I have worked with people in the industry on this Bill, many of whom have already lost their jobs due to this drive to centralise production and editorial control in Sydney and Melbourne.

Not only are we fighting to retain our cultural integrity against an almost overwhelming tide of imported American programming, those of us in the smaller states are now struggling against the cultural dominance of the Sydney/Melbourne axis.

The ABA already regulates the amount of Australian content that must be broadcast in order to retain a television licence. My Bill will simply enhance those regulations to ensure that local communities are appropriately served.

My view is that if the networks are happy to run local advertising and take the money, then they should be happy to run local programming.

I will also be tabling a petition, signed by hundreds of South Australians, in support of the bill.

I commend the Bill to the Senate.

Senator LEES—I seek leave to continue my remarks later.

Leave granted; debate adjourned.

PAID MATERNITY LEAVE SCHEME

Senator NETTLE (New South Wales)

(3.54 p.m.)—I move:

That the Senate—

(a) notes that 11 December 2003 marks 12 months since the federal Sex Discrimination Commissioner reported on
the need for a national maternity leave scheme and recommended a modest model for such a scheme;

(b) further notes that Australia remains one of only two Organisation for Economic Co-operation and Development countries without a national paid maternity leave scheme and that a growing number of foreign countries are now providing paid leave for fathers; and

(c) calls on the Prime Minister (Mr Howard) to commit to introduce a national paid maternity leave scheme for women and provide more support for fathers at the time a baby is born.

Question agreed to.

IMMIGRATION: DETENTION CENTRES

Senator BROWN (Tasmania) (3.54 p.m.)—I move:

That the Senate calls on the Government to:

(a) immediately close the detention centres on Nauru and Manus Island and bring all detainees to mainland Australia;

(b) immediately release children and their families from asylum-seeker detention centres in Australia;

(c) end the temporary protection visa system, and instead provide permanent protection for proven refugees; and

(d) introduce a process involving humanitarian visa solutions for those stuck in limbo in long-term detention.

Senator MACKAY (Tasmania) (3.55 p.m.)—by leave—I understand from Ms Nicola Roxon’s office that there have been many attempts to contact Senator Brown’s office with respect to this motion, particularly pertaining to an amendment. I am advised that those attempts have not been successful. If Senator Brown is intent on pursuing this today then we have no choice but to oppose it. Although we do agree with the overall thrust of the motion, we are not happy with the wording. Ms Roxon’s office has made many attempts. I understand that it is busy at this time of year, but I ask Senator Brown to perhaps take that into consideration or perhaps provide a response.

Senator BROWN (Tasmania) (3.56 p.m.)—by leave—Senator Mackay is right, and my office has been responding to that. One of the sticking points has been the call in this motion to end the temporary protection visa system and instead provide permanent protection for proven refugees, and humanitarian visas. We are not able to reach agreement on that. The Greens are very strong on that. I am afraid we were not able to accommodate Labor.

Question put:

That the motion (Senator Brown’s) be agreed to.

The Senate divided. [4.01 p.m.]

(The Deputy President—Senator J.J. Hogg)

Ayes............ 9
Noes............ 36
Majority....... 27

AYES

Allison, L.F. * Brown, B.J. Greig, B. Nettle, K. Stott Despoja, N.
Bartlett, A.J.J. Cherry, J.C. Murray, A.J.M. Ridgeway, A.D.

NOES

(a) notes that in October 1992, the United Nations General Assembly declared 3 December to be the International Day of Disabled Persons, which has since been renamed in Australia as the International Day of People with a Disability;

(b) notes further:

(i) the enormous contribution that people with disabilities, their families and carers make to their individual communities and the development of the entire Australian community, and

(ii) that this often occurs within a context of ongoing discrimination, disadvantage, and economic and social hardship; and

(c) calls on the Government to undertake a leadership role by ending all forms of discrimination against people with disabilities through the development of a comprehensive International Human Rights Convention for People with Disabilities.

Question agreed to.

SEPON MINE PROJECT

Senator NETTLE (New South Wales) (4.04 p.m.)—I move:

That there be laid on the table, by 3 pm on 4 December 2003, those parts of the audit report on the Sepon mine project in Laos referred to by the Minister for Finance and Administration in his statement to the Senate on 25 November 2003 which relate to the environmental and social impacts of the project.

Question agreed to.

COMMITTEES

Rural and Regional Affairs and Transport Legislation Committee

Extension of Time

Senator McGAURAN (Victoria) (4.05 p.m.)—At the request of Senator Heffernan, I move:

That the time for the presentation of the following reports of the Rural and Regional
Affairs and Transport Legislation Committee be extended to 11 March 2004:

(a) the administration of the Civil Aviation Safety Authority;
(b) the import risk assessment on New Zealand apples; and
(c) the administration of AusSAR in relation to the search for the Margaret J.

Question agreed to.

SENATE: STANDING ORDERS

Senator IAN CAMPBELL (Western Australia—Minister for Local Government, Territories and Roads) (4.05 p.m.)—I move:

That paragraph (1) of standing order 115 be amended to read as follows:

115 (1) After the second reading, a bill shall be considered in a committee of the whole immediately, unless:
(a) the bill is referred to a standing or select committee; or
(b) no senator has:
(i) circulated in the Senate a proposed amendment or request for amendment of the bill, or
(ii) required in debate or by notification to the chair that the bill be considered in committee of the whole.

Question agreed to.

BUDGET

Consideration by Legislation Committees

Meeting

Senator IAN CAMPBELL (Western Australia—Minister for Local Government, Territories and Roads) (4.05 p.m.)—I move:

(1) That estimates hearings by legislation committees for the year 2004 be scheduled as follows:

2003-04 additional estimates:
Monday, 16 February and Tuesday, 17 February and, if required, Friday, 20 February (Group A)

2004-05 Budget estimates:
Monday, 24 May to Thursday, 27 May and, if required, Friday, 28 May (Group A)
Monday, 31 May to Thursday, 3 June and, if required, Friday, 4 June (Group B)
Monday, 1 November and Tuesday, 2 November (supplementary hearings—Group A)
Wednesday, 3 November and Thursday, 4 November (supplementary hearings—Group B).

(2) That the committees consider the proposed expenditure in accordance with the allocation of departments to committees agreed to by the Senate.

(3) That committees meet in the following groups:

Group A:
Environment, Communications, Information Technology and the Arts
Finance and Public Administration
Legal and Constitutional
Rural and Regional Affairs and Transport

Group B:
Community Affairs
Economics
Employment, Workplace Relations and Education
Foreign Affairs, Defence and Trade.

(4) That the committees report to the Senate on the following dates:
Wednesday, 24 March 2004 in respect of the 2003-04 additional estimates, and
Thursday, 17 June 2004 in respect of the 2004-05 budget estimates.

Question agreed to.
FORESTRY: LOGGING

Senator BROWN (Tasmania) (4.06 p.m.)—I ask that general business notice of motion No. 740 today, which calls for the end of logging in the Tarkine in Tasmania, be taken as a formal motion.

The DEPUTY PRESIDENT—Is there any objection to this motion being taken as formal?

Senator O’Brien—Yes.

The DEPUTY PRESIDENT—There is an objection.

Suspension of Standing Orders

Senator BROWN (Tasmania) (4.07 p.m.)—Pursuant to contingent notice, I move:

That so much of the standing orders be suspended as would prevent Senator Brown from moving a motion relating to the conduct of the business of the Senate, namely a motion to give precedence to general business notice of motion no. 740.

The motion reads:

That the Senate calls on the Prime Minister (Mr Howard) and the Leader of the Opposition (Mr Latham) to promote reform policies to halt logging of the Tarkine, which contains Australia’s largest temperate rainforest.

At the outset, I thank Senator O’Brien for again giving the critical situation of the woodchip destruction of Tasmania’s forests the opportunity to be debated in the Senate. Even though we only have five minutes each, I will try to outline what a disaster the encroachment on the Tarkine and adjacent regions is. Firstly, I want to pay tribute to the citizens of the locality who blockaded the encroachment by Forestry Tasmania and Gunns Pty Ltd onto the Eagle Hill—

Senator Ferguson—Another stunt.

Senator Lightfoot—Rent-a-crowd.

Senator BROWN—Government members say that what Gunns and Forestry Tasmania are doing is a stunt; I can tell you it is not. It is reality—and, if you lived in the area, you would find it would be much worse than a stunt. I quote from the Advocate newspaper’s coverage of the logging protest on Monday:

PROTESTERS prevented logging at Eagle Hill yesterday—

this is just on the northern edge, outside the strictly-termed Tarkine but part of the Tarkine rainforest extent—

in a show of support for a proposed eco-tourism venture at the edge of the area known as the Tarkine.

Plans for a wilderness lodge by Phantom Farm owners Maree Jenkins and Richard Summers were crushed last month when they lost their fight to have the Eagle Hill area spared from logging.

After unsuccessful negotiations with Forestry Tasmania and Timber Communities Australia—which is a front for the logging industries—

Ms Jenkins said the protest was an act of desperation to secure a logging moratorium.

Although the protest was never intended to be a blockade, Forestry Tasmania workers steered clear of the area.

Ms Jenkins said the proposed lodge would be reliant on the views of the Eagle Hill escarpment which, she claimed, would be destroyed with clear felling.

“Forestry Tasmania and Gunns are clear felling this coupe for woodchips. There’s only 3.4 p.c. that’s going to go into sawlogs and the rest will go to woodchips,” she said.

“It’s a shame for the tourism industry in Tasmania and about time the Government really had a good hard look at what the timber industry is doing to tourism operators like myself.”

The protest enraged Forestry Tasmania—and on it goes. The point to be made here, as with the Styx yesterday, is that there are far more jobs in Tasmania—and they are perpetual jobs—to be made out of proudly presenting great places like the Tarkine and its adjacent rainforest to the world than encroaching
upon them, as is currently happening with Gunns Pty Ltd. It also has a sawmill, which takes a very tiny amount of the timber compared to the woodchips, which are over 90 per cent. If there is a difference in opinion or figures on that, Kerry O’Brien, when he gets to his feet in a moment, will be able to—

The DEPUTY PRESIDENT—You should refer to the senator by his correct title.

Senator BROWN—The senator will get to his feet in a moment and will, no doubt, give the correct figure. But I think we will find that the amount of forest being destroyed by woodchipping—and we got this in the news yesterday—has now gone above five million tonnes for Tasmania, with 150,000 log trucks a year. One of the prime targets is the north-west of Tasmania, including the Tarkine. Some areas of the south of the Tarkine were kept from logging—the 17,000 or 20,000 hectares of the Savage River National Park, which is a very small percentage of this 400,000-hectare area. Other areas were given over to mining but not logging. In the northern and eastern areas, intense logging continues. Now Britton Brothers at Smithton want to move into the heart of the myrtle rainforest.

At the Press Club at lunchtime, we had a very eloquent exposition by Peter Cundall, the doyen of gardening and things organic, on what drives the bulldozers and chainsaws into the rainforest. He put the driving factor for the destruction of Tasmania’s grand forests—despite the economic and long-term advantages of not doing that—down to one word. That word is ‘greed’: g-r-e-e-d. (Time expired)

Senator O’BRIEN (Tasmania) (4.12 p.m.)—It was interesting that Senator Brown’s motion talked about the Tarkine but then he extensively discussed an area that he conceded was outside the Tarkine. I want to address this matter because yesterday’s motion—the motion that Senator Brown produced in a handwritten form for the Senate; he obviously dashed it off just so that he was sure he had something that would come up today—

Senator Brown—Can you handwrite too?

Senator O’BRIEN—Certainly I handwrite too. Sometimes I do it when I am in a rush and I want to get something before the Senate. The point I make is that Senator Brown was doing just that: he wanted something today—

Senator Brown—He does his own motions too.

Senator O’BRIEN—Oh, Senator Brown does his own motions—well, I am pleased to hear that because I would not want to be saying this if I thought that you did not endorse the motion that you put before the Senate, but you obviously do. This was just another stunt in an attempt to destroy the forest industry in Tasmania and the jobs of 10,000 Tasmanians. It calls on:

... the Prime Minister (Mr Howard) and the Leader of the Opposition (Mr Latham) to promote reform policies to halt logging of the Tarkine ...

Policies are in place to adequately protect environmental values in the area referred to as the Tarkine. The Tarkine, firstly, is not a defined area on any official map. It is a construct of Senator Brown’s and his colleagues in the Greens to provide an emotional label to an area of north-west Tasmania which he would have the community and the media believe is unprotected and under immediate threat from logging.

There is, however, a place on the Register of the National Estate called ‘the Tarkine wilderness area’. It lies in north-west Tasmania, roughly between the Murchison Highway to the east, the Indian Ocean to the west, the Arthur Highway to the north and the Pieman River to the south. If one considers that area to be a reasonable representation of
where ‘the Tarkine’ might be, one finds that it covers an area of approximately 334,000 hectares, or five per cent of Tasmania. It is transected by several major roads and the Australian bulk minerals Savage River iron ore pipeline and maintenance road. This area contains the township of Corinna, many former mines and tracks, some logged and regenerated forests, coastal shack settlements and some private land. About 240,000 hectares, or 75 per cent of this area, is in reserves in which no logging is permitted, including the 17,000-hectare Savage River National Park, the 102,000-hectare Arthur-Pieman Conservation Area, the 30,000-hectare Donaldson River nature recreation area and the 67,000-hectare Meredith Range Regional Reserve. Mr Deputy President, most of these reserves were created as a result of—you guessed it—the Tasmanian Regional Forest Agreement and include vast areas of rainforest, eucalypt forests, rivers, mountain ranges, coastal areas, Aboriginal heritage sites and wilderness—in short, the sorts of scenes that you see in Wilderness Society calendars, films and posters.

It is planned to log only 10 per cent of the Tarkine. Parts of it have already been logged. Most of the future logging is within designated special timbers management zones allocated specifically for the long-term supply of Tasmanian fine timbers such as myrtle, blackwood, sassafras and celery-top pine for use by the furniture and craft industries. Harvesting in these areas will be small-scale, selective operations based on 30 years of research into the best way of harvesting these stands. There will be no clear-felling, no burning and no plantations in these areas. Places such as the Hellyer Gorge, Dip Falls and Eagle Hill near Meunna—where there was a blockade organised by the Tarkine National Coalition this week—are regularly portrayed by the Greens and their supporters in the Tasmanian media as being part of the Tarkine and as being under threat from logging. None of these places is in the area listed by the Australian Heritage Commission as being the Tarkine wilderness. They are many kilometres away.

I go back to the statistic that 75 per cent of the area is protected and remind the Senate that yesterday I referred to the Canadian boreal sub-Arctic forest area where environmentalists have acclaimed 50 per cent of that area being protected from logging. The Tarkine in Tasmania is 75 per cent protected. But that is not good enough for the Greens; that is not good enough for Senator Brown. As I said at the outset, they want to destroy the timber industry in Tasmania and the jobs of 10,000 Tasmanians. To do that they are prepared to misrepresent coupes in Tasmania as being part of the Tarkine when the facts show that they may be just outside it or they may be a long way outside it. Let us look at the statistics, but they are outside the Tarkine. (Time expired)

Senator IAN CAMPBELL (Western Australia—Minister for Local Government, Territories and Roads) (4.17 p.m.)—It is quite clear—from the performance of the Labor Party in government in Tasmania, the Labor Party in government here in the national capital up until 1996, and the coalition government since 1996—that a number of people who are very strongly committed to improving Australia’s forest conservation practices have put enormous policy effort into this area over a period of more than a decade. I give credit to people like former minister David Beddall, former environment minister John Faulkner and a range of other former environment ministers, including Senator the Hon. Graham Richardson and our own forestry ministers and environment ministers, including Senator the Hon. Robert Hill and his successor David Kemp. But I give credit mostly to Robert Hill because he was in charge of the implementation of the
national forest policy statement, which was a process and an agreement we inherited from the then Labor government.

Many ministers, many dedicated people in the conservation movement—and the environment movement more generally—and officers within the Commonwealth and state bureaucracies expended enormous energy and were enormously dedicated to creating for Australia a conservation system for our forests that is nothing other than world standard. That occurred across the political divide. Senator Brown would have us believe that he is the only person who cares about Australia’s forests and that there is a sort of conspiracy between the major parties on this. The reality, however, is that this is a result of the hard work by politicians from both political parties with no help at all from the Greens. All the Greens have been able to do in this time is to pull stunts. They have not achieved a single outcome in any of this. All they have done is to be wreckers, whingers, carpers and stunt pullers. They have not saved a single tree but they want to destroy all the jobs.

What have we achieved? As I said in a similar debate yesterday, 95 per cent of Tasmania’s high-quality wilderness is now protected in reserves and is not available for timber harvesting. The people of Australia need to know that. That is the achievement of this government in implementing, in good faith, the agreement signed under the national forest policy agreement. What else does it mean? It means that 70 per cent of the Arthur-Pieman Conservation Area—within which the Tarkine area is located—is reserved for conservation purposes, which means there is no timber harvesting. Senator Brown would have us and the Australian people believe that we could kill the timber industry entirely and therefore import more timber. I think we are already importing about $1 billion worth of timber products from other parts of the world. So presumably Australia’s need for timber, which is a wonderful renewable resource and a sustainable industry, would be closed down. That would kick 86,000 people out of jobs, and Senator Brown would have you believe they could get jobs in ecotourism.

Senator Brown—Mr Deputy President, I rise on a point of order. We export twice as much timber as we import. I just thought I would correct him on that one.

The DEPUTY PRESIDENT—There is no point of order.

Senator IAN CAMPBELL—The Australian government believe that ecotourism is important. It is a wonderful industry for Australia but to pretend you can shut down a sustainable, renewable industry like timber harvesting and replace it with ecotourism is absolutely loony land. The government provide $3 million in funding for the development of tourism infrastructure under the Tasmanian Regional Forest Agreement. We believe that tourism can make a contribution. It certainly provides a great boost for local economies. But only someone who seeks to deliberately mislead the Australian people would have them believe that ecotourism can entirely replace the timber industry. The two live side by side very successfully in many parts of Australia. We have sought and struck a very good balance for the conservation of forests in Australia and for our economy. That is a balance that Senator Brown would upset. All I can say is: let those who want balance to preserve—(Time expired)

Senator MURPHY (Tasmania) (4.22 p.m.)—I feel it is appropriate given my long-standing interest in forestry, both in my home state of Tasmania and nationally, that I say a few words in this debate on the suspension of standing orders and, more particularly, on Senator Brown’s proposal relating to the logging of the Tarkine and some of the
responses that have been given by the Labor Party and the government. I will say from the outset that I do not support Senator Brown’s proposal, but both the government and the opposition in their contribution to this suspension debate have said things that really do not represent the facts.

I agree with one comment that Senator Ian Campbell made: there has been a reasonable balance struck between conservation of Australia’s forests—or, in this case, Tasmania’s forests—on the one hand and commercial forest activity on the other. But the big problem for the forest industry is the way it is dealing with the resource available to it. That is the principal problem. It is a problem that was neither recognised nor dealt with by the previous federal Labor government and has not been recognised or dealt with by this government. It has not been recognised or dealt with by the state Labor government, and it appears that they are unlikely to do so.

Contrary to the claims that we have been growing employment in the forest industries, we have in fact been losing hundreds, if not thousands, of jobs. We have a plantation based strategy that lends itself not to the long-term interests of the development of the forestry manufacturing industry in this country but rather to the export industry in the form of either woodchips or log exports. In Tasmania at the moment, as Senator O’Brien would know, we have an oversupply of sawlogs that are being woodchipped. We have been exporting sawlogs and other logs as per the specifications set by Forestry Tasmania to China and Korea. We have been doing that for over 10 years on the basis that there would be some development with either the Koreans or the Chinese enabling the setting up of rotary peeling veneer factories in Tasmania.

The Tasmanian public have been misled and duped time and time again with respect to industry development in the state. The most recent way was by the claim that a pulp mill would be built. It beggars belief that Commonwealth governments, Commonwealth opposition parties and state governments cannot come to grips with the reality of the global forest industry and its development around the world. Sooner or later, at a federal level, the government will wake up. I do not believe the Tasmanian state government has the capacity to wake up; time will pass it by. All the while we have Senator Brown and the conservation movement trying to chip away at the area of forest available to the industry.

I respect Senator Brown’s right to do that, but all the while the industry will continue to suffer because it has never been given the appropriate support and direction to develop itself into an industry that is of world’s best practice. Until that happens, we will continue to have Senator Brown moving these types of motions and seeking the suspension of standing orders. That is a ridiculous situation for the industry to be in, because they are the ones that ultimately lose. As I said, the sooner governments wake up and deal with this issue appropriately, the better off we all will be.

Question put:
That the motion (Senator Brown’s) be agreed to.

The Senate divided. [4.31 p.m.]
(The Deputy President—Senator J.J. Hogg)

<table>
<thead>
<tr>
<th>Ayes</th>
<th>8</th>
</tr>
</thead>
<tbody>
<tr>
<td>Noes</td>
<td>42</td>
</tr>
<tr>
<td>Majority</td>
<td>34</td>
</tr>
</tbody>
</table>

AYES

Bartlett, A.J.J. Brown, B.J.
Cherry, J.C. Greig, B.
Murray, A.J.M. Nettle, K. *
Ridgeway, A.D. Stott Despoja, N.
Senator CROSSIN (Northern Territory) (4.34 p.m.)—On behalf of the Scrutiny of Bills Committee, I present the 15th report of 2003, dated 3 December 2003, of the Senate Standing Committee for the Scrutiny of Bills. I also lay on the table the Scrutiny of Bills Alert Digest No. 16 of 2003, dated 3 December 2003.

Ordered that the report be printed.

Senator CROSSIN—I move:

That the Senate take note of the report.

As senators are aware, the Scrutiny of Bills Committee considers legislation to ensure that it complies with appropriate civil liberties and principles of administrative fairness. It does this by bringing to the attention of the Senate provisions in bills that may infringe upon personal rights and liberties or delegate legislative powers inappropriately or without sufficient parliamentary scrutiny.

The committee has consistently raised concerns with provisions that allow persons to enter and search premises. These powers are essentially creations of statute and intrude on fundamental liberties that the common law protects. As such, they are exceptional powers and should only be included in legislation for compelling reasons. After commenting on these provisions for a number of years, the committee, under the chairmanship of Senator Cooney, undertook a detailed examination of these powers and tabled a report on 6 April 2000 that set out a series of principles against which all entry and search provisions should be judged. It has taken the government well over three years to table a response to our report, with the response having been tabled on 27 November 2003. Although the response was somewhat delayed, the committee thanks the Attorney-General for it.

A considerable period of time has lapsed since the committee considered the broader issues of the use of search and entry powers in Commonwealth legislation, and legislation has continued to provide for these powers, the most notable being in the antiterrorism bills considered this year. We therefore believe that there would be merit in giving further consideration to this matter with another re-examination of the issues.

Question agreed to.

FINANCIAL SERVICES REFORM AMENDMENT BILL 2003

Report of Economics Legislation Committee

Senator BRANDIS (Queensland) (4.37 p.m.)—I present the report of the Economics Legislation Committee on the Financial Services Reform Amendment Bill 2003 and certain associated regulations, dated December 2003, together with the Hansard record of
proceedings and documents presented to the committee.

Ordered that the report be printed.

Senator BRANDIS—I move:

That the Senate take note of the report.

I want very briefly to make two remarks about the report that has just been presented. Firstly, the Senate will note the recommendation of the committee that the legislation proceed as a matter of urgency. I think it is right to say that all but one of the witnesses who gave evidence at the hearings emphasised the urgency of the legislation proceeding in this session of parliament and spoke to the very grave consequences for the industry were the legislation not to proceed in this session of the parliament.

Secondly, I see that Senator Conroy is in the chamber. I want to say something about the rather unusual circumstances in which the hearing terminated last Monday evening, as revealed at page 26 of the Hansard report. The senators in attendance during the course of the evidence of a series of witnesses were Senator Conroy, a participating member of the committee and of course the opposition shadow spokesman with responsibility for the bill, and me as the chairman. As each of those witnesses presented their opening statement, Senator Conroy indicated that he had no questions for them. At a point at which there remained two brackets of witnesses still to give evidence—that is, officers of Treasury, all of whom I assume were resident in Canberra, but more importantly, officers of ASIC, all of whom had taken the trouble to come to Canberra for the day—Senator Conroy inquired of me, as the Hansard records, what the situation would be in relation to the quorum of the committee were he to withdraw. I indicated to him that, unless an opposition senator were present, the committee would be rendered inquorate. At that point, Senator Conroy withdrew.

The committee became inquorate. I sought the advice of the committee secretary, and standing order 29(2), which I will read quickly, provides:

If a senator draws attention to the lack of a quorum at a meeting of a committee, the proceedings shall be suspended until a quorum is present, or, if a quorum is not present after 15 minutes, the committee shall then be adjourned.

We waited for more than 15 minutes for the appearance of an opposition senator, during which time I caused the secretariat to seek to contact the two opposition members who are full members of the committee—without success. Under the operation of the standing order to which I have just referred, the committee adjourned.

I do not want to comment on the motive of Senator Conroy in acting as he did. It is not the custom of senators to render committees inquorate so as to prevent their proceeding with their business. It was regrettable that that was done. On behalf of the committee, I think an apology is owed to those officers of Treasury and ASIC—the latter, I understood, had come from Sydney—whose time was wasted as a result of what transpired.

Senator CONROY (Victoria) (4.41 p.m.)—I would like to speak on the matters raised by Senator Brandis.

Senator Lightfoot—Speak quickly.

Senator CONROY—I will speak for as long as I like, thank you, Senator Lightfoot. Some day I hope to be able to hire Senator Brandis as my lawyer, because never have I seen such a barefaced and shamefaced misrepresentation of the facts. But when you are a good, paid lawyer, that is your job.

Senator Brandis—Mr Deputy President, I raise a point of order. That is a reflection on me. I have been very careful to refer to no event other than what the Hansard record that I have just tabled demonstrates to be
true. I ask you to require that reflection to be withdrawn.

The DEPUTY PRESIDENT—Senator Conroy, I would advise you to withdraw that imputation.

Senator CONROY—What is it that you require me to withdraw?

The DEPUTY PRESIDENT—I am asking you to withdraw the imputation on Senator Brandis.

Senator CONROY—I do not understand: what words?

The DEPUTY PRESIDENT—I am not in the habit, Senator Conroy, of repeating remarks such as that. I am sure you are aware of the standing orders. You understand the words that need to be withdrawn.

Senator CONROY—But I do not understand the words.

The DEPUTY PRESIDENT—Senator Conroy, make it easy for me at this hour of the afternoon and withdraw the imputation.

Senator Patterson—You cast aspersions on him.

Senator CONROY—No. I am casting aspersions on his excellent professional ability.

The DEPUTY PRESIDENT—Senator Conroy, withdraw the imputation.

Senator CONROY—Is it the word ‘misrepresen’ that you are seeking me to withdraw? You have been given a ruling by the Clerk; can you tell me whether that is the word?

The DEPUTY PRESIDENT—Senator Conroy, there is a series of words that you strung together there which need to be withdrawn.

Senator CONROY—Is that the word?

The DEPUTY PRESIDENT—Senator Conroy, I am not going to sit here now and argue with you. I am just asking you very nicely to withdraw those words.

Senator CONROY—I am simply asking what it is you want me to withdraw.

The DEPUTY PRESIDENT—As I have said, it is the imputation on Senator Brandis that I am asking you to withdraw.

Senator CONROY—I will accept your ruling and I withdraw whatever imputation—

The DEPUTY PRESIDENT—Thank you very much.

Senator CONROY—Certainly, Senator Brandis has misled the chamber. But as I said, some day I hope to be able—

Senator Brandis—Mr Deputy President, on a point of order; I have been careful to record what is in the Hansard and nothing more. The imputation that I misled the chamber is out of order and it is absolutely false, as any reading of the Hansard will reveal.

The DEPUTY PRESIDENT—Senator Brandis, on your point of order, I am in a little bit of difficulty. I was interrupted by someone else wanting to seek some advice. I will have to seek the advice of the Clerk, Senator Brandis, given that I did not hear the words uttered by Senator Conroy. Senator Conroy, the Clerk advises me that the remark was taken by Senator Brandis as being an imputation against his character. I ask you to withdraw the reference to ‘misleading’.

Senator CONROY—On the point of order—

The DEPUTY PRESIDENT—I have ruled on it. I am not going to argue with you on the point of order. You are quite entitled to put your view.

Senator CONROY—I am just seeking to know whether the word ‘misled’, which I understand has been allowed widely and on many occasions in the past, has been allowed.
The DEPUTY PRESIDENT—Again, Senator Conroy, it is not the word; it is the imputation. A better selection of words might be good advice. With your wide repertoire, Senator Conroy, I am sure you will be able to get around this minor difficulty at this moment. I just ask you to withdraw.

Senator CONROY—I will accept your ruling, Mr Deputy President—

The DEPUTY PRESIDENT—Thank you, Senator Conroy.

Senator CONROY—but I would simply make the point that I have heard the word ‘misled’ used—

The DEPUTY PRESIDENT—Senator Conroy, the point of order is now over. If you are continuing the debate, you may proceed.

Senator CONROY—I will continue my remarks.

The DEPUTY PRESIDENT—Thank you.

Senator CONROY—I have heard the word ‘misled’ used many times in this chamber. I am somewhat surprised to find that you and the clerks are ruling, all of a sudden, that the use of the word ‘misled’ is unparliamentary. I accept your ruling; I simply seek some advice from the Clerk—

Senator McGauran—Is this a point of order or a continuation of the debate?

The DEPUTY PRESIDENT—Senator McGauran, keep out of this. Senator Conroy, resume your seat. We now have Senator Paterson on a point of order.

Senator Patterson—Mr Deputy President, on the point of order: I do not want to continue this, but I want to put the record straight. The clerks do not order anything; it is the President’s or the Deputy President’s decision. I think that needs to be very clear on the record. They may take advice from the clerks, but the clerks make no decisions.

The DEPUTY PRESIDENT—Thank you, but that is no point of order. I return to Senator Conroy.

Senator CONROY—Thank you. So I would seek some clarification from the Clerk about the use of the word ‘misled’ in the future, because such a word is commonly used.

The DEPUTY PRESIDENT—Senator Conroy, I advise you that you would be wise to continue your remarks.

Senator CONROY—As always, I accept your guidance.

The DEPUTY PRESIDENT—Some of us have other commitments around this place.

Senator CONROY—As always, I accept your advice, Mr Deputy President. But, as I said, I am very entertained by Senator Brandis’s performance. Someday I hope to be able to retain you, Senator Brandis. Your straight face as you deliver the most absurd speeches is a marvel to many of us on our side of the chamber.
Senator Patterson—You are just envious because you cannot speak the way he does.

Senator CONROY—I am very pleased I cannot speak the way he does—the way in which Senator Brandis kept himself constrained so tightly to just one or two minor matters surrounding this particular farce, which was the hearing. Unfortunately, it goes back some considerable days. It goes back to last week. Senator Brandis has failed to mention a number of the events in the lead-up. Senator Brandis has not actually wanted to raise them here today because they are of some embarrassment to him, as he well knows. And they are of some embarrassment to Parliamentary Secretary Ross Cameron, as Senator Brandis also knows, because last week the government and the opposition reached an agreement about the treatment of this bill and the calling of a committee hearing. It is not a secret that an agreement was reached. Hands were shaken, so to speak, about this matter and, unfortunately, the government reneged. The government chose to renge on its commitments. That is what is at stake here. This government is not a government that keeps its word. Parliamentary Secretary Ross Cameron was humiliated in the first few weeks of his job—

Senator Brandis—Mr Deputy President, I rise on a point of order. It is now a reflection on Mr Cameron—that he is somebody who has reneged, who has not kept his word. I think you ought to rule that out of order. Mr Deputy President, while I am on my feet, allow me for 30 seconds to read the Hansard to demonstrate that what Senator Conroy said earlier was simply wrong.

The DEPUTY PRESIDENT—No, Senator Brandis, you have taken a point of order. There is no point of order.

Senator CONROY—This government humiliated Parliamentary Secretary Ross Cameron, because Mr Cameron, in good faith, gave his word. He gave it to me in front of Senator Brandis. Senator Brandis knows this. So the government came into the chamber, swept aside the agreement that had been in place and rammed in a hearing of the Senate Standing Committee on Economics. The government claimed that all the witnesses that could possibly be invited had been invited and contacted, they were all prepared to come—we can read you back the Hansard if you like, Senator Brandis—and they were all able to come. It was not until the Monday afternoon that we suddenly discovered that a whole range of witnesses were not even able to be contacted in time, never mind offered the opportunity. Key witnesses who would have provided very credible and important evidence to the committee were unable even to be contacted by the secretariat because there was not time.

One of the key witnesses who was able to turn up was unable to give an opinion on a raft of the matters before the committee, simply because they had not had time to finalise preparations for the hearing, and was somewhat embarrassed about it. The people who should have been embarrassed were not the witnesses. The people who should have been embarrassed were the government—Senator Brandis and Parliamentary Secretary Cameron. I think Mr Cameron is embarrassed. It is only that legal training and that marvellous voice we have heard Senator Patterson opining on which stop Senator Brandis too from demonstrating his embarrassment at the turn of events.

The government rammed through this hearing. There was insufficient time to notify witnesses, there was insufficient time for witnesses to prepare their submissions and there was not even sufficient time during the day for this government and its members to provide a chair for the committee. You see the committee, as Senator Brandis would know if he had read back a few pages in the
**Senator Brandis**—Mr Deputy President, I raise a point of order. That is not right either. In fact—

The DEPUTY PRESIDENT—Senator Brandis, resume your seat. There is no point of order.

Senator Brandis—The point of order is that Senator Conroy again misled the chamber.

The DEPUTY PRESIDENT—Senator Brandis, that is not a point of order. If you want to debate the issue—

Senator Brandis—Indeed, the suspension to which Senator Conroy refers was the time when he was on the telephone again trying to get the numbers for Mr Beazley.

The DEPUTY PRESIDENT—Sit down, Senator Brandis.

Senator Lightfoot interjecting—

The DEPUTY PRESIDENT—We are a long way off your report, Senator Lightfoot.

Senator CONROY—I am glad to see that the po face of Senator Brandis has finally cracked and that he cannot contain his embarrassment and blushes any longer.

Senator Brandis—I’m very amused by the gloss you put on the suspension. Senator Conroy, when you were trying to get the numbers for your failed candidate.

Senator Crossin—You’ve had too much red cordial.

Senator CONROY—He has. But I am glad that we have brought Senator Brandis to life, because we much prefer him lively than with his po-faced lawyer face on. The government was not able to keep the committee quorum itself. I was left sitting in the room by myself while the committee chairs all vanished. And they come into this chamber and try to have a crack at me, saying I deprived the meeting of a quorum! I also had other business that day. It may or may not have been to do with the matters Senator Brandis is interjecting about—it actually was not.

The farce of this committee hearing was that the government lined up all its stooges who support the bill and raced them through. I barely asked a question in 2½ hours of presentations supporting the bill. We were only able to garner one other witness, who was embarrassed many times by having to say, ‘I’m sorry, I haven’t had a chance.’ This was an absolute farce. The government just wheeled its witnesses in—all the stooges who want concessions from the bill. Anyone who might have had an opposing view either could not be contacted, could not get there or—through no fault of their own—could not prepare a full and adequate submission. So let us not try to pretend that there were some unusual circumstances.

Senator Ian Campbell came into this chamber to ram the motion through parliament. He rolled Ross Cameron. He rolled Senator Brandis as well, mind you. Senator Brandis, a man of honour, was rolled. He gave his word and he was part of the deal. He was rolled by a man who continually demonstrates what an excellent real estate agent he was. We are now able to have the truth come out that this government pulled a stunt—it forced the bill in to look after the
big end of town and a few of its mates. The big end of town is continually watering down the noble ambitions of former Minister for Financial Services and Regulation Joe Hockey in what was a noble cause: the Financial Services Reform Act.

This bill now looks more like a Swiss cheese than any other piece of legislation I have dealt with in my parliamentary career. There are so many holes in it that I could drive the semitrailer of one of my old friends from the TWU through it. Every pleading interest that appeared before this committee has got the government to roll over for it, bar one. Only one group has been unsuccessful in getting the government to cave in. So the noble ambitions of former Minister Hockey have been trampled on by the real estate agent. They have been trampled on by government procedure—by the use of its numbers. The government is not interested in a fair dinkum discussion of the bill, so do not come in here crying poor. This government could not even maintain a quorum to ram its own bill through; so please, Senator Brandis, let us at least have some honesty in the debate.

Senator STEPHENS (New South Wales) (4.57 p.m.)—I would like to make some comments about the minority report of the Senate Economics Legislation Committee on the Financial Services Reform Amendment Bill 2003, if I may.

Senator Patterson—That will be refreshing, after that performance.

Senator STEPHENS—Yes, it is a bit difficult but I will try. I want to reiterate that the Labor members of the committee are very concerned that the government continues to make substantial changes to a key piece of amending legislation in relation to the financial services reform regime, with little opportunity for scrutiny or debate. I draw the attention of my colleagues to the fact that as of yesterday, 2 December, the ASIC web site noted that there were only eight days to go until 10 December, after which there is no guarantee that participants will be licensed by 10 March 2004—which is of course the critical date.

Although the March 2004 deadline is approaching, the government brought the bill on for debate in the House of Representatives on 5 November. In addition, the last batch of amendments was posted on the Treasury web site on 23 October, whilst the latest batch of regulations was provided by Treasury only in late October. Further regulations are expected to follow, so there is a level of uncertainty within the industry about what is still to come. I know that some members and senators are concerned that, unless we rush this through, the industry will not have time to prepare; but that argument really does not stack up if the government is actually still drafting some regulations.

It is very important for people to understand clearly that Labor are concerned about these amendments. Labor support the objectives of the Financial Services Reform Act 2001. We are keen to ensure that the government monitors the implementation of the act and the related regulations, but we believe that a post-implementation review is important to make sure that what has been put in place is effective in achieving the intended aims of the reforms. What Labor believe needs greater clarification is whether the proposed stockbroker exemptions strike an appropriate balance between commercial expediency and consumer protection. This was raised in the debate in the House of Representatives by Alan Griffin and, despite being dismissed out of hand by the parliamentary secretary, Mr Cameron, it is a concern of consumers that has been raised with some members of the committee.
Labor also want to be clear about whether the dollar disclosure regime will enhance or detract from the disclosure regime and whether it is appropriate to restrict the use of certain terms, such as 'independent', in the manner contemplated by the regulations. As we have heard already, the way in which this inquiry was conducted—with short notice to witnesses and an incomplete hearing—means that not all the issues were canvassed by the committee. We see that the financial services regime is structured so that much of the detail is included in the regulations. We know the dangers of being asked to pass legislation without knowing how the amendments will operate in practice, as the detail to be contained in the regulations is outstanding—and, as is so often the case, the devil may well be in the detail.

I would like to make some brief comments about the stockbroker exemption issue as well. Currently, section 946B relates to 'execution related telephone advice', referred to in the explanatory memorandum as ERTA. That will be replaced by a new term, 'further market related advice', in the latest amendments. We support the general approach taken by the amendments and recognise the practical difficulties faced by advisers in a live market situation. The further market related advice may be given over the telephone, by fax or by email, but the advice must be given in a live market situation. The key amendments to section 946B will mean that, although the client will be given a statement of advice initially, the provider will be exempt from the requirement to give a statement of advice for further market related advice. We have heard the argument that this makes sense, especially for stockbrokers, but it is fair to say that Labor want to be sure that we are delivering a balance between protecting consumers and responding to commercial needs. I do not think that that is an unreasonable proposition.

Section 945A creates a general obligation for entities to have a reasonable basis for any personal advice given which, according to the explanatory memorandum, requires them to determine the client’s relevant personal circumstances. The Labor members of the committee are concerned that this general requirement may not be sufficient in this context. For example, it is unclear how an adviser such as a stockbroker would be aware whether a client’s circumstances had in fact changed. We therefore believe that the new provision should include a requirement that the broker go back to the client at least annually to check whether their circumstances have changed. As noted in the minority report, even though the broker is no longer required to provide a statement, they are still required to make other disclosures in relation to issues such as remuneration and conflicts of interest.

In relation to dollar disclosure, we acknowledge that the Corporations Amendment Regulations 2003 (No. 8) and Statutory Rules 2003 (No. 282), previously known as batch 5, are of concern to the superannuation and funds management industry, as they introduce a new fee disclosure regime. Disclosure documents under the FSR Act, such as statements of advice, product disclosure statements and periodic statements, are required to include details of benefits, fees and charges. While the FSR Act requires parties to provide information about these charges, what exactly needs to be disclosed? The explanatory memorandum to the regulations says:

The lack of clarity in this requirement may potentially result in details of these items being provided in a form that may be considered sub-optimal from the consumer comprehension viewpoint. Accordingly, these regulations require industry to disclose items in dollar terms in the first instance, but if this is not seen to be reasonably
practicable then the item is required to be disclosed in percentage terms.

Is it possible that the ‘reasonably practicable’ test will allow providers to avoid disclosing fees and charges in dollar terms? Surely this could be the case, and certainly that is the concern of the Australian Consumers Association, which provided evidence to the inquiry. Ms Wolthuizen from the ACA said:

First of all, I think it would see not only a denial of relevant information contrary to the good disclosure principles enunciated by ASIC in PS 168 that disclosure be timely, relevant and complete, promote product understanding, promote comparison, highlight important information and have regard to consumers’ needs, but in this case it would mean consumers are unlikely to get the very information they need when it comes to comparing different funds and the cost in particular of investing with different funds and different products.

People have a much poorer understanding of disclosures presented in percentage terms and we should not underestimate the importance of disclosure in dollar terms, because this is what consumers understand. Arguments that enhanced fee disclosure will increase costs are countered by Professor Ramsay in his report to ASIC entitled Disclosure of fees and charges in managed investments, where he suggests that fee disclosure is particularly important in periodic statements, as they give:

… details of the value of the investment and the investor therefore has a financial incentive to review the statement.

As the ACA reminded us, the importance of disclosure is all the more important in an environment of superannuation choice. ASIC has released a fee disclosure model incorporating an at-a-glance table, which does not allow investors to compare like with like. Labor’s concerns about this approach are supported by research undertaken by the AFSA with Chant West, released in November, which found:

It is not clear that consumers will be able to understand ASIC’s fee tables or make valid comparisons of bottom-line costs.

We are very sceptical that the industry will voluntarily disclose dollar amounts, although the Treasury suggests in the explanatory memorandum that it will increase over time. Labor strongly believe that changes to the fee disclosure models are required. Finally, Labor members of the committee are concerned about the proposal in batch 6 relating to the restriction of certain terms, such as ‘independent’, and how the exemption would be granted, as well as the need for careful monitoring by ASIC of such a provision. The Labor members of the committee have reflected in the minority report our genuine concerns about the haste with which we have been required to deal with this bill and the lack of detail provided by a government still struggling to draft the appropriate regulations—hardly the best way to implement effective fiscal policy in the interests of all Australians. I predict that we will be back dealing with more amendments in relation to this bill in the not too distant future.

Question agreed to.

BUDGET
Consideration by Legislation Committees
Additional Information

Senator McGAURAN (Victoria) (5.08 p.m.)—At the request of the Chair of the Legal and Constitutional Legislation Committee, Senator Payne, I present additional information received by the committee relating to hearings on the budget estimates for 2003-04.
COMMITTEES
National Capital and External Territories Committee
Report

Senator LIGHTFOOT (Western Australia) (5.08 p.m.)—On behalf of the Joint Standing Committee on the National Capital and External Territories, I have pleasure in presenting the committee’s second report for 2003, *Quis custodiet ipsos custodes?: inquiry into governance on Norfolk Island*. I move:

That the Senate take note of the report.

This is the first of two reports on the governance and financial sustainability of Norfolk Island. It is an attempt to recommend real and meaningful reform for Norfolk Island. The overwhelming evidence, from this inquiry and previous inquiries that this committee and others have conducted, is that Norfolk Island is in deep and growing trouble and needs help. In order to ensure that real and meaningful reform does take place, the committee has chosen to deliver an unambiguous and hard-hitting report that provides a catalyst and framework for reform to begin.

The committee has no doubt that the majority of the island community are peaceful and law abiding, hardworking, conscientious, possessing a strong sense of civic duty and with an inherent ethic of supporting those in the community who may be less well off. Yet evidence available to the committee points to the fact that elements within the community are able to exploit the current governance system, with its lack of effective checks and balances, for their own ends. It has become increasingly clear that when one looks beneath the surface, informal mechanisms can, and do, operate with relative impunity.

As on previous occasions, there will be a vocal, self-interested minority on the island that will criticise the committee’s efforts and attempt to stifle considered debate on our recommendations. If history is a teacher, this minority group will organise a petition condemning the report and initiate a referendum to demonstrate popular opposition to federal government ‘interference’ in the affairs of Norfolk Island. The committee, however, has serious concerns with the practices associated with the conduct of petitions and referenda on Norfolk Island. Those opposed to real reform on the island will, undoubtedly, endeavour to stymie any attempts at reform. They will seek to ensure this report joins the long list of other reports by federal and Norfolk Island inquiries that have never been implemented and which now gather dust. If they succeed, the committee will have failed and failed the island community. The cause of genuine reform on Norfolk Island will be set back irrevocably, with the future of the island community seriously undermined.

In this report, the committee seeks to preserve the principle of self-government for the island and to make it more effective through the introduction of a similar range of accountability and transparency mechanisms that apply to all levels of government elsewhere in Australia. The financial or administrative burden of implementing the report’s recommendations, if they are accepted, will fall primarily on the federal government—and not the Norfolk Island government and community. The Commonwealth would bear the cost—as it should and must, given the nature of the Commonwealth’s role and responsibilities for the Norfolk Island community. Nor on any dispassionate and impartial examination of the report’s recommendations can there be any serious argument that implementation of those recommendations will have an undue cultural impact.

The findings and recommendations of the report are drawn primarily from, and are supported by, the evidence and suggestions of the Norfolk Island communities and from
previous reports, especially the Norfolk Island Legislative Assembly and the Norfolk Island government reports. This report, however, is entirely consistent with previous reports of this committee, reports of other bodies and reports of Norfolk Island committees as well. The report is also entirely consistent with federal government policy. Australia’s interest in facilitating good governance throughout the western and South Pacific must mean that all appropriate steps be taken to ensure that the same principles of good governance protect those who live in a part of Australia that happens to be in the Pacific.

The committee, therefore, hopes that this report will be used by the Norfolk Island community and the federal government as the basis for real and meaningful reform on the island. The committee will continue to take a keen and active interest in the responses to this report and in ensuring a sustainable future for the Norfolk Island community.

Mr Acting Deputy President, on behalf of the committee I would like to express our gratitude to all those who participated in the inquiry and to the staff of the secretariat—in particular to Quinton Clements, the inquiry secretary—for a very well written and researched paper. I would also like to take this opportunity to thank my committee colleagues for their work and support throughout the course of the inquiry and the reporting process. That having been said, on behalf of my committee colleagues I commend the report to the Senate.

Senator HOGG (Queensland) (5.13 p.m.)—The report of the Joint Standing Committee on the National Capital and External Territories is a very responsible report and I support the words just uttered by my colleague Senator Lightfoot. It addresses the issues, it is well structured and it is detailed. There is no doubt that it has been a long time coming and is necessary for the residents of Norfolk Island. But, most importantly, it is a unanimous report of the committee. There was no dissent at all within the committee about the recommendations in this report. That should be seen in the light that it needs to be seen, because it really gets to the heart of the problem affecting the people on Norfolk Island. There are a small group of people who say they are the voice of Norfolk Island, but they are not that at all. They mis-represent the true feelings of the people of Norfolk Island.

This report confirms very basic concerns held by the committee on very fundamental issues. I was struck by the fear and apprehension of some of the islanders to appear before the committee when it took evidence. Might I say that in my time here in the Senate there are very few people who have wanted to give their evidence before the committee in private, in camera, and then only for good business reasons or confidential reasons around security. But these people feared for their own personal safety. The unwillingness of people to be identified with their concerns on the public record was of grave concern to me and other members of the committee. I expressed my concern about in camera evidence and the need for as much to be said on the public record as was possible so that the debate around this Norfolk Island dilemma could be out in the public.

Some, a minority of islanders with vested interests undoubtedly, have trotted out in the past and will trot out the perennial red herring they use that in some way Norfolk Island is not a part of Australia and that Norfolk Islanders and Norfolk Island are intrinsically different. That is absolute arrant nonsense—that is the only way one can describe it. The report, whilst recognising the unique background of those of Pitcairn descent, fundamentally rejected the argument of some special status for the island. It clearly was, is and will remain a territory of Australia and
the responsibility for it falls within the domain of the parliament of Australia.

There clearly was a lack of transparency and accountability of the island government. You did not have to be too bright to see that. I am now going to quote from sections of the report in the time that I have left because the report itself is so well structured it sums up most of the sentiments that I would want to express anyway. At paragraph 1.3, on page 2, the report says:

The Committee has therefore focused its analysis in this report on the inadequacy of existing political arrangements and legal infrastructure, and on ways to improve and strengthen the governance arrangements for Norfolk Island.

The report goes on: The Committee has formed the view that, in the absence of proper accountability mechanisms and stronger political leadership, it is unlikely the administration of the Island will improve.

So it is about accountability and transparency lacking on that island. The report continues: The task of implementing and maintaining these review mechanisms falls singularly on the Commonwealth— as Senator Lightfoot pointed out— The Committee does not intend for the Norfolk Island Government to take on additional, costly functions, nor should a small, isolated community, such as Norfolk Island, have to shoulder the burden of regulating itself alone.

That is a quite reasonable proposition. The issue of the fear of reprisal is covered at paragraph 2.11 of the report. It says: The Committee has experience of other small, isolated communities where such phenomena do not exist and the allegations cannot simply be dismissed as the norm in such communities. Based on evidence presented to it, the Committee now has grave concerns that a culture of fear and intimidation has taken root on the Island to the detriment of the majority of the community.

Those are telling words indeed, and very condemnatory of certain practices on the island. The report at 2.12 goes on: Whether these acts are highly organised or not is immaterial. The undercurrent of intimidation and the overt criticism of those who express a different view do not sit well with the image of a participatory consensual style of politics or cohesive community life.

So the report there is very telling indeed. The report goes on to address the issue of the financial and administrative incapacity. At 2.18 the report says: A litany of problems was identified by a wide range of witnesses, most importantly, the general lack of administrative and financial capacity of the Territory Government to manage the broad range of responsibilities it has been given.

At paragraph 2.19 the report says: Inadequate auditing and public reporting falling short of even the most very basic of parliamentary and corporate governance standards was also raised as emblematic of the deeper problem.

When it came to the solution, the committee put up two propositions: the withdrawal of self-government or modifying self-government. The committee identified some essential reforms at paragraph 2.32 on page 25. It noted four, and these were:

- modification to improve accountability and financial management;
- the resumption of Commonwealth responsibility for delivery of key services and programs on-Island such as social welfare, health and immigration;
- rectify the distortions in the electoral system to open the political and administrative systems to change; and
- impose an equitable tax regime, including on income, to provide financial sustainability.

The report went on to look at the issue of good governance, and this is the key to this report. On the issue of good governance, the report clearly identified the need for transparency and accountability, efficient and ef-
ffective public administration, ethical use of public resources and individual liberty. In particular—and obviously time does not allow it here today—the report went into a number of areas where there needs to be real change made on the island. This includes codes of conduct, registers of pecuniary and non-pecuniary interests, anticorruption legislation, financial and performance audits, freedom of information legislation, privacy laws, the right for proper access to administrative tribunals and whistleblower legislation. The list goes on. There is a need for proper access to the likes of the Auditor-General of the federal parliament. Also in this report we make recommendations about the need to have the operation of the oversight of the Joint Committee of Public Accounts and Audit of this parliament, whose independence is beyond any doubt whatsoever and which performs such a marvellous role in ensuring that there is transparency and responsibility of government.

One might ask why this has not been done by the Norfolk Island government before. It has not been done by the Norfolk Island government before because, firstly, there has been a lack of will; secondly, there has been a lack of capacity; and, thirdly, it has shown no desire over a long period to achieve the minimum standards that exist elsewhere. So it has been negligent, in my view, to the citizens of Norfolk Island in not delivering decent government and decent services to the people of Norfolk Island. The people have survived totally on mythology that has been of their own making and their own creation and now is the time for this parliament to stand up, take these people on and call upon the government to act positively to protect the people of Norfolk Island and ensure that they have basic rights, basic freedoms and basic protection, which every other citizen of Australia has been entitled to over a long period.

There are many very good people on Norfolk Island. Unfortunately, they are the silent majority. Their voices are not heard and they deserve better. I think the Joint Standing Committee on the National Capital and External Territories, under the chairmanship of Senator Ross Lightfoot, have served that silent majority well. I commend the committee’s report to the Senate. People should read it in its totality to get a full appreciation of the problems that exist, according to this committee, on Norfolk Island. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

Reports: Government Responses

Senator ABETZ (Tasmania—Special Minister of State) (5.24 p.m.)—I present the government’s response to the President’s report of 26 June 2003 on outstanding government responses to parliamentary committee reports, and I seek leave to incorporate the document in Hansard.

Leave granted.

The document read as follows—

GOVERNMENT RESPONSES TO PARLIAMENTARY COMMITTEE REPORTS RESPONSE TO THE SCHEDULE TABLED BY THE PRESIDENT OF THE SENATE ON 26 JUNE 2003

Circulated by the Leader of the Government in the Senate

Senator the Hon Robert Hill
3 December 2003

A CERTAIN MARITIME INCIDENT (Select)

A Certain maritime incident

The response is under consideration.

ASIO, ASIS AND DSD (Joint, Standing)

Annual Report 2001-02

The response was tabled on 21 August 2003.

COMMUNITY AFFAIRS REFERENCES

The patient profession: time for action—Report on nursing
It is expected that the response will be tabled shortly.

CORPORATIONS AND SECURITIES (Joint Statutory)

Report on aspects of the regulation of proprietary companies

The response is being finalised and will be tabled as soon as possible.

CORPORATIONS AND FINANCIAL SERVICES (Joint Statutory)

Review of the Managed Investments Act 1988

The response is under consideration and will be tabled as soon as possible.

Report on the regulations and ASIC policy statements made under the Financial Services Reform Act 2001

The response is in the final approval stage and will be tabled shortly.

Inquiry into Regulation 7.1.29 in Corporations Amendment Regulations 2003 (No. 3), Statutory rules 2003 No. 85

The response is in the final approval stage and will be tabled shortly.

ECONOMICS REFERENCES

Report on the operation of the Australian Taxation Office

The report is being considered and a response will be tabled in due course.

Inquiry into mass marketed tax effective schemes and investor protection—Interim report

The report is being considered and a response will be tabled in due course.

Inquiry into mass marketed tax effective schemes and investor protection—Second report: A recommended resolution and settlement

The report is being considered and a response will be tabled in due course.

Inquiry into mass marketed tax effective schemes and investor protection—Final report

The report is being considered and a response will be tabled in due course.

A review of public liability and professional indemnity insurance

The response is being finalised and will be tabled shortly.

ELECTORAL MATTERS RELATIONS (Joint, Standing)

The integrity of the electoral roll: Review of ANAO report no. 42 2001-02

The response was tabled on 16 October 2003.


The response was tabled on 16 October 2003.

EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION REFERENCES

Education of students with disabilities

The response was presented out of session on 9 July 2003 and tabled on 11 August 2003.

Small business employment

The response was tabled on 21 August 2003.

ENVIRONMENT, COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS REFERENCES

Inquiry into Gulf St Vincent

The draft response has been updated and will be tabled shortly.

The value of water: Inquiry into Australia’s urban water management

Consultations on a draft response are nearing completion. A draft should be available for ministerial consideration before the end of 2003.

FINANCE AND PUBLIC ADMINISTRATION REFERENCES

A funding matter under the Dairy Regional Assistance Programme

The response was tabled on 27 November 2003.
FOREIGN AFFAIRS, DEFENCE AND TRADE (Joint, Standing)

Visit to Australian forces deployed to the International Coalition Against Terrorism

The response was tabled on 9 October 2003.


The response was tabled on 16 October 2003.

FOREIGN AFFAIRS, DEFENCE AND TRADE REFERENCES

Japan: Politics and society

The response was tabled on 30 October 2003.

Materiel acquisition and management in Defence

The response was tabled on 9 October 2003.

INFORMATION TECHNOLOGIES (Select)

In the public interest: Monitoring Australia’s media

The government is currently preparing a response.

LEGAL AND CONSTITUTIONAL LEGISLATION


The government will respond to the report during the Senate’s consideration of the Australian Human Rights Commission Legislation Bill 2003.

LEGAL AND CONSTITUTIONAL REFERENCES

Inquiry into sexuality discrimination

The response to the report will be provided after further consideration

MIGRATION (Joint, Standing)

2003 Review of Migration Regulation 4.31B

The report is being considered and a response will be tabled in due course.

NATIONAL CAPITAL AND EXTERNAL TERRITORIES (Joint, Standing)

In the pink or in the red? Health services on Norfolk Island

The response will be finalised following the completion of two related inquiries.

Norfolk Island electoral matters

The response will be finalised following further consultations and consideration of Norfolk Island electoral reforms.

NATIONAL CRIME AUTHORITY (Joint Statutory)

The law enforcement implications of new technology

The response was tabled on 27 November 2003.

NATIVE TITLE AND THE ABORIGINAL AND TORRES STRAIT ISLANDER LAND FUND (Joint Statutory)

Second interim report for the s.206 inquiry: Indigenous land use agreements

The government is considering its response to the report.

PUBLIC ACCOUNTS AND AUDIT (Joint Statutory)

Corporate governance and accountability arrangements for Commonwealth Government business enterprises, December 1999 (Report No. 372)

The response to the report is expected once it has considered the findings of the “Review of Governance Arrangements of Statutory Authorities and Office Holders”.

Review of independent auditing by registered company auditors (Report No. 391)

The response is being finalised and will be tabled as soon as possible.

Review of Australia’s quarantine function (Report No. 394)

A response to the recommendations has been developed within the Department, and is now in the process of being cleared with external agencies affected by the recommendations. The report will be tabled as soon as consultations have been completed.

RURAL AND REGIONAL AFFAIRS AND TRANSPORT LEGISLATION

An Appropriate level of protection? The importation of salmon products: A case study
of the administration of Australian quarantine and the impact of international trade arrangements

Consultation with the relevant portfolios is still proceeding. The response will be tabled as soon as consultations have been completed.

The Australian meat industry consultative structure and quota allocation Interim report: Allocation of the US beef quota; Quota management control on Australian beef exports to the United States; and The Australian meat industry and export quotas

The response was presented out of session on 29 July 2003 and tabled on 11 August 2003.

Provisions of the Wheat Marketing Amendment Bill 2002

The response was addressed during the debate on the Bills which received Royal Assent on 27 July 2003.

RURAL AND REGIONAL AFFAIRS AND TRANSPORT REFERENCES

Airspace 2000 and related issues

The response was tabled on 18 September 2003.

SCRUTINY OF BILLS (Senate Standing)

Fourth report of 2000: Entry and search provisions in Commonwealth legislation

The response was tabled on 27 November 2003.

Sixth report of 2002: Application of absolute and strict liability provisions in Commonwealth legislation

The final response is expected to be tabled shortly.

SUPERANNUATION (Senate Select)

Taxation treatment of overseas superannuation transfers

The response was presented out of session on 30 September 2003 and tabled on 7 October 2003.

Provisions of Superannuation Industry (Supervision) Amendment Bill 2002 and the Superannuation (Financial Assistance Funding) Levy Amendment Bill 2002

The response was addressed during the debate on the Bills which received Royal Assent on 26 June 2003.

Superannuation and standards of living in retirement—Report on the adequacy of tax arrangements for superannuation and related policy

The government is considering the recommendations and will table a response in due course.

SUPERANNUATION AND FINANCIAL SERVICES (Senate Select)

Report on early access to superannuation benefits

The government is considering the recommendations and will table a response in due course.

TREATIES (Joint, Standing)

Extradition—a review of Australia’s law and policy (40th Report)

It is expected that the response will be tabled shortly.

The Statute of the International Criminal Court (45th Report)

The response will be tabled at the first available opportunity.

The Timor Sea Treaty (49th Report)

The response was tabled on 14 August 2003.

Treaties tabled in March 2003 (52nd Report)

The response will be finalised shortly.

DOCUMENTS

Tabling

The following documents were tabled by the Clerk:

Australian Meat and Live-stock Industry Act—


Australian Meat and Live-stock Industry (Export of Live Sheep and Goats to the Middle East) Amendment Order 2003 (No. 1).
Senator BARTLETT (Queensland—Leader of the Australian Democrats) (5.24 p.m.)—by leave—I move:

That the Senate take note of the documents.

I draw the Senate’s attention to the tabling today by me of petitions with over 66,000 names in various forms calling for a Senate inquiry into all aspects of live animal exports and calling for an end to the live animal export trade and the further development of a chilled and frozen carcass trade. This is in addition to a petition that I tabled a few weeks ago from over 20,000 people. In the last month or two there have been almost 90,000 signatures of people expressing strong concern about the live animal export trade in Australia.

I urge senators, and particularly the government, to take heed of the enormous community concern about this trade. According to the very helpful statistics on the Department of the Senate’s web site, this is clearly the largest petition by a long way that has been tables in this chamber in the last three years. It is an indication of the depth of community concern, given that these petitions were obtained in the last couple of months when the issue burst back into the public arena through the debacle surrounding the Cormo Express. I think it is about time that the government and indeed the industry took note of this community concern. It is the latest in a long line of incidents.

Senators would be aware that the live sheep trade issue was examined by a Senate committee back in the mid-1980s, and even back then there were major concerns about the animal welfare aspects of the trade. Whilst there have certainly been improvements since then, the fact remains that there are still unacceptable levels of cruelty. I believe, as I think many other people do, that the industry has had enough chances. Clearly, it is not possible to eliminate the cruelty to an acceptable level. That being the case, there needs to be a recognition that we have to start moving away from this trade and towards promoting alternatives.

I also wish the Senate to take note of the Great Barrier Reef Marine Park zoning plan because this is the only opportunity that the Senate gets to speak to it, unless we move to disallow the plan. The plan that has been tabled today—it was tabled in the other place by the Minister for the Environment and Heritage, Dr Kemp—is without doubt a very significant step forward in the protection of the Great Barrier Reef Marine Park. I congratulate the government and the minister, and particularly the Great Barrier Reef Marine Park Authority, on their efforts in this regard. I think it is also a tribute to the previous minister for the environment, Senator Hill. To some extent, he should receive significant credit for this legacy because he initiated the process some years back. It involves a comprehensive rezoning of the entire marine park. This is the first attempt to do it since the marine park was first established in 1975. It has taken many years, as it should for something so significant. There
have been a range of different consultation phases, draft plans, further consultations, further submissions, further input and, finally, the plan has been tabled here in a fairly nondescript way by the Clerk. Even though the tabling might have been nondescript, the plan is not. The plan increases the amount of protected areas—fishing and shipping-free zones—from 4.5 per cent to over 33 per cent.

As someone who comes from Queensland and who has spoken many times about the importance of the Great Barrier Reef Marine Park to Queensland—both environmentally and economically—I can say that many people, particularly those from down south, have always been astonished to hear that less than five per cent of the marine park has had protection as no take zones. To increase that to around one-third is, in anyone's language, a very significant step forward. Whilst naturally there are some areas I would prefer had more protection, particularly the ribbon reefs in the far north, the inshore reefs near Port Douglas—an area I visited not too long ago—and areas around Hinchinbrook Island, that should not negate the significant value of the overall major advance that has been made.

This does not deal with all the threats to the reef. It cannot do that— it is a rezoning plan and can only deal with zoning and use management zones; it cannot deal with issues directly such as coral bleaching, run-off from the mainland and water quality into the marine park. There are still issues, naturally, as to how those areas that are open to fishing or visitation and tourism are managed, and I emphasise that more needs to be done there. But the fact is that this provides a good foundation. I hope the government does not waste this foundation by letting some of those other issues remain unaddressed.

I would particularly like to urge the government to consider a significant boost to the funding of the Great Barrier Reef Marine Park Authority. The marine park authority is not particularly well funded, given the enormous area that it has to cover and the enormous value of the resource that it has to manage. As Minister Kemp said today, in economic terms the marine park is worth over $2.2 billion a year. If it is worth $2.2 billion a year, I think we could probably afford a few extra million dollars for the marine park authority to ensure that that incredibly valuable asset is better managed and better protected. There are certainly still issues surrounding illegal fishing, the better management of tourist numbers so the impact is minimised and further resources for scientific study so we can get a better idea of the precise nature of some of the threats and how best to deal with them.

So I urge the government to make the most of its major step forward today by putting a bit of extra money into the marine park authority to allow better management of this incredibly valuable environmental and economic asset. The authority has effectively had to do this rezoning from its existing budget. Whilst it did get special assistance at one stage, in many ways it has had to manage the marine park with a lot of financial constraints. That is something I believe the government should give closer attention to.

This is a good win for the tourism industry in Queensland. I am pleased that the concerns of the tourism industry have got more of the attention they deserve. Whilst I do not ignore the employment provided by commercial fishing, the fact is that tourism provides at least 20 times more jobs to the regions of central and Far North Queensland than commercial fishing and those jobs should not be put at risk. I am disappointed that the commercial fishing industry has come out attacking the plan, saying that some of the fishing zone closures are not justified. Science is always imprecise up to a
point, but I do not think you could have put more effort into getting a scientific basis for a rezoning than this. In fact, I would say that for those areas that do not have the protection they should, it has not been the science that has let things down; it has had more to do with the politics. That is unfortunate, but again I do not want to let those negatives get in the way of what is nonetheless a significant and major positive.

I would like to conclude by emphasising on the Democrats’ behalf that, whilst the Senate does technically have the power to disallow this, I can remove that from any possibility. I can confirm that the Democrats will not in any way support an attempt to disallow this, despite there being areas we would like to improve. This should stand as it is—a major step forward. We will continue to push for further moves forward such as possible future changes to the zoning of those areas I have mentioned and properly tackling some of the other significant threats to what is a magnificent environmental asset for Queensland—and, I will concede, for the people of Australia.

Question agreed to.

COMMITTEES

Community Affairs Legislation Committee

The ACTING DEPUTY PRESIDENT (Senator Bolkus)—The President has received a letter from a party leader seeking a variation to the membership of a committee.

Senator ABETZ (Tasmania—Special Minister of State) (5.35 p.m.)—by leave—I move:

That Senator Heffernan be discharged from and Senator Barnett be appointed to the Community Affairs Legislation Committee.

Question agreed to.

BILLS RETURNED FROM THE HOUSE OF REPRESENTATIVES

Message received from the House of Representatives agreeing to the amendments made by the Senate to the following bills:

New Business Tax System (Taxation of Financial Arrangements) Bill (No. 1) 2003

TRADE PRACTICES LEGISLATION AMENDMENT BILL 2003

TRADE PRACTICES AMENDMENT (PERSONAL INJURIES AND DEATH) BILL 2003

TAXATION LAWS AMENDMENT BILL (No. 5) 2003

Consideration of House of Representatives Message

Messages have been received from the House of Representatives returning the Trade Practices Legislation Amendment Bill 2003, the Trade Practices Amendment (Personal Injuries and Death) Bill 2003 and the Taxation Laws Amendment Bill (No. 5) 2003, and acquainting the Senate that the House has disagreed to the amendments made by the Senate, and desiring the reconsideration of the amendments disagreed to by the House.

Ordered that consideration of the messages in Committee of the Whole be made an order of the day for a later hour.

STATES GRANTS (PRIMARY AND SECONDARY EDUCATION ASSISTANCE) AMENDMENT BILL 2003

Consideration of House of Representatives Message

Message received from the House of Representatives returning the States Grants (Primary and Secondary Education Assistance) Amendment Bill 2003, and acquainting the Senate that the House has disagreed to the amendments made by the Senate, and desiring the reconsideration of the amendments disagreed to by the House.
Ordered that the message be considered in Committee of the Whole immediately.

Senator ABETZ (Tasmania—Special Minister of State) (5.37 p.m.)—I move:

That the committee does not insist on its amendments to which the House of Representa-
tives has disagreed.

Senator CROSSIN (Northern Territory) (5.38 p.m.)—The Australian Labor Party would like to provide some comments for the record in relation to this message that has been received from the House of Representa-
tives on the States Grants (Primary and Sec-
ondary Education Assistance) Amendment Bill 2003. Although we are not surprised, of course, that the House of Representa-
tives would not agree to our amendments, we are very disappointed, because it just reaffirms that this government has no commitment to transparency and accountability when it comes to capital funding for private schools. This is a government that is prepared to al-
low a situation to continue where schools receive up to millions of dollars in capital funding that is essentially unaccounted for. The government itself published a report detailing last year’s funding for schools capital works. Senator Carr quoted from this re-
port in his speech in the second reading de-
bate on this bill. It revealed that private schools were spending their Commonwealth grants on furniture, fees and other items, which he advised the Senate that he believed was inadmissible under the Commonwealth’s own guidelines but which the Common-
wealth itself reports with alacrity. This is its ‘don’t care’ attitude to what private schools do with taxpayers’ money.

Today I notice that on the front page of the Sunshine Coast Daily—apart from the fact that it contains comment about the new leader of the Labor Party, Mark Latham—there is a report on a sensational scandal in-
volving a private school in that area. The article says, among other things: the principal drives around in a red sports car provided by the school; the principal’s wife, who is one of very few who are able to sign cheques for the school, received a $75,000 loan from the school this year, while her husband re-
ceived $65,000; the school is $8 million in debt, even though it charges the highest school fees on the Sunshine Coast; the school charges parents $400 a year for a building fund but is doing no building until at least 2006 and consists largely of poorly maintained temporary buildings; the chair-
man of the school board received $100,000 as recompense for legal work for the school last year; and another board member received $60,000 for accounting fees. I under-
stand that the Queensland authorities are considering closing the school down. The list about this school in this newspaper article goes on and on, and there are many other lists about many other schools. Yet the article tells us the Commonwealth has just said it will provide this school with $4 million in grants next year. Is any of that for capital works? Where is the accountability here?

The government’s response to this relatively straightforward bill has been reveal-
ing. This bill has shown for all to see the government’s arm’s length approach to its responsibilities for schools. In the debate in the House of Representatives, the Minister for Education, Science and Training has re-
fused to even talk about what might be done to improve the way in which capital funding for schools is provided. Labor’s amendments were put forward in good faith. Our amend-
ments were designed to enhance the integrity of the capital grants program, to position that program for the future—a future where the school-aged population overall is relatively stable, where any new school developments are more likely to be at the expense of existing government and non-government schools, where the public interest in capital
facilities purchased with the support of public funds will increasingly be open to question and where the differences in the quality of capital facilities in schools will become increasingly apparent. Government school students receive, per capita, only 25 to 50 per cent of the amount spent on capital works and infrastructure in private schools. What does this say to the 70 per cent of Australian children who attend government schools? Who is valued more highly under the policies of this government?

The minister has given us the old argument that non-government schools save public money, as if this was the purpose of the government’s role in schooling. Labor reject this rationale for federal support of schools. We believe in supporting schools for the achievement of educational goals and in supporting schools for students, for their families and for society as a whole. We do not accept spurious arguments about cost saving and cost shifting as the basis for Commonwealth programs for schools. The Commonwealth has a responsibility to ensure equity in educational provision for Australian kids—wherever they go to school. This government never tires of quoting the statistic that ‘the kids from the wealthiest families attract 87 per cent less’ public funding. This figure appears to be based on the fact that the minimum federal per capita grant for a student in a non-government school under the government’s SES scheme is 13.7 per cent of the average government school recurrent costs. Only two schools across Australia receive this minimum grant—that is, two out of more than 2,650 non-government schools. Non-government schools also receive funding from state and territory governments. The level of this varies across the nation but, at the very minimum, it brings the level of total public funding to over 20 per cent of the average costs of education in a government school. Most receive much more than that.

This government has increased funding to some of the best resourced schools in the country so that those schools are able to operate with more than twice the resources available in public schools and with more resources than the majority of non-government schools. No wonder the minister was reluctant to include the needs principle in the legislation. This government does not believe in funding schools according to need, and this legislation proves that. The opposition accepts that all schools should receive some public funding in recognition of the contribution they make to education generally but we need to be very clear about priorities. We need transparent criteria for the allocation of that funding.

In 1987, the then education minister, Susan Ryan, said:

The Australian government will continue to set priorities for the use of its funds, and distribution proposals will require my approval. Funds will continue to be directed to the most disadvantaged schools and the most needy groups.

How things have changed! What a turnaround! Under this government this principle has been abandoned. This is a government that is irresponsible. It has a hands-off approach to accountability for private school funding.

Labor are not ideologically opposed to non-government schools. Labor have supported funding for non-government schools for over 30 years. We have been party to initiating and supporting billions of dollars of funding on the basis of meeting educational and financial need. We are entitled to ask that the integrity of the needs principle be protected by the legislation. We ask the government to engage constructively with the issues. Unfortunately, it appears that this is too much to ask. It is clear that the issues raised...
in this bill will not go away. In government
and in opposition, Labor will renew our ef-
forts to develop legislation that affirms the
 provision of federal funding for government
and non-government schools on the basis of
the educational and financial needs of school
communities. That provides a more explicit
link between policy goals, program admini-
stration and reporting of program outcomes.

This will be done comprehensively by this
party when the legislation for the next quad-
rennium is introduced in 2004. Unfortu-
nately, in the meantime, as this bill is at-
tached to funding dollars and this bill is in
the best interests of the students and schools
that stand to benefit from the educational
resources it provides, Labor will not press
for these amendments. But let it be clearly
understood that when the funding for the
next quadrennium comes before this parlia-
ment, which will be in the new year, in 2004,
we will insist on these amendments and we
will be making the relevant and the right
changes so that this government becomes
accountable for the amount of dollars chan-
nelled to non-government schools, particu-
larly when it comes to capital funding works.

Senator ALLISON (Victoria) (5.48
p.m.)—I advise that the Democrats will in-
sist on those amendments. It seems pointless
to delay this for another piece of legislation.
The amendments are sensible and not oner-
ous. I cannot think of any reason why the
government should not support them.

Senator TROETH (Victoria—
Parliamentary Secretary to the Minister for
Agriculture, Fisheries and Forestry) (5.48
p.m.)—I reiterate the government’s position
on the amendments.

Question agreed to.

Resolution reported; report adopted.

HIGHER EDUCATION SUPPORT BILL
2003
HIGHER EDUCATION SUPPORT
(TRANSITIONAL PROVISIONS AND
CONSEQUENTIAL AMENDMENTS)
BILL 2003
In Committee
Consideration resumed.
HIGHER EDUCATION SUPPORT BILL
2003
Senator CROSSIN (Northern Territory)
(5.51 p.m.)—by leave—I move opposition
amendments (1) to (3) on sheet 3209:
(1) Page 1 (line 1) to page 208 (line 20), omit
“higher education provider” wherever
occurring, substitute “university/listed
higher education institution”;
(2) Page 1 (line 1), to page 208 (line 20), omit
“higher education providers” wherever
occurring, substitute “universities/listed
higher education institutions”.
(3) Page 1 (line 1), to page 208 (line 20), omit
“providers” wherever occurring, substitute
“institutions”.

These amendments predominantly make the
same changes in the bill and that is to omit
the words ‘higher education provider’ where-
ever it occurs and substitute the words ‘uni-
versity/listed higher education institutions’.

I clearly remember a number of periods in
which we questioned the officials from the
department in relation to why this was the
case, particularly through the last Senate in-
quiry we had into this bill. We do not believe
the answer they gave is satisfactory—that is,
that a definition in this bill might encompass
those institutions that provide higher educa-
tion. In fact, there are only a couple of higher
education providers listed in the bill. Over 97
per cent of this bill is targeted at universities
or other listed higher education institutions,
such as the Australian Maritime College or
the Batchelor Institute of Indigenous Tertiary
Education in the Northern Territory. We be-
lieve that deleting ‘university’ and putting in place the term ‘higher education provider’ represents a significant mind shift in this bill. Of course, it is a mind shift based on the whole view that the higher education sector should be more privatised than it is currently, but we do not believe there is a need to comprehensively delete the word ‘university’ from this bill. These three amendments seek to ensure that ‘university’ is put back in its place to replace the reference to ‘higher education providers’.

Senator HARRIS (Queensland) (5.53 p.m.)—I rise to speak to Labor’s amendments (1) to (3) relating to the definition of ‘higher education provider’. I think these Labor Party amendments will have an adverse effect, particularly on new higher education providers that may be approved by the minister, an example of which would be Avondale College. If Labor’s amendments were to be passed, they would preclude Avondale College from being approved as a higher education provider. I do not believe that would be in the country’s best interests.

More precisely, the government’s amendments pick up the differentiation between the higher education providers, and One Nation feel that they are more appropriate. One of the difficulties that we are going to run into with this legislation and to a large degree with some of the amendments proposed by the Labor Party is that we will have to look at what legislation these universities are operating under. This piece of legislation relates to the federal government’s appropriation of taxpayers’ moneys to finance those institutions, but to a large degree these institutions operate under state legislation. In some cases, there is even individual legislation that has been passed for specific universities.

Some of the Labor Party’s amendments are going to duplicate what already exists under state legislation and, unfortunately, we will then have the situation where they may actually be in conflict with that state legislation. We could have the universities operating under their state legislation and all of a sudden finding that there is federal legislation that either mirrors it or, in some cases, may be in conflict with it. As you are aware, Mr Temporary Chairman, if there is conflict then the federal legislation overrides that of the state. For clarity for the universities, it would be better if the amendments proposed by the Labor Party that have the possibility of conflicting with state legislation under which universities run were not accepted.

Senator CROSSIN (Northern Territory) (5.57 p.m.)—Senator Harris, I need to draw your attention to a number of matters. Under our amendments, Avondale College is actually listed as a higher education institution, so you are not correct in assuming that our amendments would not pick it up. I have to say that I am impressed by the way in which you have been briefed by the minister’s office on this matter. But our change reflects the overall intention of our amendments to the bill.

The Labor Party’s underlying strategy is based on the fundamental view that universities as universities, not as higher education providers as specified in this bill, are in a unique category among education institutions—that is, they have certain characteristics which we believe need to be retained in the definition we are suggesting rather than the one the government is putting forward. They are defined in Australia by means of the MCEETYA national protocols. The protocols do not talk about higher education providers or de facto universities; they talk about universities. So this is a consistent line to run.

The definition of ‘university’ and the use of the word ‘university’ in this act are consis-
tent with the MCEETYA national protocols as opposed to the government’s proposal, which is not consistent. Central to the definition is the concept of university autonomy, and this essentially goes to its academic decision making processes and the freedom of its staff and students to teach, learn and research. It goes to the publication and dissemination of knowledge and ideas. The centrepiece for the national legislative edifice on which we rest our higher education system must be an appropriate definition of ‘university’ to recognise the uniqueness and characteristics of that institution. We do not believe that is picked up in the government’s proposal to have a higher education provider.

Progress reported.

VALEDICTORY

The PRESIDENT (6.00 p.m.)—As we near the end of the 2003 parliamentary sittings, I take this opportunity to thank certain officers for their assistance to me and to the Senate during the year. I particularly thank the Clerk and the other clerks at the table, the Usher of the Black Rod and all other officers of the Senate department for their diligence and cheerful support. I particularly mention the chamber attendants and the staff of the Table Office, the Senate Committee Office, the Black Rod’s Office, the Procedure Office and the Parliamentary Education Office.

I thank the Secretary to the Joint House Department, Mr Mike Bolton, and the Secretary to the Department of the Parliamentary Reporting Staff, Mr John Templeton, not only for their support during 2003 but also for their work in the parliament at those levels for 17 and 12 years respectively. I have separately recorded my appreciation of their very significant contributions to the Australian parliament. They will retire at the end of January next year, when the new Department of Parliamentary Services is created. I thank the Hansard and Broadcasting teams for producing a record of debate in the Senate which is consistently of very high quality. I also record particular thanks to the Parliamentary Library for their excellent assistance to my office and to all senators during the year.

Parliament House is now 15 years old but still looks in magnificent shape. Thanks for this are due to the army of staff and contractors engaged by the Joint House Department. I make particular mention of the landscape services staff, who have maintained the gardens in the courtyards and around the building at a very high standard, despite the pressure of water restrictions.

My warm thanks go to the Deputy President, Senator John Hogg, and the panel of temporary chairmen of committees for their wonderful service during the year.

In closing, I have an idea that the Hon. Richard Alston may not be in the Senate when we resume next year! I thank him for his service in this place since 1986, including high office both in opposition and in government. Richard has been a most consistent and strong debater and chair abuser—I mean furniture abuser! Richard, you will be missed very much in this place. I do not need to repeat my comments from the other night here, but I hope you have taken on board the comments I made at your farewell dinner. On a personal basis, from Jill and me to you and Megs, may we wish you all the very best for the future. It has been a pleasure to serve with you, as my colleagues will reiterate over the next hour or so. I wish all senators a very happy Christmas and holiday season. I just hope that we get out of this place as expected!

Senator MINCHIN (South Australia—Minister for Finance and Administration) (6.03 p.m.)—In the absence of my leader, I am privileged to speak first in honour of our departing friend. I have to say it is a very sad
occasion to lose someone who, to me at least, has been a very good friend and colleague in this place. I have actually known and worked with Senator Alston as far back as 1979. He may have forgotten it, but he was the dapper and debonair Victorian Liberal Party state president and I was a minor official at the federal secretariat of the Liberal Party here in Canberra. In that capacity, I got to know the then new President of the Victorian Liberal Party and started what has been nearly a quarter of a century of a working relationship and friendship.

I have worked with Richard in the Senate for the last 10 years and, of course, in cabinet for the last five. I have particularly enjoyed working with him on what I think was one of the most interesting Senate inquiries ever conducted—the ownership of the Fairfax newspapers, where the likes of Conrad Black and others appeared before us. It was a wonderful learning experience. Richard did an outstanding job as chairman of that fascinating inquiry. It was certainly a great learning experience for me. I have sat next to Senator Alston here in this place for the last two years and am now deeply honoured to succeed him as the Deputy Leader of the Government in the Senate. Indeed, that is a very hard act to follow.

I would like to refer particularly, in the course of my working with Richard, to our work together on the Backing Australia’s Ability package, which was effectively a two-year exercise where we produced what to date has been the biggest investment in science and innovation in this country’s history—one of the really significant events in this government’s tenure. Richard was an integral part of that very major achievement for our government.

In the last two years, Senator Alston and I have worked closely together as the government’s joint shareholders in two of Australia’s major enterprises—Telstra and Australia Post. That has been a terrific experience. His contribution to the welfare of those two extraordinarily important organisations has been manifest. I think Senator Alston is distinguished by what is one of the sharpest minds in this place. As we all know, he has a vigorous and physical debating style, and you do have to be careful sitting on this seat that you do not get a kick in a certain part of your anatomy. The thing that I think we all note about Richard is his engaging and quite disarming sense of humour.

Those, of course, are his good points. On the downside, as we all know, he is an absolute Collingwood tragic, a blind supporter of that rather unfortunate football team but a passionate one at that. And he does bring passion to everything in his life. He is also, may I say as Minister for Finance and Administration, an incorrigible and relentless advocate of his cause at the Expenditure Review Committee. When it came to advocating his cause in the chambers of the Expenditure Review Committee, he was, as I discovered, like a mad dog with a bone who will not let go no matter how hard you belt it over the head. Certainly in my two budgets as finance minister, I have been witness to what is now regarded as the infamous burglar of the Expenditure Review Committee, and very effective for his portfolio he has been in that role.

The other thing I think that some of us in the ministry would have to note is the magnificent way in which Senator Alston manages to persuade the Prime Minister to allow him to engage in his very important overseas travels. I think, at last count, he had been on no fewer than 17 official visits as a minister to no fewer than 30-odd countries—a magnificent record of which we are all extremely jealous.
It has been interesting for me to watch the other travels of Richard, those I would refer to as his ideological travels over the 20-odd years that I have known him. I must say that, when I met Richard some 24 years ago, he was, rightly or wrongly, very much identified with the small ‘l’ liberal wing of our great party, of our broad church. Indeed, he came to the Victorian Liberal Party presidency having been the chairman of the United Nations Association of Australia, and the UN would not be seen as the most popular body on our side of the fence.

Senator Alston—It was then.

Senator MINCHIN—Maybe it was then, under Richard’s chairmanship. But, like most sensible people that I have encountered through life, Senator Alston has got more conservative as he has got older. I think that is true of most sensible people, and it is certainly true of Senator Alston. I guess Senator Alston and I have met up ideologically somewhere in the middle, having come from polar opposites. I guess it is fair to say that I have moved from the far Right to the Centre Right; I think Richard has moved from the Centre Left to a position that means that really there are almost no issues on which he and I would have a fundamental difference of opinion, except that of which is the best team in the AFL.

I think it is fair to say that Richard has been one of this very successful government’s enormous strengths. He is a great asset to our team. He will for that reason be a huge loss. He is already a huge loss to our team. He has handled what I think is probably the most complex and tricky portfolio in the government—probably including Defence, Senator Hill—with great skill and aplomb. Handling the media moguls of Australia, the ABC, telecommunications and Telstra is an incredibly demanding job. I note for the record that Senator Alston is the longest serving communications minister in Australian history. That is a great claim to be able to make. Not only is he the longest serving; I would say he is by far the most successful.

He leaves a magnificent legacy of vastly improved telecommunications in this country. I think that is an outstanding legacy and one he can be extremely proud of. The rest of us, of course, now inherit the responsibility to complete the work in this portfolio by making sure as our great testament to Richard’s efforts that we do indeed sell the rest of Telstra. He has been a wonderful advocate of that very important cause. He has taken a lot of pain and suffering for it, but he has been out there hammering away bravely and courageously at that cause for a very long time.

So the new Minister for Communications, Information Technology and the Arts, Mr Daryl Williams, and I have very big challenges in replacing Senator Alston in the two key jobs he held in our government. Of course, I will also be honoured to take Senator Alston’s seat on our federal executive.

Senator Hill—You’re not going to talk about that.

Senator MINCHIN—I am not sure, Senator Hill, that I should talk about it. But because Senator Alston and I are now so ideologically aligned it will not make any difference, Senator Hill, to the deliberations of that body, I am sure. But it should be noted for the record that Senator Alston has served on our party’s supreme body with great distinction for some 13 years. I do want to thank Senator Alston for his enormous friendship, for his personal guidance to me, for the wisdom that he has imparted and last but not least for being a very challenging opponent on occasion in the Expenditure Review Committee in cabinet. He has kept me honest as minister for finance. I do wish Richard a really happy and rewarding post-
Senate career, and I thank him for all he has done for our government, for our party and for me personally.

Senator HILL (South Australia—Leader of the Government in the Senate) (6.12 p.m.)—I appreciate the opportunity to say a few words on this occasion on which we farewell our friend and colleague Richard Alston. I was going to start by saying that I am pleased he is at least here for the debate, because he has been known to miss the bells on occasion. In this instance I was late, so I must start by apologising to Richard that I missed the commencement of these valedictory contributions.

I am not going to use my short time to reflect on some of the more quirky aspects of Richard Alston; I do remember, however, a question that I once received in this place that was prefaced in terms of an item that was on the ABC AM program. I answered by saying that I had missed the AM program because I was listening to Triple J. The question then went to Senator Alston, and he said he had missed it because he was listening to Classic FM. I think that sort of reflects where Richard and I stand these days. I disagree with Senator Minchin a bit; I think that Richard Alston has found his place in the centre, moderate and reasonable, taking into account the various extremes of political ideology but finding a comfortable place towards the centre, where of course most Australians are.

I want to remind the Senate very briefly of some of Richard’s achievements here. He was of course a communications and arts spokesman for us in opposition, and then he took up those portfolios in government. He then created for himself this additional portfolio of information technology. He invented it, persuaded the Prime Minister and then took it on. So from its definition onwards it was really Richard’s baby.

When Senator Alston looks back over these years as a minister, in particular, he can reflect that he successfully shepherded the sale of two tranches of Telstra shares, was involved in deregulating the telecommunications industry and introduced competition into the industry, which had only three players when he commenced that process and now has over 90 carriers. He introduced legislative reforms to promote venture capital investment in Australia, created the Technology Australia brand to take Australian ICT innovations to the international stage and made a contribution to the online content scheme, where he introduced an exemplar model for Internet regulation. He raised the standards of telecommunications services in rural and regional Australia—over $1 billion was invested in rural and regional telco infrastructure. He oversaw the Australian government’s world-leading e-commerce initiative, setting up Australian e-government. He established the NICTA, the $129 million information and communication technology centre of excellence, which is attracting the world’s leading ICT minds in establishing an ICT cluster in Australia, and initiated the $140 million National Broadband Strategy. He worked towards modernising media foreign ownership legislation and cross-media rules for Australia.

Senator Alston was, of course, a long-time advocate of the extraordinary quality and importance of Australia’s Indigenous art and its unique capacity to generate major employment opportunities in remote Indigenous communities. He launched a variety of government initiatives to support the Indigenous arts sector. He successfully pushed for the parallel importation of CDs, which of course everyone said would kill the industry, but which actually lowered the cost of music for Australian consumers. And so one could go on. In other words, his period as a minister has been one of great achievement. He will
be remembered as somebody who has significantly made a difference in this very important part of the Australian economy and Australian life.

I also will obviously remember Senator Alston for being a deputy leader in the Liberal Party, which he also took from opposition days, commencing in 1993 and, on the government side, since 1996. As such, I have worked closely with him practically every working day of my life during that period. He has been a great debater in this place—as I think Senator Minchin said—and I recognise him as such. I also reflect upon the high personal standards and values he always brought to the job. I reflect upon his loyalty, which has been very important to me, and upon the sound judgment and good humour that he always brought to our side of the chamber. I will miss my friend and colleague Richard, but he has every right to look back on a political contribution that has been really significant and will be remembered for a long time. We will miss his wise counsel and good judgment.

Honourable senators—Hear, hear!

Senator FAULKNER (New South Wales—Leader of the Opposition in the Senate) (6.17 p.m.)—On behalf of the opposition, I join with the Leader and Deputy Leader of the Government in the Senate in farewelling Richard Alston from the Senate after 18 years service. We certainly hope he enjoys his retirement from the Senate, whatever the future might hold for him jobwise. We will certainly miss his question time presence, especially his less than erudite answers on primary industry matters—something that we have been spared for the past 12 months. I am pleased to say, since, with great relief from all concerned, the responsibility for those matters passed to Senator Ian Macdonald. We are not expecting, in your post-senatorial career, Senator Alston, that you will be offered a consultancy on live sheep exports, blighted apples or the like.

Of course, as the Leader of the Government in the Senate darkly hinted, I am sure one person who will not miss Senator Alston is the Liberal Party whip. This, of course, is because Senator Alston has missed more divisions than most of us have had hot dinners. We know that his incapacity to hear the bells ringing has driven his staff to distraction, driven the whip to despair and annoyed the rest of us when we have had to recommit divisions. I was assured by my colleagues in the opposition that he once turned up to a division in a jacket covering his gym gear. At the time, I told them: ‘Don’t worry about it. At least he’s got here for the division.’

I note from Senator Alston’s curriculum vitae that Richard was born on 19 December—very efficient; just give him his birthday and Christmas presents combined, no doubt, and save a bit of money. We are informed that he was born in Perth just 12 days after Pearl Harbor was bombed. We were told by Senator Minchin that he was a very dapper and debonair president of the Victorian division of the Liberal Party from 1979 to 1982.

In fact he was the incumbent in that position in 1980 when, I am pleased to say, the Labor Party in Victoria won their biggest swag of marginal seats in history—Holt, Henty, Hotham, McMillan, Ballarat, La Trobe and Isaacs. I want to say on this occasion of your farewell, Richard, thanks very much for that. We thought this would be impossible to top but in 1982, of course, Labor won government in Victoria after 27 years in the wilderness. So again I say thank you, comrade Richard; thank you very much indeed. We are puzzled, in fact, as to why you did not stay in office for another year to welcome the election of the Hawke Labor government in 1983.
I also read in the curriculum vitae that Senator Alston was a graduate of Melbourne University and Monash University, where he studied for his MBA and became entranced, I think we now know, with the Friedmanite view of world economics. By trade, we read, he was a barrister. I want to say this on the occasion of farewelling him from the parliament: as a barrister and hence a member of the most restrictive trade union in the country—

Senator Patterson—No; there is one more.

Senator Faulkner—I do not know what you are hinting at, Senator Patterson. My colleague Senator Robert Ray has described Senator Alston previously in the chamber as the Melway man, chasing hither and yon over Melbourne trying to be preselected somewhere—anywhere. I do not want to go into the details of Senator Alston’s successful Senate preselection. I can assure you that we would not help the police with their inquiries.

We know that he is a very passionate sports fan—very genuine and passionate about his sport. He is a great cricket and footy fan. He actually holds an Olympic record himself. Having looked at the number of events he attended at the Sydney Olympic Games, I congratulate him on that Olympic record and also note, as I should, in saying that that he properly declared his freebies at the time, so we just doffed our hats to that. There is a big difference between amateurs and pros. We know that Senator Alston in a past life was a very good amateur footballer. We have not been able to find any tribunal appearances, regrettably.

Senator Patterson—I bet you looked for them.

Senator Faulkner—We did. We do not know whether it was because he was fair or because he was just so sneaky he did not get caught. We know that he is a lifelong Collingwood supporter—something he shares with two of my senior colleagues on this side of the chamber. We have heard from the Leader of the Government in the Senate, Senator Hill, about Senator Alston’s career as communications minister. It was a substantial and record period of seven years; I acknowledge that. It is not easy to be communications minister because, as we know, every Prime Minister in living history has wanted to do the job himself and has regarded himself as an expert in communications policy.

Senator Alston interjecting—

Senator Faulkner—I can assure you, and we all know anyway, that Mr Howard is no different to any of his predecessors in that regard. I also acknowledge that Senator Alston as arts minister was very expert in the area of Aboriginal art. I know he is a great enthusiast and collector. And of course Senator Alston has been Deputy Leader of the Government in the Senate for the last 7½ years. On several occasions we have seen him seated here at the table, acting on behalf of Senator Hill when Senator Hill has been absent overseas.

We have come to the conclusion that Senator Alston is a real homebody. He rarely travelled overseas and only managed to go to India, Sri Lanka, Nicaragua, New Zealand, the USA, Canada, India, the UK, USA, Japan, USA, UK, Ireland, Malaysia, Indonesia, Korea, USA, Singapore, Malaysia, South Africa, UK, Switzerland, Italy, Hong Kong, USA, South Africa, Israel, Russia, Finland, Sweden, Germany, USA, UK, Argentina, Uruguay, Chile, Brazil, Mexico, Israel, UK, India, China, United Arab Emirates, Turkey, Saudi Arabia, Egypt, USA, Canada, Korea, China, Japan—

Senator Carr—Nearly as good as you, Chappy!
Senator Faulkner—To be fair to Senator Alston, he has not broken Senator Chapman’s record. I want to make that absolutely clear.

Senator Chapman—Oh yes he has!

Senator Faulkner—Senator Chapman is in advance of Senator Alston and not out; he is still going. I read in the Age how Senator Alston had been described at a function that none of us on this side of the chamber were invited to, or expected to be, but did hear—I think it took place in the President’s Dining Room. It was reported in the Age that ministers paid tribute to the ‘mighty nomad’, recalled your nickname, Senator Alston, of Marco Polo and pointed out—and I do not know why this was not in the handbook—that you were the first Australian minister ever to visit Iceland, among a range of other achievements. I have rung the Parliamentary Library, I assure you, to correct the record to make sure that that is included.

We also note from the handbook that Senator Alston has served on numerous Senate committees. He chaired the 1994-95 committee on the Australian Broadcasting Corporation management and operations. I want to say to anyone in the chamber who has a sense of humour—and I know there are many of you—that at that time he argued for the independence and proper resourcing of the ABC. It is there in black and white on the record.

As senators would expect, I take the opportunity of this debate to reveal Senator Alston’s hidden secret. Richard Alston’s secret desire was to serve on the Victorian Legislative Council. It is hard to believe but it is true. Richard just missed out on election to the Victorian Legislative Council in May 1973, standing as the endorsed Liberal Party candidate for the Melbourne North province. He was the beneficiary of the donkey vote; I can say that. I am afraid that in those days you had an advantage if your name started with ‘a’. He got the donkey vote but he stood against another legal eagle in Jack Galbally—I think a fellow Collingwood supporter—and managed to trail Jack by a mere 24,000 votes at the end of the count, in a year in which the Liberal Party did particularly well.

At least he was consistent. I report to the Senate that he lost all 56 booths to his Labor opponent. He lost the postal votes, he lost the absentee votes and he lost the unenrolled votes. To add absolute insult to injury, the DLP got double his vote at St Joseph’s home. So I say to you, Senator Alston: your Xavier education was wasted in that part of Northcote. Who would have thought that the Liberal candidate for Melbourne North in 1973 would have gone on to have a distinguished career in the Senate? I say to Richard Alston on behalf of the opposition that we wish him well in his future posting. I am sorry; that was a Freudian slip. We wish you and your family well for the future.

Senator Boswell (Queensland—Leader of The Nationals in the Senate) (6.30 p.m.)—Today we are farewelling our friend and colleague Senator Richard Alston. When Richard came in here, I suppose I was a hard-core, right-wing National Party apparatchik. I did not enjoy a lot of friendship with the Liberal Party at that time. In fact, when I first got here one person refused to sit next to me. But Senator Alston came in and we became great mates. That is how the relationship started with the Liberal Party. We became closer and closer and the National Party established friendships within the Liberal Party. One of the friendships I have developed since 1984, when Richard came in, was with Richard Alston. I have found him to be an absolutely decent man—a man who does what he says he will do. I can remember—and this is probably one of the reasons he left early—Richard and I working on the
CoT cases. That thing went on and on. At every stage I requested help for the underdog, and Richard responded, helped and worked with us to establish what was at the time considered to be a very generous offer to the CoT cases. That was not looking after the big end of town; that was looking after the smaller end of town. I found him to be a person who was very genuine in his responses and very concerned for what was happening in his department.

You can say, Senator Faulkner, that Senator Alston was the scourge of the ABC. But at one stage I went to him and said, ‘The only way that information will ever get out to rural and regional Australia is through a strong ABC. They don’t get the papers thrown over their back fence. They don’t have the ability to get information. The only information they get is from the ABC.’ In response to that, Senator Alston increased the funding of the ABC, so that rural and regional Australia would not lose their news and information services. Again, during early 1997 I think it was, the National Party said to the Prime Minister that, if we were to support the sale of Telstra, it would be wise if he were to spend some of the money on rural and regional Australia. He agreed to do that.

It fell upon Richard to implement the changes that put mobile phones throughout Australia. Every regional centre and village of over 300 people now has a mobile phone tower. Every time I have been to a National Party meeting—and I have been in the National Party for 30 years—one of the resolutions that always comes up is: we must fund untimed local calls. It was on every agenda at every convention or central council meeting for 20 years, and we actually did it. Richard and I went out to rural and regional Australia—Richard went to Birdsville and I went to Boulia. We wanted to show people how these new untimed local calls would work. We went out there and got tremendous publicity on it over the ABC and in Queensland Country Life to tell people that we had done what we said we would do.

Who would have thought that there would be mobile phones right across Australia in every nook and cranny? You will never be able to give everyone a mobile phone, but we gave people who were deemed to be inaccessible a satellite phone and we discounted the price very heavily. So no-one in rural and regional Australia can say, ‘I haven’t got a mobile phone,’ or ‘I haven’t got access to a terrestrial phone’ if they cannot access mobile phones. Then there were the Internet connections that we put right around Australia. We got people to go out and show the station owners and their wives how to use those Internet connections. I think there would be $1.5 billion of telecommunications infrastructure right around Australia.

I said this today at our Christmas party, and I will say it again so that it goes on the record: when a lot of people leave this place they do not leave a legacy. A lot of people just vanish into thin air and are not missed. But your legacy, Richard, will be out there. It will be being used and it will be providing services right around Australia. It is well known that if you do not have the ability to access information on farms or on cotton properties, or you do not know what is happening in the market, then you just cannot keep up with the game. So your legacy, Richard, to rural and regional Australia is one of enormous benefit. One of the unfortunate things in this game is that you never get the accolades that you deserve, and you deserve a lot of accolades for what you have done. I think that, if you go out and talk to people out there now, they will admit the advances in communications that have been made in the last five years. You did that with great skill and you honoured what you said you would do. You backed the Prime Minis-
I can say that you do not make many friends in this world, and you certainly do not make too many friends in politics. I hope to advise my mini-faction—my team of four—that if they want a friend, they should bring a dog. But apart from being a person who ran a pretty good ministry and someone who left great benefits to rural Australia, I would say that Richard and I have become very good friends. Richard, I hope that when you leave this place that friendship will continue. I think you are going to regret leaving. What you want is about a six-month break and then you will want to come back again. I think in six months you are going to regret leaving, but that is the decision you have made and that is the way it goes.

I know that your children are in Sydney and your wife is in Melbourne, so she has no family company unless she goes to Sydney. I know that she misses you and wants you home. I wish you, your family and your wife all the best. I hope you have a long and very happy retirement. I know that you have a farm at the moment in Melbourne. If you ever need to go to a National Party meeting and lend a bit of a hand there, we will make you an honorary Nat. I know that you will never leave the Liberal Party, but you will always have the status of an honorary Nat for what you have done. I cannot give you any higher accolade than announcing that you are an honorary Nat.

Senator Alston served as a senator for over 17½ years, which is a pretty fair innings in anybody’s language. He is one of the dwindling number of senators left in this place who had a stint in the Old Parliament House; I think there are only about 13 or so amongst the 76 senators here. There are only about nine senators remaining who entered this place before Senator Alston did. So, in that context, it is quite appropriate to use the term ‘elder statesman of the Senate’.

I am sure Senator Alston has never forgotten the fact, and probably sees it as his career highlight—although others may not be aware—that his first speech was followed immediately afterwards by the first speech of Senator Janet Powell, who filled the casual vacancy left by Don Chipp. Naturally, the great honour of being followed by a Democrat speaker—one who went on to be, fleetingly, the Leader of the Democrats—is one that I am sure he will count as a highlight of his career.

I heard Senator Minchin’s description of Senator Alston at the beginning of his career and of the movement to where he is now. If that is true—and I have no reason to disbelieve it—that probably means that over his time here he has moved further away from where the Democrats would like him to be. Nonetheless, he is still within visual distance, and he is still someone that we have been able to communicate with. I remember Senator Vicki Bourne, who served in this place through the 1990s, talking quite fondly of Senator Alston, particularly when he was Chair of the Senate Select Committee on ABC Management and Operations. She regularly came in and said, ‘This guy is really good actually. He is really good on the ABC. Don’t say anything bad about him. He’s fantastic.’

Her views changed a little bit after he became minister, I am sad to say. I am sure it
will shock Senator Alston to hear that. Perhaps all that we had hoped in terms of his views on the ABC did not necessarily come to fruition. Nonetheless, it is still something that I recall quite strongly because, as Senator Alston would recall, when Vicki Bourne got excited and was convinced about something, she certainly would express her view in a strong fashion. She did so sufficiently for it to stick in my mind even to this day—probably because we never ceased reminding her that she used to always say what a good bloke Senator Alston was. Every time he subsequently did something as minister that we disagreed with we would remind her of her previous comments.

That does lead to the fact that Senator Alston has been, as I understand it, the longest serving communications minister in the history of Federation. I do not know if he was the longest serving arts minister, but he certainly had the arts portfolio for all of that time as well. To some extent—and perhaps a bit unfortunately—communications issues often overshadow arts issues. It is worth noting some of the comments by people that were reported after the announcement of the retirement of Senator Alston. For instance, Richard Harris from the Australian Screen Directors Association said that, overall, he thought he had been a good arts minister. He indicated that where there was an interest from the minister he had a reasonable chance of getting things up. Areas that were mentioned included the Nugent inquiry and the money that came out of that—according to the report I am referring to, he was also successful in saving Artbank, which apparently Liberal bean counters wanted to kill off in 1997—and the Myer report on the visual arts and crafts sector.

Naturally, the article I am referring to mentions some of the achievements and then goes on to mention some of the negatives. In the spirit of a speech such as this, I will not focus on the negatives—except to say that I do not agree with the comment earlier about the desirability of the parallel import decision in relation to CDs. I am not convinced that has achieved the benefits that were suggested. Either way, it was another interesting experience, and not just in terms of the debate. I can at least admit or concede that, whether or not we thought it was a good idea—and the Democrats certainly did not—he was not first minister, Labor or Liberal, who thought it was a good idea and tried to make it happen. But he was, of course, the one that was successful, unlike others who wanted to pursue it in the past. It was an issue that many people pushed for some time. Unfortunately from our point of view, but obviously in terms of being successful, he was the one that was able to make it happen. There is an interesting story in terms of how he was able to make it happen on that particular night which involved Senator Colston and the lateness of the sitting and his desire not to hang around. Nonetheless, the legislation was passed and I am sure the ex-minister will chalk that up as one of his achievements.

There does seem to be a variety of viewpoints about the ex-minister. I note that Darren Gray in one of his articles recently said that Richard Alston may not be the most charismatic politician to walk the corridors of parliament despite leaving behind a controversial legacy. One thing I do remember about Senator Alston is the time he got his portrait done for the Archibald Prize competition. Somebody commented—I think it might have been Senator Alston himself, actually—about how gorgeous his eyes were in that particular painting. I have never managed to get close enough to really stare deeply into them, and now it would appear I will never manage to do that. But from that portrait, even though it was not a winner—in fact, I am not even sure that it was a final-
— there is some indication by the artist of a degree of charisma.

Errol Simper was rather more positive in calling Senator Alston one of the most colourful and mischievous ministers to have held the communications portfolio in recent times. That probably sounds positive, but, depending on your definition of ‘recent’, he is the only minister to have held the portfolio in recent times, so that is probably not as good a compliment as it seems. But it is an indication that Senator Alston was one who spoke his mind. Whatever else one might say about him, he certainly was not boring in his approach to things; he was not a white bread politician, to use a phrase that has been in vogue in recent times. I think most people would agree that that is desirable and certainly better than the alternative in terms of politics and political debate around this place. If you are going to have debate, it is good to have it conducted in such a way that people do not actually fall asleep before you start. Whatever else you might say about Senator Alston, I do not think you would accuse him of having that effect on people.

In 17½ years somebody gets a lot done and, given the number of people who want to speak tonight, I will not go into that beyond what I have already mentioned. But for somebody to have spent that long here is usually—not always but usually—a good sign that the people that put them there think they are doing a fairly good job. The fact that he was able to hold down a ministry, and the same ministry, for over 7½ years is an even better indication that his party and his government felt that he was doing a good job. Anybody who achieves that deserves recognition. It is not an easy task to survive in that sort of job for any length of time, let alone for 7½ years.

People can always point to failings but they can also point to successes. In a speech like this on behalf of the Democrats it is not for me to judge what were the successes and failures of particular actions of Senator Alston but simply to pay tribute to his work over that quite long period of time and to wish him well, and particularly his family. As we all know, the family often bears the biggest burdens when somebody is a minister or in a similar senior position for so many years. I congratulate him on his service and wish him well in whatever it might be that he chooses to do next.

Senator VANSTONE (South Australia—Minister for Immigration and Multicultural and Indigenous Affairs and Minister Assisting the Prime Minister for Reconciliation) (6.50 p.m.)—I would like to speak briefly in relation to Senator Alston leaving. I will reflect on how Senator Alston, amongst other men in this place, has given me and other women lessons on how to conduct themselves. One was a lesson in confidence—confidence above all, whether you know the answer or not. There was an argument that Senator Hill and I were having and Senator Alston joined in. It related to the constitutional referendum in the 1980s and the fair elections bill for the ACT, the one vote, one valued’ Hondt system. I do not want to get into all the details of that, but I do recall saying, ‘They’re going to have to withdraw one of these. They can’t have the electoral system they’ve got in the ACT and the fair elections bill. They are inconsistent.’ I explained why they were inconsistent, because senators were elected in a particular way. I will not go into the details, but Richard looked at me with great confidence, just as he does when he puts his foot up on the side of the chair, and said, ‘I don’t think senators are elected like that. Are you sure of that?’ I said, ‘Yes.’ He said, ‘You’d better check it,’ with great ferocity in his voice. La Stupida went and checked it. I should have said, ‘No, mate, you’ve got it wrong.’ There has been the pas-
sage of time since then and I have learnt a lot, but I learnt it from that moment on, Richard, and I am terribly grateful.

I also learnt from Senator Alston, as I learnt from Senator Hill, that you can say a thing and not always do it. When I was a new senator—newer than Senator Hill and not quite as new as Senator Alston, who imposed himself in a sort of superior position quite rapidly—they said that when you were a shadow minister you had to share things around. You do not hog positions, you do not stay on a committee; you give up good committee positions when you are a shadow minister—you share them around. Senator Hill and Senator Alston had the longest record of holding on to shadow ministries and the Senate Legal and Constitutional Affairs Committee that I can ever remember. So that was another lesson I learnt from Richard and from Senator Hill as well.

I have not learnt from Senator Alston but enjoyed our conversations about his interest in reading. There is no way I could ever read as many books as he does. I do not know whether my sight is not as good as his, or perhaps he reads more salacious books than I do. Senator Troeth and I might have something to say about that because Senator Troeth is also a reader and we swap books and share discussions. There was an occasion when Senator Alston lent us a book, but I might leave that till another day. I just make the point that it is very important for all of us to recognise that there are other sides to our personalities than we generally see in here. Richard has this aspect of his life, which I regard as a very broadening aspect. Whether you read comics, novels or textbooks it does not matter; you are at least doing something else.

And last, but certainly not least, I think that Senator Alston is among a number of people who have been very strong supporters of Indigenous art in Australia. He has recognised the capacity it has to bring a greater independence and economic participation to some of the people in Indigenous communities. He has been a very strong supporter of legislation to protect Indigenous art and to encourage it as an industry. He has never pretended that that is the answer for everybody—only a particular niche in particular communities can benefit from that. But he has recognised that and he has consistently worked on it over the time that he has been the Minister for Communications, Information Technology and the Arts. The reason I mention that is that I have a personal view that Indigenous Australian art will—whether it be the very traditional art, like the hatching work that you might get in northern Arnhem Land or the very modern stuff that you get at Balgo or any variation in between—within a reasonably short period be recognised as Australia’s greatest cultural gift to the rest of the world. It is different from any other style of art that is around. In all its variations, it is different and it is one of the few fresh contributions that have been made to the visual arts area globally for a long time. I feel a bit greedy saying that Indigenous art will be Australia’s contribution; it will be the contribution of Indigenous Australians, but it will be the greatest cultural contribution that we make. That is my personal view.

In conclusion, Senator Alston does not usually expect his colleagues to refer to him as ‘Senator Alston’. He always answers when I slightly raise my voice down the corridor and yell out, ‘Ricardo’. So, Ricardo, mi dispiace della tua partenza.

Senator KEMP (Victoria—Minister for the Arts and Sport) (6.54 p.m.)—I, too, join with my colleagues in the tributes to Senator Alston. When I first heard the name Senator Alston I was reasonably young in the Liberal Party in Victoria, and I was warned off him a bit. He was regarded as one of those small ‘l’ liberals. I want to put on record that I have
never detected that in this chamber. So, whatever was said in the past, it has never come to my attention. In fact, on a couple of rather important cultural issues, Senator Alston has been very sound indeed.

Everyone has listed a very wide range of Senator Alston’s achievements. Having worked with Senator Alston in the arts portfolio, I want to highlight the fact that there are many people—not all, I have to admit—who say nice things about you behind your back, and that is one of the ultimate tests in politics. I think your achievements and your great interest in that area have been very helpful for the arts sector, particularly for the Liberal Party in projecting itself in its commitment in that area.

The Nugent report on the major performing arts companies was an enormously important landmark report, which delivered real resources to our major performing arts companies. Senator Alston was of great assistance with the Myer report. I think that commitment also will change the landscape in the visual arts and craft area—two very important achievements. Senator Alston has never been one to duck a good debate. My judgment is that the debate about the ABC in recent months will be seen as an extremely important debate. Hopefully, the results that Senator Alston was seeking will finally be achieved when we do have an independent complaints arrangement with the ABC. It was a courageous debate. It was one where Senator Alston took a very strong lead. When I first saw the debate start off, I was quite interested in the amount of support he was receiving from people not associated with the Liberal Party.

Senator Vanstone mentioned the Indigenous art area and I think Senator Alston has shown a true lead in this area. For Richard it is a matter of genuine interest and it is one which, I think, has produced real gains for Indigenous artists and one for which, as we roll out the implementation of the Myer report, Senator Alston will be long remembered for the commitment he has shown in that area.

Everyone has put down a few statistics on Senator Alston and a number have been brought to my attention. As a member of the opposition he asked some 246 questions without notice, and I do not think he ever received a good answer! As a minister, he responded to 739 questions without notice and gave comprehensive and detailed answers on most occasions. In fact, I wondered who my mentor was in this parliament and indeed Senator Alston is clearly in that category.

A search of the database revealed that Senator Alston has recorded 1,753 interjections, which exceeds me at the moment by about 400 but I am catching up. It is an enormous number. This figure is almost matched by the number of ministerial media press statements that Senator Alston has put out, an incredible 1,722—barely any of them being read, I think. Again, an enormous achievement.

Senator Alston is not one to take a backward step and of course he was never afraid to dish it out as required to his political opponents. I have been able to consult with some of his former staff, who treat him with the greatest of affection. The view we formed was that this is a time in the valedictory for some breaking of bread, including with one’s political opponents. So in responding to this evening’s speeches, it might be useful if Senator Alston could perhaps, first of all, express his regret to his current and past party whips for missing a record number of divisions in this place, which Senator Faulkner has already indicated. In particular, Senator Alston should thank Senator Ian Campbell for taking an estimated
93.2 per cent of portfolio legislation through this chamber during Senator Alston’s absence. It is a remarkable achievement.

Senator Alston might like to express his gratitude to all current and former members of the ministry for the fact that not once did Senator Alston attend a Senate estimates spill-over day during his seven years as a minister. That is an absolute crackerjack performance of which we are all extraordinarily envious.

Some information has been revealed to me. All of us are aware of the merciless bagging that Senator Alston would give to our dear colleague Senator Lundy about not updating her web site. A check with Senator Alston’s former staff shows that on not one occasion did he ever visit her web site!

Again, Senator Alston, your achievements are legion. The curiosities of your behaviour at times continue to fascinate your colleagues. It has been an enormous pleasure to work with you in the Communications, Information Technology and the Arts portfolio. I think the relationship we have had has always been good, but I like think it was even further strengthened by the time we spent together in that portfolio. It is one that I continue to enormously enjoy. Senator Payne, who may not be speaking tonight, has asked me also to particularly thank you because, amongst the—what year did you stand for the federal vice-presidency?

Senator Payne—I can’t recall.

Senator KEMP—Well, all the leadership group supported Senator Payne with the sole exception of Senator Alston.

Senator Payne—and I am very grateful!

Senator KEMP—Senator Payne managed to miss out on that particular position, and as a result was able to stand for the Senate and become a senator. So for that she is immensely grateful. I join with my colleagues, on this side of the parliament and the other, to record my sadness at the departure of Richard Alston from this place. His record is a massive record of achievement. All of us, in our own ways, have expressed that. Senator Alston, to leave on a high note is a very rare thing in politics. That may well stand to be one of your truly great achievements. Thank you very much.

Senator PATTERSON (Victoria—Minister for Family and Community Services and Minister Assisting the Prime Minister for the Status of Women) (7.02 p.m.)—I want to thank Richard for his friendship during the time he has been in parliament. I must admit we did not start off on the best foot, because the first time I met Richard he and I were in a preselection with 25 other people. He won that preselection, coming in here to replace Senator Missen. Some people were misled about how much he was going to replace Senator Missen, but enough of that has been said. It did give me a shot at showing my wares and then be preselected for Margaret Guilfoyle’s place five weeks later.

People have spoken a great deal about Senator Alston’s contribution to IT. I think there had been 11 ministers for communications and the arts before he became the minister. One of the tremendous things Senator Alston has given that portfolio is a period of stability; his performance and interest have given it a real opportunity to move forward. But I do take some credit for his interest and knowledge of IT. He may not remember this—or accept it—but I remember when we first got three computers in the library and we could get on the Internet and send emails. I would leave a meeting at 4 o’clock and my staff would say, ‘Where have you been?’ when I turned up in my office at half past six. I would have been like an alcoholic—I would creep up to the library to try to get a bit of a turn with Margaret Cazabon from the library, who used to try to teach us how to
use this new technology. I was interested in computers; I had always had one since I had come into the Senate. I remember having those tutorials in the library, having spent all those stolen hours—my office thought I was having some sort of assignation with somebody somewhere—learning how to use the Internet and email. I remember one day going to Senator Hill’s office, which had just got this new computer, and showing them how to get onto the Internet and how to use email. So I believe I have had a very profound impact on IT in Australia, in that I was there when—

Senator Alston—And on Hilly!

Senator Patterson—I don’t think I had much impact on Hilly; I still don’t think he can send an email. But I believe one of my contributions was to introduce Senator Alston to IT.

The other thing about Richard, which people have talked about, is his huge range of interest not just in Indigenous and other forms of art but also in literature. He devours books at a rate of knots. If you want to know a good book to read when you are about to go on a plane or when you think you are going to have five minutes during holidays to read a book, Richard is always there to tell you the latest author. I think some of us get very narrow in this job. We lose contact with some of the groups we belonged to before. But, as Senator Vanstone said, one way of broadening ourselves is through art and literature, and Richard has done that.

Might I also mention an aspect of Richard that not everyone would be aware of. I was at the other end of the health system at one point, having had an operation on my knee, and Richard was there to pick me up and drive me—he lives not far away—and quietly made sure that I got to where I needed to go when I was on crutches, and he came to visit me. It was the day after I had the anaesthetic, so I did not remember until the next-door neighbour told me he had been to visit me. Thank you for visiting me, Richard—I do not remember it, but it was great of you to be there.

I also know that my friend Eric and Richard had a very good friendship. They visited each other and discussed their backs at length. That was another area in which Richard was able to show his care of people when they are ill—a side of him that is not always seen when in the cut and thrust of politics.

I also want to say thank you to Megs and Richard for the times they fed me at their place—when I had no food in the house. I would also like to say thanks to Megs for lending Richard to us, because it is not easy in political life when somebody is away. Given how many trips he has had, Megs deserves even more accolades. I say to Megs: thank you for lending him to us.

Richard, we appreciate your friendship. We appreciate what you have done for Australia in your time here. I know you said that after 10 years we should both see whether we should still be here. You have lasted a bit longer than 10 years, and you have made an enormous contribution to Australia through your work as a minister, a backbencher and an opposition member. We wish you well in the future. Thank you for your friendship. I will not try to upstage Amanda with a farewell in another language, but I say farewell and all the best for the future.

Senator Coonan (New South Wales—Minister for Revenue and Assistant Treasurer) (7.07 p.m.)—I want to associate myself with the remarks made in this valedictory for Richard. I think it must be a very confronting experience, Richard, to have people turning up and recounting stories about you. In fact, I think there must be a whole market for trying to make sure that certain people do not turn up and remind people of some of one’s
worst moments in this place, because we have all had them. Time will not permit an effusive and full account of Richard’s many portfolio and personal achievements, and that has been very ably covered by earlier speakers. Richard’s virtues have been exalted—and rightly so—including, of course, his long stint as communications minister. So, rather than go to the record, I thought it would be revealing to look at some of the media assessments that followed his announcement of his intention to retire.

My eye was particularly taken by an article in the *Australian* on 7 October by Stewart Fist, entitled ‘Last stand of a night watchman’. I really think the break-out sums it up very aptly: ‘As a juggler of touchy issues, Richard Alston had few equals.’ Then it goes on to say:

> From the viewpoint of both sides of politics, Alston’s achievements in the area of digital television, for instance, are profound. In referring to some of the more difficult conceptual aspects of the tranches of the Telstra sale, it says:

> Juggling such incompatible ideas is not an easy task for any politician.

> So, as a share-trading, entrepreneurial politician, Alston has few equals.

I think that is a very rare accolade. I do not know who else among us might be regarded as a ‘share-trading, entrepreneurial politician’, but I think that certainly is true of Alston. Then this article also uses the analogy of the nightwatchman:

> For Alston the appropriate sporting analogy would be that old cricket term, “the night watchman”—the batsman who blocks every ball and breaks the spirit of the opposition, but doesn’t score many runs.

I think that is very unfair because Richard has scored a massive number of runs. I agree with the concluding sentence:

> As night watchman, Alston has been a most effective politician.

I think the better analogy is probably Richard being like a full forward, able to kick a goal at any angle and from a long way back. I think that covers it more adequately.

Richard has had many, many policy wins and some very difficult policy issues to look after, including the Telstra sale, the media ownership issues and the conversion of digital TV. He has had some magnificent successes with parallel imports for CDs and the campaign to fix black spots for TV reception, which is such an important gain for rural and regional Australia. I must say that I have come to quite admire Richard. Apart from him being Marco Polo, I think the other great description that fits him to a T, for those of us on the ERC—and Nick Minchin referred to it a little earlier—is the burglar of the ERC. I will never forget, as one of the new ministers, looking in open-mouthed amazement at the Treasurer in exchanges with Richard. Somehow or other Richard always used to depart with what he came to get. There certainly are not many ministers who do that!

I will always admire and appreciate Richard’s ‘take no prisoners’ approach to politics. After all, we are here to get a job done. His exchanges were always vigorous but never vindictive. He had that rare and prized quality in a politician that he could stay on message. Richard has been able to marry the ability to make a telling political point with style. Another commentator, in making some assessment of Richard in the media, said that he wears politics like a cloak. But even someone of Richard’s formidable talents must eventually—as indeed we all must, at some stage—weigh up whether to stay or go. I know that, with Richard’s two children in Sydney and Megs in Melbourne, he would start to be tugged every which way. I think that has probably been one of the reasons
why Richard began to think about a few adjustments to his lifestyle.

Senator Faulkner alluded to other attractions that may be beckoning Senator Alston beyond the red benches of the Senate. I certainly would not want to speculate about that, but we can be confident that, whatever it may be, Richard—in business, on boards or in any appointment that you may take up in any field—you will acquit yourself with great aplomb and great distinction as you always do. We will miss you very much in this place. I am sure you have always been a bit of a mentor to those of us who have come along later than you and have learnt a lot from you. We will also miss your very charming wife, Megs, at all our functions. We hope that you stay in touch with us. I wish you and Megs all the very best.

Senator IAN CAMPBELL (Western Australia—Manager of Government Business in the Senate) (7.13 p.m.)—by leave—I move:

That valedictory statements may continue beyond 7.20 pm, and that the question for the adjournment be proposed at the conclusion of valedictory statements.

Just by way of support for that motion, to convince colleagues to vote for it, could I say—and this is an outrageous abuse of my position, jumping the speakers list!—two things very briefly to my colleague Senator Alston, because a lot of it has been said. I did serve as Richard’s parliamentary secretary for three years. It was, as Senator Coonan just said, a period of intense policy activity. It was quite remarkable to move out of Treasury, where I really thought we had, as Senator Coonan and Senator Kemp know, a phenomenal level of policy activity. To go into communications and IT at the time when Richard and I invented the Internet was, of course, a phenomenal period of activity. If you think back to that time, it was when the Internet was taking off. Broadband—a term that Richard and I invented!—occurred at that time. Of course, Quilty was involved. It was a time when there was an explosion in telecommunications carriers and the issues that surrounded that.

I was very pleased to have the opportunity of working with someone who has an incredible policy brain. He is an incredible political hard hitter who never lost his enthusiasm or vigour for delivering our party’s message in clear unequivocal terms and ‘kicking political goals’—to use a Coonanism. It was fantastic for someone who was relatively young at that time—I am older now—to work alongside a political master such as Richard. As Senator Coonan said, Senator Alston took a lot of new senators under his wing and gave us encouragement, support and advice when we needed it—he did that like very few others in this place. On a couple of occasions when there were reshuffles and I was given important roles, Richard was always one of the first to ring me and suggest that I could have been given a more important role. He was always one of the first callers to encourage me to keep my eye on the ball and to aim higher. That was very important to me, and I thank him for that.

On behalf of all Western Australians I conclude on this note in support of this motion: all Western Australians owe Richard a very special vote of thanks for something he is not given a lot of credit for—although I give him credit when I can—and that is the return of Australia II to Fremantle. That would not have occurred if Richard Alston, with a little bit of encouragement from Skip Lissiman, Choofer Ellison and a few others, had not stood up to some wonderful Australians in Sydney who wanted to keep Australia II there. The most wonderful thing about that was that she was returned to WA. We have a wonderful maritime museum built at
the instigation of Richard Court. It would not have been built unless Senator Alston had insisted on Australia II returning. You gave me the opportunity to do the official hand-over. It was a phenomenal event, particularly because it brought together virtually all the crew of Australia II for the first time since the victory.

It was a wonderful thing for them and for Fremantle but it was particularly wonderful for Warren Jones, who was alive on the day we handed her over. We later had Warren’s funeral in the hall where Australia II was to go. It was also very important for a mutual friend of yours and mine—and Senator Kemp’s and Senator Ellison’s—and that was Noel Robins. He was alive to see Australia II come home. He was also instrumental in supporting Warren and Skip in seeing Australia II go to that jubilee regatta of the Americas Cup and sail again for the first time since 1986.

That was all made possible by you, and I say on behalf of all Western Australians that amongst a career filled with phenomenal goals that is something that is very important. I hope that in the very near future you have an opportunity to come and visit Australia II in her new home—and catch up with some of your close friends from the original crew of Australia II—and that you and Megs come and sail on that other iconic Western Australian yacht, the Lusty Lady II, down at Royal Perth Yacht club.

Senator MURRAY (Western Australia) (7.19 p.m.)—I would be happy to support the motion if the Senate would also oblige me by granting leave for my adjournment speech to be incorporated during the adjournment debate.

Leave granted.

Senator MURRAY—My second request is that let me say a few words very quickly to Richard Alston. You are a good bloke. You are a straight man. You have a good sense of humour. You know how to keep a confidence. I have enjoyed knowing you, and I wish you all the best.

Question agreed to.

Senator HARRADINE (Tasmania) (7.20 p.m.)—As I understand it, Senator Alston has another appointment very shortly this evening, so I suppose the best and cheapest farewell gift that I could offer is to say little and sit down. I remember that 18 years ago, before Richard came here, there was some discussion as to whom the Victorian branch would send up in place of the late Alan Missen. When Richard came here nearly 18 years ago he was not out front. He started operating in the background and shortly after his arrival here he was appointed to the Senate Standing Committee on Legal and Constitutional Affairs. But soon his talents were very well recognised and then years after that he became minister and he covered a lot of portfolios on behalf of others in the House of Representatives.

My observation is that he was really expert at reducing complex issues down to first principles. I do not know whether it was the Jesuitical training but he was able to do that using plain language—plain enough language for me to understand, in any case. He was always a fair dinkum fellow as far as I was concerned and he always kept his word. I have never known Richard to break his word and of course, as we all know, trust is the lifeblood of politics. If that is so then he was a good politician.

The T1 and T2 negotiations were not easy negotiations to be involved in; they were not easy decisions to make. But he kept his word, even under great pressure, and I think that is commendable. Other honourable senators have said a lot about his service; I do not have to repeat that. He leaves with a lot of achievements. I certainly could not hope to
reach the heights that Richard has reached—
I am not necessarily talking about the heights
Richard has reached in aircraft during his
travels around the world.

The bottom line for me is to wish Richard
all the best in what he has to do, particularly
as he indicated that he needs time for his
family and his wife. He did tell me that he
was going skiing. I do not know whether
there is any snow up there at the present
moment; it is a bit late to go skiing, but I
wish him well with that. He certainly has
made his mark in serving the people of Vic-
toria and the people of Australia. Finally,
from Tasmania I would just like to say a
heartfelt thanks for keeping in mind that dis-
advantaged state. What you have done for it
is very much appreciated. As a senator for
Tasmania, I have pleasure in thanking you
for that and wishing you all the best.

**Senator ELLISON (Western Australia—
Minister for Justice and Customs) (7.24
p.m.)—** One of the great things about know-
ing Richard Alston, of course, is that you get
to meet his wife Megs, who is an outstanding
lady. My wife and I wish them both all the
best for the future. I first met Richard Alston
when I came into this place 10 years ago.
Senator Ian Campbell has mentioned his
gratitude from a Western Australian point of
view, and I will relate to the Senate the great
contribution that Richard made to the great
debate on native title, which is now enjoying
its 10th anniversary. Back then, it was the
longest time that a bill had taken to be de-
bated. I think it was the first time we had sat
on a Saturday in 30 years. Richard was the
spear carrier—if I can put it that way—in
that debate.

I was also involved in the percentage
players inquiry with Richard. That was a
remarkable inquiry into the 1991 and 1993
Fairfax ownership decisions. It was during
that inquiry that someone said to Kim Carr,
‘I wouldn’t leave you alone in a room with a
quorum.’ That was attributed to either Cheryl
Kernot or Richard Alston—I think it might
have been the latter. But it was a great in-
quiry and one which was pursued by Richard
with typical doggedness, perseverance and
commitment. It was very much Jesuitical and
therefore it was not a surprise to find that he
had been educated at Xavier College. It ex-
plained a great deal in that inquiry. In fact, I
think he tormented Ralph Willis, the Treas-
urer of the day, by demanding that certain
witnesses appeared before the committee. In
fact, when you look at the report, half of it is
legal opinion about witnesses appearing be-
fore Senate committees—and don’t we know
all about that!

I learned early in the piece of the great in-
tellect and perseverance that Richard has. He
was chairman of that inquiry and he was to
become the longest serving communication
minister in Australia’s history. The attributes
and talents which he demonstrated when I
first met him continued. I believe, as others
have said, that he has been one of the great
ministers in the Howard government. Of
course, I would say that this might have
something to do with his birthplace of West-
ern Australia; we almost regard him as a fel-
low sandgroper. He has certainly had a great
affinity with Western Australia over the
years, and I want to acknowledge that.

I mentioned the fact that he was educated
at Xavier College, and I think it is fair to say
that Richard’s faith has been a driving force
in relation to his political commitment and
political life, as well as the backing he has
from Megs, which has been second to none. I
wanted the opportunity to place on record
my appreciation for the guidance that Rich-
ard gave to me as a new senator. He gave me
very wise counsel in those early years and
has continued to do so, and for that I am ever
grateful. He has been a great colleague and a
great minister in the Howard government. I
wish to say to Richard and Megs: you have earned a great break. I wish you—and Amy and Nick as well—all the best for your future.

Senator EGGLESTON (Western Australia) (7.28 p.m.)—Having been the chairman of the Senate Environment, Communications, Information Technology and the Arts Legislation Committee, which has covered Richard’s portfolios over the last five years, I would like to say a few words. I think Richard quite genuinely is the best communications minister this country has ever seen. I have always been impressed by his intellect and his great knowledge of IT. It is not that he has learnt it; as somebody from Telstra said to me, he actually enjoys it. He is an IT buff. He likes fiddling around with IT and knowing how it all works. Richard brought about extraordinary changes and benefits during his period as minister. He improved telecommunications in regional Australia in a very wonderful way. He brought about the arrangements for the introduction of digital television, which is yet to occur but all the requirements have been put in place, and he introduced great competition into the telecommunications sector, all of which has been of great benefit to the people of Australia.

Richard performed extraordinarily well in estimates, and it was always a joy to see how firm he was when dealing with certain members of the opposition. He had a very simple approach, which was that estimates lasted from 9 a.m. to 11 p.m. and the opposition could use the time as they chose. At the end of the day, if they had not covered the ground they wanted to, it was too bad because he was not coming back and that was all there was to it. Sometimes it was very frustrating to the opposition. One opposition senator in particular, who has a great interest in IT but who has never really grasped the ability to focus on issues and quickly get through them, was often very disappointed by Richard’s approach, but it was very effective. Having heard about Richard’s travels around the world, may I also say that he was a frequent visitor to the north-west of Western Australia. That was coupled with his interest in art. One would find him in Broome more often than one would expect—

Senator Faulkner—I’m sure he was there on parliamentary business!

Senator EGGLESTON—It was not really to enjoy the pleasures of the Broome resort so much. One would find that, in fact, it was all about going up to Balgo, on the Western Australia-Northern Territory border from Halls Creek. Richard’s great interest in Balgo was Indigenous art. Balgo is renowned for the best centre for Indigenous art in Australia. They really do produce quite extraordinary art there, and I must say that Richard has been something of a mentor to them. He encouraged them to the extent of putting in a half a million dollar art centre out there, for which they are very grateful and which has done a great deal to improve the art that comes out of Balgo. I suppose that is an example of his ability to be the ‘burglar’ of the ERC, which has been referred to already. There is no doubt that Richard is a great sponsor of Indigenous art and Indigenous communications. I remember going to the Goolarri media centre in Broome, which is a television and radio centre. Richard was very encouraging to them and gave them great support.

Mention has been made of the fact that Richard was a Western Australian. He once told me that, when he was dealing with difficult Western Australians who were complaining about evil politicians from the east who did not understand how disadvantaged Western Australia was, he could always stop them in their tracks and give himself some time to think by saying: ‘But I’m a Western Australian. I was born at St John of God in
Another thing that has been referred to tonight is Richard’s transition across the political spectrum—a well-established moderate pedigree, it would seem, to someone on the right. I found that terribly interesting. However, when I came here, the republican debate was in full swing, and I was very pleased to find that Richard Alston was somebody who, like me, believed that we should have a truly Australian institution for our national head of state. He was a good republican. Richard has obviously retained at least some of his more moderate political principles.

As has been said by others, Richard is somebody who has made a great contribution to this parliament. I certainly wish you all the best in your retirement, Richard, which I suspect will not exactly be retirement but a different place to work. I am sure that life will work out well for you. Thank you for all you have done in the time you have been here.

Senator ALSTON (Victoria) (7.34 p.m.)—I do not think I ever expected to be in this position. In some ways it is a bit surreal to sit through these events while you are still alive! Nonetheless, there are a few misconceptions that do need to be cleared up. One of the great tragedies is going through your political career thinking you have great staff. They do the bulk of the work, you are the front man and it all works quite well. I had this guy called David Quilty, whom Kay very kindly put me onto many years ago. Quilty was a phenomenal performer in every respect—one of the great political brains but also with an ability to put 10 points on paper without even stopping for breath. I always had the greatest admiration for him, but I have been profoundly disabused in the last few days because I discovered, when talking to Annabel Crabb of the Age, that Quilty was responsible for that leak that appeared last week about my overseas travels. That is absolute disloyalty and I will not be forgiving him quickly.

I suppose the other great tragedy is that in politics it is all about selectivity. Clearly Senator Faulkner read my CV, and so did Senator Hill and Senator Minchin, but none of them for a moment thought of mentioning that I had led at least 10 trade missions. You would think that this was just a bit of a casual wander around the world, wouldn’t you—the sort of thing that Minchin and Hill have turned into an art form over the years! But here am I, doing the hard yards, taking serious Australians over there, showing them around and creating business for the country, and it does not get a mention. I am not surprised; nonetheless, I do think those trips can be very important and I am sure there will be others following in my footsteps.

The thing that always drove me about travel to Aboriginal communities was that, if you went to a place like Balgo, there just was nothing else to do. It was a community of 300 or 400 and there was just no work. The people might have been on CDEP but essentially they had no future—except that about 60 of them were terrific artists, which generated enormous income for those communities. They did not just keep it to themselves or in their extended families; it often went right through and it was a tremendous opportunity for jobs generation. I do regard that as unfinished business. I do think that there are a number of ways in which we can stabilise the whole community arts centre structure with some of the peak bodies that are there to provide support. I know that Senator Kemp will drive that agenda forward.

In terms of the arts, I used to say, ‘Comms by day, arts by night.’ Arts really was one of the great privileges. I suppose I had set my...
self for communications in many respects, and having had 11½ years on the front bench in that area I suppose you end up being a bit of a specialist, but I certainly regarded the arts as a great honour and privilege and I loved every minute of it. Kempy did the first nights and I did the policy work, and it was a great combination. He thrived on it and so did I.

I should just say something about the ERC, because you get these myths that spring up. I did have a few wins early on, I have to say, but, boy, once the word got around that I had supposedly got away with a few things I got slaughtered, particularly in recent years. Senator Harradine might not understand just how pivotal a role he played in all that. We did have some tough negotiations, and Senator Harradine knew precisely what he wanted for Tasmania, which was perfectly reasonable. I think I was even asked questions by people like Senator Ray as to whether there was a deal, and we said, ‘Certainly there is no deal.’ But the fact is that Senator Harradine did have certain requirements, and we did our best to accommodate them in the best interests of the nation. What I discovered subsequently was that people like the Treasurer thought that I had gone to Senator Harradine and said: ‘He re  you  are , spo rt . He re’ s a wish list; just ask for half a bil and you’ll get it,’ and this was to be the price for getting Telstra through parliament. That is a grotesque distortion of the facts; nonetheless, these myths get around. I was suddenly portrayed as somebody who had both hands in the till on a regular basis in the Expenditure Review Committee. In fact, they would give people like Senator Hill, wandering in for Defence, a few extra battleships without thinking about it, but when it came to the pencil sharpeners I had to fight tooth and nail. It was only through a process of attrition that you ever got anything really.

I have to say that I found both John Fahey and Senator Minchin to be very good finance ministers because they had a sufficient degree of policy flexibility.

Senator Minchin—We were a soft touch!

Senator ALSTON—No, it is not being a soft touch—I wish you were! It is being aware of the political realities. I think in many ways that is the art of judgment in this game. I have certainly enjoyed almost every moment of it, probably not the 10 years in opposition but I do recall a time when I thought we might never get there. I still think that, on balance, I would rather have had the opportunity to be in the parliament than simply stay at the bar. Of course, 7½ years in government is an experience never to be missed and one that I will be forever grateful for.

I am indebted to those who have spoken generously in this debate. Paul Calvert, as I am sure you all know, has been a longstanding friend of mine for many years. I think he has done a fantastic job of the position of President of the Senate, just as he did of the position of whip. I did say the other night that he was a hard act to follow, but I think Jeannie Ferris has more than capably filled Paul’s shoes.

Senator Ferris—He’s got leave tomorrow.

Senator ALSTON—I would have said that even before you had given me that leave approval, Jeannie. There is no doubt that colleagues make this place worth while. If you came here believing the media that it is everyone for themselves and that it is a constant round of backstabbing and backslapping, you would find that to be quite untrue. I have found this place to be filled with people who have very special qualities that you have to admire. You do not just get here accidentally. You certainly do not stay around for a period of time unless you have some
personal as well as political skills. I have been remarkably fortunate and impressed at some of the people I have come across.

I would put Amanda into the category of character. I think Bos is also in that category. But guys like the late John Panizza and Ross Lightfoot and Santo in their own various ways are all unique individuals. You are not talking here about people blurring together; they are very distinctive characters. I think that is one of the great essences of this place. I do want to mention Bos. When he started out, Bos was just a ruthlessly selfish National Party powerbroker. I have to say that when I came here I had pretty much that view. I can always remember Malcolm Fraser counselling me that we had to help the Nats in every respect. I thought this was absolute treachery and treason and I did whatever I could to ensure that we had Liberal Party candidates around Victoria.

But I have grown to love and admire Bos. I think he has mellowed. He has become a team player in his dotage. He is fond of saying that I am a poor salesman, which is really code for: ‘You’ve done the hard work. Let me go out and make the announcement.’ Of course, he used to do that on a regular basis. I can recall when Bos and I shared adjoining rooms in this building, before I got on the front bench. One morning I heard these horrible noises coming from his room. I rushed in and said, ‘Are you all right?’ and he said, ‘It’s all right, mate; I’m just rehearsing for question time.’ He was practising his loud voice and his soft voice. I thought that was very impressive, Bos.

Can I also pay tribute to Brian Harradine. I have immense admiration for him, not just because of his personal qualities, which I think we are all very much aware of, and his very deep religious commitment, which I would like to emulate, but also because he is someone who is prepared to get involved in a vast range of issues. It is very easy if you are an Independent to say, ‘Nope, I’ve got my issues and I’ll stick to them.’ Senator Harradine had to get across matters that would daunt lesser individuals. I was very impressed and enjoyed my negotiations with him very much indeed, and I have the same admiration.

Parallel imports were actually a totemic issue. I remember saying when I announced my retirement that I did see that as quite an important achievement. Immediately someone wrote it up in the media as, ‘If that’s all he’s got to boast about, he didn’t do much, did he?’ But the fact is that it was an area of political courage. We know that the Labor Party were sorely tempted. In fact, I remember reading a story subsequently that this was lost on almost a tied vote in cabinet, and Senator Ray finally put up his hand and admitted that he had not voted either way, the reason being that he did not know what a CD was. That is apparently the way they made policy at the highest levels in the Labor Party, but we were actually prepared to stare down all those who predicted the total demise of the record industry in Australia. They basically said that 55,000 jobs would go. I said, ‘Hang on, we’ve tallied them up and we can’t find 55,000 people, even if you include every shop in the country.’ Of course, none of those jobs went. That, I think, was a very good example of political courage on our collective parts. I do not claim credit for doing anything other than bringing the matter to cabinet, but my colleagues were rock solid and I was very grateful to them for that.

I also thank Senator Minchin. I do not recall the days of being dapper and debonair, but I suppose I do remember the time when I had a Beatle haircut, and it was probably jet black as well. A lot certainly has gone under the bridge since that time. In terms of political ideology, which seems to amuse and titillate colleagues endlessly, I suppose I had a
bit of an unconventional path to politics. I was involved fairly heavily with non-government organisations and, in a sense, that drew me towards the political flame. I think it did broaden my outlook and I have found that a very worthwhile experience. It also showed me, over time, that you could not just support a cause; you had to look for practical policy solutions and, of course, find the way to fund any proposals that you might have hoped would get up. In that sense, I think it is ultimately a matter of balance, and I am delighted to know that Senator Hill, Senator Minchin and I are all sharing the political centre these days. I prefer to explain that as the man on the Clapham omnibus. I always was reasonable in my approach and I am glad a few others shared that as well.

I would also like to pay tribute to my family. Obviously, wives do have to put up with a great deal, but my wife has been wonderful in her tolerance and support. After some 30-odd years of marriage I suppose she has had a lot to suffer for, but certainly I will be forever grateful for her preparedness to allow me to indulge my political interests. Similarly, I think our children, in their formative years, probably would have liked their father to be home a bit more often but maybe, on the other hand, it would have been a lot worse for them if I had been. They worked out fairly well and I am certainly grateful to them for everything.

I have paid tribute to David Quilty. It was a bit of a backhander but, on balance, I would have to say I think Quilty was a real positive, not just for me but for the government. About eight months or a bit longer before the 1996 election, he came to me and said, ‘I’m off to the Prime Minister’s office.’ I said, ‘You’re mad, mate. You’d just be sidelined. Why don’t you stick with a very interesting policy area?’ ‘No,’ he said, ‘I’m off.’ I said, ‘All right, away you go.’ And of course, less than 12 months after the election, he was back. He stayed and we have had a great partnership ever since, I have been particularly indebted to David.

I also pay great tribute to Neville Stevens as the Secretary to the Department of Communications, Information Technology and the Arts. I remember Senator Faulkner saying to me in estimates one time that he thought Neville Stevens was a very fair man. I thought, ‘If he can please both sides of politics, he’s done pretty well.’ The rest of the staff I will not name, but certainly I was very grateful that we kept getting very good-quality people, both in the policy and in the administrative areas. They know, because we have had farewell functions, how much I appreciated them.

I did appreciate Senator Faulkner’s restraint. I thought he was verging on the generous. He did not make mention of a particular estimates committee. I was generally very intolerant of estimates. I thought they were largely a waste of time. Senator Faulkner and Senator Robert Ray, of course, had to fill in long days and they have managed to conjure something out of nothing, in terms of estimates. Probably one of the highlights was Senator Faulkner threatening to shirt-front me when Jonathan Shier had been cross-examined, completely missing the point. All I did was point that out but, once again, Senator Faulkner took umbrage. I think, at the end of the day, I am grateful to him for restraint on that occasion.

---

Senator Faulkner—I lasted a bit longer than Jonathan Shier.

Senator ALSTON—Well, at least he got to the top. It is probably something we should all aspire to. Senator Ray is also a very hard man on the other side, but someone I do have respect for, not just for his football team but for the way in which he plays the game. I think it is important to have vigorous exchanges. It is not a place for
shrinking violets. We do all bring our own particular skills, but you need to have an element of the warrior to succeed in this business. The trick really is to do it with some finesse, if you can. It does not have to be brutal. Verbal exchanges can be, at times, entertaining and you can still make your political point—and I acknowledge that there have been a number in that category.

I do think we are all very privileged to be here. I have been fortunate to be in a portfolio of choice for many years, so in a sense I have become endlessly fascinated by technology and the intersection with policy and politics. It has been a great privilege to have been tolerated in that position for as long as I was, and I am particularly indebted to the Prime Minister and others for the opportunity. I have immense respect for what we do in this place. I have great admiration for my colleagues' commitment. I think we have very high-quality people—certainly on our side of the chamber—and I am very confident that we will continue to prosper for many years to come.

I can assure Senator Faulkner that unfortunately I have to go out and work for a living when I leave this place. I am not sure how big the consultancy will be but, if you are in need, I am sure we can probably help you out on at least a part-time basis.

Senator Faulkner—It is possible that in 20 years we will get that desperate, I suppose.

Senator ALSTON—Well, when we talk about sheltered workshops, I think you have the place sewn up. As I say, I do have mixed feelings about leaving, but I think it is time. I think I owe it to my family and probably, when you get to my age and stage and the back has been playing up a bit, you should think beyond politics. But I will never leave politics in the ultimate sense. I will be very much following all your struggles and barracking as much as I can from the sidelines.

Thank you again for this opportunity. I hope I have not left anyone out. Just for the sake of completeness, Helen Coonan, Chris Ellison and Alan Eggleston all said some very charitable things and, again, I am very grateful to them. Nick Minchin is someone for whom I have had great admiration, and I was particularly pleased with his comments. I have always thought that Ian Campbell was a rising star. I am delighted that he has finally got a foot on the ladder and I am sure he will go a long way. Thank you all. I look forward to talking to you off the field.

ADJOURNMENT

The ACTING DEPUTY PRESIDENT (Senator McLucas)—Order! It being 7.53 p.m., I propose the question:

That the Senate do now adjourn.

Alston, Senator Richard

Australian Citizenship Day

Senator MASON (Queensland) (7.54 p.m.)—I would also like to take this opportunity to say a few words about my friend and colleague Senator Richard Alston. My colleagues have spoken about Richard’s massive ministerial legacy, and I will say nothing more about that. Rather, I would like to say just a few words of personal reflection about Richard’s kindness and patience. I remember coming back on a couple of occasions to the unit we share outraged—absolutely outraged—about some perceived slight or some ignorant argument being made and Richard, being the kind and patient man he is, setting me straight. I think Richard sees politics more as a game than as a war. He has always had a marvellous insight into people, humanity and the human condition. But I have discovered his secret. Anyone who has read every single book that has ever been nominated for the Booker Prize under-
stands every character that can possibly be. I do not think anyone in Australian politics has ever so effectively combined prose with politics. Richard, I will miss you. Thank you for being such a great colleague and friend. You were the very best.

Earlier this year I spoke in this chamber on the occasion of Citizenship Day, celebrated throughout Australia on 17 September. My speech focused on the symbolism employed during citizenship ceremonies and called for a more positive and inclusive manner of embracing the newest Australians and introducing them to their new home. Tonight I am very happy to be able to report back to the Senate on a very successful conclusion to issues raised in my speech. My initial remarks were prompted by the well-known practice of acknowledging, at citizenship and other official ceremonies, the traditional Aboriginal owners of the land on which the ceremony is being held. It is a common practice. In my speech I called for a more inclusive and positive formula which, in addition to recognising the undisputed contribution of Indigenous Australians to our society, would also acknowledge our debt and our gratitude to all those who have built this great country, regardless of race, creed or colour. I said:

... when at citizenship ceremonies we acknowledge Indigenous Australians let us also acknowledge those men and women who tamed our harsh continent and, in doing so, brought into being one of the world’s oldest democracies and most successful multicultural nations.

I went on to say:

Our new citizens should learn not only about the importance of Indigenous Australian history, as considerable and unique as it is, but also about the great debt we owe to all those who built our country—whether they be convicts, pioneering men and women, the Anzacs or the migrants who flocked to this country after World War II.

The new formula I proposed read:

I would also like to acknowledge our debt and gratitude to all our forebears: the men and women of all races and religions who through their courage, hard work and determination made Australia one of the freest, fairest and most prosperous countries on earth.

I was very fortunate. This initiative was widely publicised in the national media and the community response was overwhelmingly positive. There were also some predictable reactions, but those who called me a racist or a bigot have demonstrated once again how much out of step they are with mainstream Australia. They have also demonstrated that they have not understood my proposal in the first place. It was, as I said in my speech, ‘not about downplaying the role of Aboriginal Australians but about celebrating in a much more inclusive manner the contribution of all our ancestors’. Following my speech I wrote to my Queensland colleague the Hon. Gary Hardgrave, Minister for Citizenship and Multicultural Affairs, asking him to consider amending any future edition of the Australian Citizenship Ceremonies Code to include in addition to the currently recommended recognition of Aboriginal culture my formula, which acknowledges the contribution of all our forebears to building our great country.

I can now report back to the Senate that the minister has written back to me to let me know that he has asked the Department of Immigration and Multicultural and Indigenous Affairs to include my proposed form of words when the code is next updated. The minister writes:

The Australian Citizenship Ceremonies Code provides suggested paragraphs for use by presiding officers in their speeches. Australia’s success as a democratic and multicultural society, and the role of our forebears in achieving that success, is a theme running through those paragraphs. There are many ways in which these sentiments can be expressed, and I have therefore asked my De-
partment to include your proposed form of words when the Code is next updated.

I would like to take this opportunity to thank the minister for his consideration of the issue and for his decision. I am heartened to note that colleagues have begun to use this formula and can only encourage others in light of its inclusion in the ceremonies code. I think this is a great day for commonsense and another positive step towards celebrating Australia’s success as the world’s greatest multicultural nation.

I seek leave to incorporate a speech by Senator Ellison relating to the International Day of Disabled Persons.

Leave granted.

Senator Ellison’s incorporated speech read as follows—

Members of this Chamber may recall that since 1999, I have been involved in the Politician Adoption Scheme. The Scheme is run by the Developmental Disability Council and I was subsequently adopted by Stephen Franklin and his family.

Stephen has Prader-Willi Syndrome, a condition which is categorised by severe physical disabilities and mental handicaps. The experiences that I have had through this Scheme have served to increase my understanding of the difficulties faced by people with disabilities and their families. These families often face incredible adversity in silence and their issues are often away from the view of other Australians. Yet they guide and care for their children with determination and dedication in what are very difficult circumstances and today we celebrate the achievement of people with disabilities and their families in the International Day of People with a DisAbility.

This past year has been an eventful one for Stephen and his family. In February, Stephen moved into a group home. The move has been a huge success for Stephen and increased his independence enormously. Carol can now enjoy spending time with Stephen without the constant strain and pressure of being his sole primary care giver. However, not one to sit back and relax now that her son has secured supported accommodation, Carol now uses her time to advocate for other families that have not yet been so fortunate and to campaign for the rights of people with disabilities, a cause that Carol has championed for many years. In April 2003, this work was recognised and Carol received a Centenary medal for service to the local and State disabled community.

It is important that today we recognise the contributions made by people with disabilities and also the vital support provided by their families.

**HMAS Sydney**

Senator STEPHENS (New South Wales) (8.01 p.m.)—On behalf of Senator Mark Bishop, I seek leave to incorporate his adjournment speech on the **HMAS Sydney**.

Leave granted.

Senator Mark Bishop’s incorporated speech read as follows—

62 years ago, on 19 November 1941 Australia suffered its worst national disaster ever when the HMAS Sydney was sunk by enemy fire off the West Australian coast, with the loss of all 645 crew.

At a time when we have seen such an emotional outpouring in the media from the Bali bombing, it has been remarked by some that perhaps we too often forget the trauma of the past. I don’t wish to dwell on any of the parallels here, because the loss of any life is tragic. Grief is the same whether the loss of a loved one be from age, illness, accident, terrorism or war.

But of course there are differences outside the family connection which make us consider our own vulnerability.

Every day we all commute somewhere by car or public transport—and we are always reminded of the risk by the crash and fatality statistics.

Sometimes such losses can be major, and the Granville train disaster is another which has faded from our memory—except those of us who cross that bridge—or who still ride that train route.

So after 62 years tonight I would simply like to remind people listening of the sinking of the Sydney at a time in our history when our nation was
threatened in a way it has never been before or since.
The Japanese were on our doorstep, and getting closer.
Many of our troops were abroad, fighting in North Africa.
Britain which was still regarded as the mother country sentimentally at least, was fighting for its life after the loss of most of Europe to Adolf Hitler.
War preparation embroiled everyone as everything was turned to the needs of defence.
Further, we were ill prepared. Our army, navy and air force were poorly equipped and every asset was vitally important.
Later of course, with the fall of Singapore Australia suffered serious trauma, but the events of 19 November 1941 were a precursor that absolutely stunned the nation.
Certainly it was, and remains our worst naval disaster.
The Sydney disappeared while off the northern coast of Western Australia, some 140 miles west of Shark Bay. Whilst not everyone agrees with the cause of the sinking of this cruiser, it was accepted by a parliamentary committee only four years ago that the encounter with a disguised German raider, the Kormoran, was fatal.
The Kormoran attempted to disguise itself as the Dutch ship, Straat Malaka. Upon closer confrontation, the German raider ignored the Sydney's repeated signals requesting identification.
The German Captain, Commander Theodor Detmers soon realised his vessel and crew could not pass undetected and hence, torpedo and artillery attacks were launched with the element of surprise their advantage.
With her forward turrets ablaze, the Sydney launched a retaliatory attack that obliterated the Kormoran's engine room, leading to the demise of the German cruiser as well.
317 of the Kormoran's 397 crewmembers were rescued at sea, but tragically the Sydney and all her crewmembers were never to be seen again.
Of these brave 645 men and boys under the age of 18, 249 hailed from New South Wales, 163 from Victoria, 93 from Western Australia, 55 from South Australia, 42 from Queensland, 36 from Tasmania, and 7 from the UK and Singapore.
I thank Mr. Len Crabbe of Cheltenham Victoria for the provision of this detail and for his avid interest in the fate of the Sydney and the mystery of its whereabouts.
The failure to find the wreck has provoked myriad explanations alternate to the testimonies of the rescued Germans. For instance, many to this day continue to insist that a Japanese submarine torpedo brought the HMAS Sydney to her death—a conspiracy theory shared by a number of those connected with the ship.
Scepticism surrounding the sinking of the HMAS Sydney is particularly common amongst those linked to the tragedy. Families and loved ones of the lost crewmembers largely refuse to accept the recorded detail of November 19, 1941.
Many believe that locating the Sydney would divulge the true details of the event. An analysis of the wreck could reveal how she was sunk, as well as giving those directly affected some much-sought closure.
Currently, a proposal to find this integral part of Australia's warfare history is being pushed.
If it is undertaken—and the chances do seem remote—the project to find the Sydney will encompass the latest deep-sea and exploration technology. As understand it, the surveyable search area is 100sq km, at a cost of about $3.5 million.
Talks to internationally renowned hunter of deep-sea wreck, US marine geologist David Mearns have commenced; and a group of ten to fifteen specialists in deep-sea exploration, remote vehicle exploration, risk assessment, and mineral exploration have volunteered for the search.
If successful, both the HMAS Sydney and the Kormoran will be instantly deemed war graves and protected accordingly under current legislation.
May I finish as I began—as a nation, we have mourned the loss of the 88 Australians in Bali with an overwhelming expression of grief and public sympathy. We should also remember the HMAS Sydney and the 645 men who served on her in our defence at a time of dire need.
Petroleum Industry

The ACTING DEPUTY PRESIDENT
(Senator McLucas)—I understand that Senator Murray was previously granted leave to have his speech incorporated in the adjournment debate.

Senator Murray’s incorporated speech read as follows—

In developing tonight’s adjournment speech I have consulted with the Motor Trades Association and drawn on past work of mine in this field.

The MTA are of course aware of my long interest in and responsibility for matters that fall under the Trade Practices Act. And of course I have held the industry and small business portfolios for my party.

Nearly five years ago the federal government attempted to repeal the commonwealth legislation, which regulates the retail petroleum sector of the economy.

It failed.

It failed because the Senate would not accept that the oil majors should control the market from the refinery to the bowser. It failed because the Senate baulked at further entrenching vertical integration and the oligopolistic characteristics of the market.

Now I understand, new legislation is proposed to be introduced.

Five years ago when legislation of this kind was before the parliament, my colleague, former senator John Woodley, in a minority report on the then Petroleum Legislation Repeal Bill noted that there was no reliable evidence that the repeal of the legislation would result in a reduction in fuel prices in rural and regional Australia.

Senator Woodley said that radical government action was necessary in the retail area. He expressed the view that there should be an absolute prohibition on the supplier or any interests associated with the supplier being the landlord of the franchisee.

A free market required unchaining the retailers.

He also expressed the view that oil companies should be required to divest themselves of all interests at the wholesale level of the oil industry.

In other words he sought to break the anti-competitive control that vertical integration allows.

The basic problem that the oil industry presents to the government regulators has not gone away. It will not go away while a small number of powerful multinational suppliers seek to control the price of the product at every step from refinery to bowser.

It’s going to be made worse now that two of those four suppliers want to enter, or have entered, into arrangements with the two biggest supermarket chains.

Australia’s retail economy is fast heading for a duopoly in the supply of groceries and petrol.

The most recent development is that Woolworths and Caltex have advised the ACCC of a new proposal relating to their joint venture which, in my view, is clearly designed to get around the ACCC’s quite reasonable concerns about the impact on the market of what formerly was a joint venture between Australia’s biggest grocer and Australia’s biggest oil company.

In my view, the ACCC now has a further obligation to make sure that Caltex and Woolworths are not trying to engineer a situation where a contrived arrangement is used to get around legitimate concerns about anti-competitive behaviour.

I believe the minister for industry should also be looking very closely at these arrangements to ensure that the legislation he administers is not being breached or circumvented in some contrived or artificial way.

For much of 2003, the government explored with the players in the petroleum industry ways of deregulating the sector and in effect handing over complete pricing control to the multi-national oligopoly, once vertically integrated and now vertically and horizontally integrated.

It remains an absolute mystery why the coalition should have proposed to do so and for whose benefit.

The minister for industry, Mr Macfarlane, has made oil industry reform one of his key policy priorities.

As part of so-called reform he wants to remove the rights of franchisees that were conferred upon
them in 1980 by this parliament and a government that was of his party.

Mr Macfarlane’s plan is to replace the acts with a mandatory oilcode. Regrettably, the code that is proposed does not provide any assurances to small business service station operators that there would be a place for them in the industry in the future and that there would remain any to whom such a code might apply.

At this late stage of the parliamentary year, the government seems to have abandoned the legislation that it promised to introduce.

We can only hope that in the light of the further ructions in the market created by the entry of the two giant supermarket chains that the government is having a rethink.

If indeed it is having that rethink; it must address the market structure issues.

The most recent developments in the oil industry only serve to reinforce this. The Australian competition and consumer commission is currently grappling with the problems of oligopoly and increased market share being created by the unholy alliance of the two supermarket giants and the two biggest oil companies.

The ACCC should look no further than Senator Woodley’s minority report for inspiration and some solutions.

The further oligopolisation of the petroleum and grocery market is not a sensible development for Australia and its economy—no matter what the headline discounts are that may be offered to consumers in the short term.

Oligopoly is always a dangerous development and the slack laws we have should not have placed the ACCC in a position where it has to determine whether mergers and joint ventures like those proposed by Caltex and Woolworths and Shell and Coles are in the national interest; let alone in the consumer interest.

If these mergers and joint ventures go ahead, within a very short time we will likely see the oil industry controlled from refinery to bowser by a combination of two oil companies and two grocery companies.

Such a result will not be in Australia’s interests.

The grocery companies should never have been allowed to acquire their excessive market share in a number of regions in the way that they have and the oil companies should never have been allowed to vertically and horizontally integrate their operations in the way they have.

The combined effect will be to drive highly competitive small businesses out of both markets, grocery and petrol, because they will not obtain supply at competitive prices, and consumers interests will be subsumed into the interests of those whose job it is to increase the share price of Coles, Woolworths, Caltex and Shell.

The Australian Democrats strongly support amendment of the Trade Practices Act to include giving the ACCC the power to order divestiture and I am very pleased to report that we are no longer alone in seeking to amend the act in that way.

In a recent news statement released by Mr Mark Latham under the heading Third Wave of Competition Reform, he said, and I assume that he was talking on behalf of the ALP that there was now a need to introduce a new remedy of divestiture, there was a need for new measures to deal with creeping or cumulative acquisitions and there was a need to give additional powers to franchisees.

I am delighted that Labor has finally seen the virtue of this policy position long advocated by me and the Australian Democrats and we hope that they will join us in seeking to use every opportunity presented by any Trade Practices Act amending bills to put the government on notice that these changes are needed, urgently.

Up until now the government has simply bowed to the big and powerful.

In the oil industry, it has sought to wash its hands of its responsibilities. Repealing the Commonwealth legislation and handing control of petroleum to two of the oil companies and the grocery giants is not a sensible solution for Australia’s economy.

Senator Woodley’s words back then remain absolutely true today.

He said that the issues for the petroleum industry were vertical and horizontal integration, open access to terminals and protection of the rights of individual operators.
When the contents of its notorious ‘FUD’ memo were made public, we saw what Caltex management thinks of its individual retail operators. That memo was tabled in the House of Representatives on Monday so there is no need for me to repeat its shameful contents, but I should reiterate how disgraceful it is that a company that lays claim to the highest standards of corporate governance and national corporate leadership should be involved in such despicable and bullying corporate behaviour.

The suspicion exists that the ‘FUD’ memo reflects the attitudes and the real culture of that dominant player. If that is accurate, in that respect therefore, while welcome, apologies from the company are not enough.

There is a need in that case for a sea change in culture, helped along by tough action from the ACCC.

I still share Senator Woodley’s view that there is a sensible regulatory regime that can be introduced to this sector.

Such a regime would produce increased competition and profitability and better pricing practices. Without such regulation and without the ACCC having the necessary powers to order divestiture, then I can only fear for the long term future of competition in our economy and the fate of consumers, fear for the prospects of small business and fear for our continued secure supplies of this essential product.

Environment: Sustainable Development

Senator STEPHENS (New South Wales) (8.01 p.m.)—I rise this evening to speak on an issue that is of great concern to me, and that is my alarm and disappointment that Canberra is losing its claim to be the ‘bush capital’ and its last area of native woodland close to Woden. I refer to the recent sale, for luxury residential development, of the 28-hectare remnant of the Yellow Box-Red Gum Grassy Woodland at East O’Malley. Canberrans may soon have to drive to a national park and pay some officer in an American style parks uniform whenever they want to see a tree or a small native bird. The previous ACT Liberal government was criticised for ‘jumping into bed with developers’, and now I note with disquiet that the current Labor government in the ACT is leaving itself open to the same charge. The O’Malley land sold by the ACT government for residential development is in fact recognised by that government as a threatened ecological community. Something is, surely, seriously amiss when a government can turn a blind eye to the long-term good in favour of the quick dollar.

What has happened in Canberra is typical of what has happened to native bushland throughout Australia. More than 500,000 hectares are being cleared every year. That is why the country’s biological scientists have signed a declaration, the Brigalow declaration, calling for all Australian governments to put a stop to this environmentally irresponsible practice. These scientists are not alone in their concern. As patron of the Goulburn Field Naturalists Society, I am conscious of the determination and commitment of many community groups throughout the country, who are working to preserve the diversity of our native flora and fauna so that Australians can continue to enjoy the highest quality natural environment. As you will be aware, Madam Acting Deputy President, many landowners are engaged in regeneration programs because they recognise that in clearing our woodlands we have gone too far and that we must do what we can to redress the balance. The first step for governments is to listen to these people’s concerns and stop any further land clearing.

Let me briefly describe the land at East O’Malley as it is now, before the 765 new dwellings change it forever. It is not a piece of well-groomed parkland, with gas barbecues installed and log cabin toilets conveniently nearby. It is bush—bush as most members of this parliament would know it. Once it could be seen everywhere in the
temperate band from the northern tablelands of New South Wales down to Melbourne, but now there are only a few isolated remnants of it. I have it on good authority, from the noted plant ecologist Dr Michael Mulvaney, that patches larger than one kilometre square are rare in my home state of New South Wales.

Big old yellow box and red gum trees with understoreys of native grasses, tumbled logs, small flowers after the rains, and dying and new growth all jumbled together in apparent disorder: this is a scene that is familiar and dear to most Australians, including yourself, I am sure, Madam Acting Deputy President. I have often gone for a walk there at the end of a busy day, and it is not an exaggeration to say that time spent in that environment can calm the spirit and restore the soul. It is true that there are weeds, such as tussock and pampas grass, briars, and the Paterson’s curse that is flourishing at the moment. But there are also at least a dozen regionally rare plant species, including the only natural specimen of white box in the ACT. Yes, there is rubbish in the area—even the occasional old car body—but nothing that a good volunteer group, such as the Red Hill Regenerators, cannot handle.

This land is woodland, not wasteland. It has functions and values that are too easily overlooked because it does not conform to the sanitised, cliched image of the bush that is becoming so common. This kind of woodland controls erosion and lowers the water table; it maintains water quality, too—an important consideration in these dry times. It cycles nutrients and, above all, it provides a harbour for native wildlife and birds. Professor Possingham, member of the Wentworth Group of Concerned Scientists and Director of Queensland University’s Ecology Centre, has described it as ‘one of Australia’s most threatened ecosystems’.

This structurally diverse woodland comprises layers of vegetation, which provide a habitat for woodland birds, including the scarlet robin and the speckled warbler. Canberra ornithologists have recorded a decline in woodland bird species there over the past 30 years. Some of the species that they refer to, such as the dusky wood swallow and the diamond firetail, are listed as threatened under New South Wales legislation. A spokesperson for the Canberra Ornithologists Group, Ms Jenny Bounds, quoted in the Canberra Times last Saturday, explained that many woodland birds are facing extinction and need areas such as East O’Malley to be left untouched so that they can breed. The residential development will also reduce and fragment the available habitat for the pink-tailed legless lizard. This creature, which is declared vulnerable in New South Wales, had a relatively protected habitat in public land in the ACT until the bushfires last summer destroyed most of its habitat range. To date there is insufficient information on how well it has survived those fires, but there is conclusive evidence of its presence only 300 meters from the East O’Malley site.

I ask all my fellow parliamentarians to consider why, if we seriously value specialist knowledge, governments so often fail to make use of the scientific experts who are willing and able to advise them? Before any government in any part of this country clears any patch of bush, it should consult the ecologists, botanists and biologists who understand the environmental implications of such action. Good science is available to us to help us make wise decisions in the interests of the country’s future, and it is always a tragedy to see it ignored. Too much woodland clearing has already taken place. Outside the ACT, clearing has removed more than 90 per cent of all woodland trees, while native grass and flower understoreys are now almost nonexistent.
We have learned scientists warning us, concerned citizens imploring us and native creatures whose very survival is in our hands. We need to take the Brigalow declaration seriously and stop clearing those remaining woodlands, instead of exchanging them for quick cash, creating urban sprawl and placing increased pressure on the remaining open land. There are times when the long-term benefits to the community far outweigh the profits to be gained from big business. Like everyone else, I understand the pressures that constant decisions about residential expansion impose on governments throughout Australia. So I conclude my remarks by asking a simple question: why not develop land that has already been ruined?

Senate adjourned at 8.09 p.m.

DOCUMENTS

Tabling

The following government documents were tabled:

- Australia-Japan Foundation—Report for 2002-03.
- Australian Rail Track Corporation Limited (ARTC)—Statement of corporate intent 2003-04.
- General Practice Education and Training—Report for the period 5 March 2001 to 30 June 2002.
- Pharmaceutical Benefits Pricing Authority—Report for 2002-03.
- Telecommunications Act 1997—Funding of consumer representation grants and research grants in relation to telecommunications 2002-03—Report for 2002-03.
- Torres Strait Protected Zone Joint Authority—Report for 2001-02.
- Treaties—Multilateral—
QUESTIONS ON NOTICE

The following answers to questions were circulated:

Commonwealth Departments: Corporate Branding
(Question No. 1745)

Senator Murray asked the Minister representing the Prime Minister, upon notice, on 7 August 2003:

(1) Can details of all those government departments and agencies affected by the recent decision to standardise stationery be provided.

(2) Can details be provided of the costs and timeframe for this to occur and the budgets from which these costs will be drawn.

Senator Hill—The Prime Minister has provided the following answer to the honourable senator’s question:

(1) All government departments and agencies are covered by the recent decision to standardise the Australian Government brand, except: the Defence Force; the Australian Federal Police; Parliamentary Departments; Courts and Tribunals; the public broadcasters (ABC and SBS); the Office of the Official Secretary of the Governor-General; the Australian National University; and Government Business Enterprises. In addition, the following agencies (by portfolio) applied for, and have been granted exemption:

Attorney General’s
- Australian Customs Service

Communications, Information Technology and the Arts
- National Gallery of Australia
- National Library of Australia
- National Museum of Australia
- Australian National Maritime Museum
- Bundanon Trust
- Australian Business Arts Foundation Ltd
- Australian Broadcasting Authority
- Old Parliament House
- National Portrait Gallery

Defence
- Australian Strategic Policy Institute Ltd

Education, Science and Training
- Questacon
- Commonwealth Scientific and Industrial Research Organisation
- Australian Marine Science and Technology Ltd

Finance and Administration
- Australian Electoral Commission

Health and Ageing
- National Blood Authority
- Professional Services Review Scheme
- Food Standards Australia New Zealand
QUESTIONS ON NOTICE

- Aged Care Standards and Accreditation Agency
- National Institute of Clinical Studies

**Immigration and Multicultural and Indigenous Affairs**
- Australian Institute of Aboriginal and Torres Strait Islander Studies
- Anindilyakwa Land Council
- Central Land Council
- Northern Land Council
- Tiwi Island Land Council
- Wreck Bay Aboriginal Community Council

**Industry, Tourism and Resources**
- Australian Building Codes Board
- National Offshore Petroleum Authority
- Bureau of Tourism Resources

**Transport and Regional Services**
- Australian Maritime College

**Treasury**
- Reserve Bank of Australia
- National Competition Council

**Veteran’s Affairs**
- Australian War Memorial

The following agencies have been granted permission to co-brand, that is use their existing logo in conjunction with the Australian Government brand:
- Australian Institute of Marine Science
- Australian Nuclear Science and Technology Organisation
- Centrelink
- Australia-Japan Foundation
- Aboriginal and Torres Strait Islander Commission
- Torres Strait Regional Authority
- Australian Tourism Commission.

(2) The consultant cost to prepare Design Guidelines and styles for all departments and agencies was approximately $150,000 and has been met by my Department. Existing stationery stocks are to be used unless the cost of replacement is negligible. Departments and agencies are responsible for their own printing costs. The transition will be substantially completed by 1 January 2004.

**Australia Post: Build A Better Union Team Campaign**

(Question No. 1803)

**Senator Hutchins** asked the Minister representing the Minister for Communications, Information Technology and the Arts, upon notice, on 19 August 2003:

(a) Were official Australia Post uniforms provided to non-Australia Post employees in the course of the recent 2003 Communications Electrical Plumbing Union New South Wales (Postal and Telecommunications Branch) election for the purposes of election photographs for the 'Build a Better Union Team'; (b) were any inquiries conducted into the inappropriate provision of those uniforms; (c) what was the outcome of those inquiries; (d) what disciplinary action was taken with
respect to any employees who provided the uniforms to non-Australia Post employees; (e) what access to the Australian postal system is afforded to the wearer of an official Australia Post uniform; (f) is the provision of official Australia Post uniforms to individuals who are not employees of Australia Post a threat to the security of our postal systems and, ultimately, the Australian community; and (g) have official Australia Post uniforms been provided to individuals who are not employees of Australia Post on any other occasions.

(2) (a) Did Australia Post sponsor a three-day Retail Managers’ conference at the Menzies Hotel, Sydney on 16 to 18 June 2003; (b) were members of the Australia Post management, who were candidates in the 2003 Communications Electrical Plumbing Union New South Wales (Postal and Telecommunications Branch) election, permitted to canvass retail members of the union at the conference; (c) was any disciplinary action taken by Australia Post with respect to the candidates who canvassed participants at the conference; (d) what was the nature of the disciplinary action taken; (e) Did a Senior Australia Post retail Manager who attended the conference threaten the future employment of a retail member if that member did not vote or campaign for the ‘Build a Better Union Team’; (f) was any disciplinary action taken by Australia Post with respect to the senior retail manager; (g) what was the nature of the disciplinary action taken; and (h) is it the practice for Australia Post managers to use their position to threaten the ongoing employment of employees for exercising their democratic right to vote in their union election free from external influence.

(3) Was an officer at the Sydney West Letters Facility threatened in relation to his future tenure as a liaison officer and his ongoing employment with Australia Post if he failed to campaign on behalf of the ‘Build a Better Union Team’; if so: (a) were these threats referred to the Security and Investigation Division of Australia Post; (b) did the Security and Investigation Division of Australia Post investigate the threats; if not, why not; and (c) will the Minister direct the Security and Investigation Division to fully investigate the threats.

(4) (a) Were Australia Post vehicles and associated resources used by any staff at the Regents Park Australia Post Business Centre for the distribution of election material for the ‘Build a Better Union Team’ during the 2003 Communications Electrical Plumbing Union New South Wales (Postal and Telecommunications Branch) election; (b) did any such material distributed using Australia Post vehicles and associated resources contain defamatory material; (c) was any disciplinary action taken with respect to Australia Post employees who provided access to Australia Post vehicles; (d) what was the nature of the action taken; and (e) could details be provided of any regulations directed at preventing misuse of Australia Post vehicles and associated resources.

(5) (a) Did any members of the Communications Electrical Plumbing Union New South Wales (Postal and Telecommunication Branch) receive telephone calls on behalf of the ‘Build a Better Union Team’ during the 2003 Communications Electrical Plumbing (Postal and Telecommunications Branch) election in the period 5 June to 22 June 2003; (b) did any members of the Communications Electrical Plumbing Union New South Wales (Postal and Telecommunications Branch) receive text messages on behalf of the ‘Build a Better Union Team’ during the 2003 Communications Electrical Plumbing Union New South Wales (Postal and Telecommunications Branch) election in the period 5 June to 11 June 2003; (c) did any such text messages originate from numbers 61429687062 or 61427135121; (d) do any of the members who received these telephone calls and messages have ‘private’ or ‘silent’ telephone numbers with Telstra; (e) is it the practice of Telstra to provide privately listed numbers to any persons, organisations or businesses; if so, on what basis; and (f) what organisations or businesses have access to ‘private’ or ‘silent’ telephone numbers.

Senator Kemp—The Minister for Communications, Information Technology and the Arts has provided the following answer to the honourable senator’s question based on advice provided by Australia Post and Telstra:
QUESTIONS ON NOTICE

(1) (a) Australia Post understands that the photographs in question were organised by a CEPU official. Australia Post did not receive any requests for the provision of uniforms and did not provide any.

(b), (c) and (d) Based on the answer to (a) these questions do not apply.

(e) and (f) Formal identification is required to access Australia Post Premises. The official uniform does not afford access in its own right.

(g) Australia Post has on occasion provided uniforms to non-employees for promotional or public relations purposes.

(2) (a) Yes.

(b) No.

(c) and (d) Based on advice from Australia Post these questions do not apply.

(e) Australia Post is not aware of any such incident.

(f) and (g) Based on advice from Australia Post these questions do not apply.

(h) No.

(3) On the afternoon of 6 June 2003 an employee at the Sydney West Letters Facility advised his manager that he had been threatened that morning by a CEPU official in relation to his continued employment at the facility. The employee also advised that he had reported the matter to the Australian Federal Police.

(a) No. Management did not refer the matter to Australia Post’s Security and Investigation Division because the person who allegedly made the threat was not an Australia Post employee and the employee to whom the threat was allegedly made had already reported the matter to the Australian Federal Police.

(b) and (c) Based on advice from Australia Post these questions do not apply.

(4) (a) No.

(b), (c) and (d) Based on advice from Australia Post these questions do not apply.

(e) The conditions governing the use of the corporation’s vehicles and associated resources are detailed in Australia Post’s Motor Vehicle Policy. Any employee who breaches these conditions would be subject to disciplinary action under Australia Post’s Code of Ethics.

(5) (a) Australia Post has advised that it is aware that some NSW employees received telephone calls on behalf of the Build a Better Union Team but is unsure as to when they occurred.

(b) Australia Post has advised that it is aware that some NSW employees received text messages on behalf of the Build a Better Union Team but is unsure as to when they occurred.

(c) The numbers in question are not Australia Post numbers and Australia Post has advised it therefore cannot comment on whether any such text messages originated from them.

(d) Australia Post has advised that it is unaware as to whether any of the NSW employees referred to in (a) have ‘private’ or ‘silent’ telephone numbers.

(e) Telstra has advised that it is bound by the provisions of the Commonwealth Privacy Act 1988 and the Telecommunications Act 1997 which protect personal information. Telstra has advised that any collection, use or disclosure of personal information, as well as access to information by Telstra, is undertaken in accordance with those principles.

(f) See answer to part (e).
Transport and Regional Services: Regional Solutions Program
(Question No. 1844)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 2 September 2003:

With reference to the grant of $100 000 to the Tiaro Shire Council in the 2000-01 financial year under the Regional Solutions Programme, for an economic development and tourism project:

(1) (a) What total Regional Solutions Programme funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or if the funds were paid in instalments, what were the instalment dates and amounts paid on each date.

(2) Can a detailed description of the project be provided.

(3) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent.

(4) When did the department or the Minister inform the proponent and the Member for Wide Bay about the funding approval.

(5) When did the department or the Minister publicly announce the grant.

(6) In relation to the application for funding:
   (a) when was the funding application lodged with the department;
   (b) when was the application approved by the Minister;
   (c) did the funding application comply with the Regional Solutions Programme guidelines; if not, can details of the non-compliance be provided;
   (d) if applicable, when was the application varied;
   (e) what Regional Solutions Programme funding was sought by the proponent, including goods and services tax (if applicable);
   (f) what is the business address of the proponent;
   (g) is the proponent a sponsoring organisation administering the grant on behalf of another organisation; if so, can details be provided of this organisation including its name, business address and main activity;
   (h) what project funding category did the proponent nominate: (i) planning, (ii) project implementation, (iii) community infrastructure, or (iv) resourcing a person to work for the community; if the answer was (iv), did the proponent propose to create a new position; if not, how had the position been funded until the time of application;
   (i) what particular issue or issues in the local community did the proponent say would be addressed by the project;
   (j) what expected project benefits did the proponent nominate;
   (k) how did the proponent advise that the outcomes of the project would be sustained;
   (l) did the proponent advise that the project would be self-sustaining; if so, how;
   (m) did the project arise from an earlier community planning process; if so, how was the planning conducted and what issues and outcomes were identified;
   (n) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided;
   (o) what community involvement in project committees or working groups existed or was proposed by the proponent at the time of application;
(p) what experience in developing, budgeting and reporting on projects of this type did the proponent possess at the time of application;
(q) did the proponent propose to purchase consultancy services; if so, did the proponent provide quotes with the application;
(r) if the proposal involved community infrastructure, did the proponent provide a feasibility study and/or business plan;
(s) did the proponent approach other Commonwealth or state funding sources for the project or components of the project within 2 years of the date of application; if so, what sources were approached and what funding was received;
(t) what other financial and non-financial contributions to the project were nominated by the proponent and can a breakdown of these proposed contributions be provided including a calculation of the dollar value of the in-kind contributions; and
(u) what major project milestones were nominated by the proponent, including the commencement and completion dates.

(7) In relation to the progress of the project:
(a) what benefits has the project realised;
(b) what involvement does the community have in project committees or working groups;
(c) has the proponent purchased consultancy services with Regional Solutions Programme funding; if so, how much has been spent on consultants;
(d) what financial and non-financial contributions to the project has the project received from other sources;
(e) have all project milestones nominated by the proponent in the funding application been met; if not, why not; and
(f) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, on what dates.

(8) In relation to completion of the project funding period (if applicable):
(a) when did the project and/or funding period conclude;
(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;
(c) has the proponent properly acquitted the project by submitting a final report; if so, on what date;
(d) if applicable, has the final payment to the proponent been made; and
(e) has an independent evaluation been undertaken; if so: (i) who undertook the evaluation, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Regional Solutions Program
(Question No. 1845)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 2 September 2003:

With reference to the grant of $20 000 to the Monto Shire Council in the 2000-01 financial year under the Regional Solutions Programme, to employ a project development officer:
(1) (a) What total Regional Solutions Programme funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or if the funds were paid in instalments, what were the instalment dates and amounts paid on each date.

(2) Can a detailed description of the project be provided.

(3) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent.

(4) When did the department or the Minister inform the proponent and the Member for Wide Bay about the funding approval.

(5) When did the department or the Minister publicly announce the grant.

(6) In relation to the application for funding:
   (a) when was the funding application lodged with the department;
   (b) when was the application approved by the Minister;
   (c) did the funding application comply with the Regional Solutions Programme guidelines; if not, can details of the non-compliance be provided;
   (d) if applicable, when was the application varied;
   (e) what Regional Solutions Programme funding was sought by the proponent, including goods and services tax (if applicable);
   (f) what is the business address of the proponent;
   (g) is the proponent a sponsoring organisation administering the grant on behalf of another organisation; if so, can details be provided of this organisation including its name, business address and main activity;
   (h) what project funding category did the proponent nominate: (i) planning, (ii) project implementation, (iii) community infrastructure, or (iv) resourcing a person to work for the community; if the answer was (iv), did the proponent propose to create a new position; if not, how had the position been funded until the time of application;
   (i) what particular issue or issues in the local community did the proponent say would be addressed by the project;
   (j) what expected project benefits did the proponent nominate;
   (k) how did the proponent advise that the outcomes of the project would be sustained;
   (l) did the proponent advise that the project would be self-sustaining; if so, how;
   (m) did the project arise from an earlier community planning process; if so, how was the planning conducted and what issues and outcomes were identified;
   (n) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided;
   (o) what community involvement in project committees or working groups existed or was proposed by the proponent at the time of application;
   (p) what experience in developing, budgeting and reporting on projects of this type did the proponent possess at the time of application;
   (q) did the proponent propose to purchase consultancy services; if so, did the proponent provide quotes with the application;
   (r) if the proposal involved community infrastructure, did the proponent provide a feasibility study and/or business plan;
(s) did the proponent approach other Commonwealth or state funding sources for the project or components of the project within 2 years of the date of application; if so, what sources were approached and what funding was received;

(l) what other financial and non-financial contributions to the project were nominated by the proponent and can a breakdown of these proposed contributions be provided including a calculation of the dollar value of the in-kind contributions; and

(u) what major project milestones were nominated by the proponent, including the commencement and completion dates.

(7) In relation to the progress of the project:

(a) what benefits has the project realised;

(b) what involvement does the community have in project committees or working groups;

(c) has the proponent purchased consultancy services with Regional Solutions Programme funding; if so, how much has been spent on consultants;

(d) what financial and non-financial contributions to the project has the project received from other sources;

(e) have all project milestones nominated by the proponent in the funding application been met; if not, why not; and

(f) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, on what dates.

(8) In relation to completion of the project funding period (if applicable):

(a) when did the project and/or funding period conclude;

(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;

(c) has the proponent properly acquitted the project by submitting a final report; if so, on what date;

(d) if applicable, has the final payment to the proponent been made; and

(e) has an independent evaluation been undertaken; if so: (i) who undertook the evaluation, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Regional Solutions Program

(Question No. 1846)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 2 September 2003:

With reference to the grant of $90,273 to the Hervey Bay City Musicians Inc. in the 2001-02 financial year under the Regional Solutions Programme, for music rehearsal rooms:

(1) (a) What total Regional Solutions Programme funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or if the funds were paid in instalments, what were the instalment dates and amounts paid on each date.

(2) Can a detailed description of the project be provided.

(3) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent.
(4) When did the department or the Minister inform the proponent and the Member for Wide Bay about the funding approval.

(5) When did the department or the Minister publicly announce the grant.

(6) In relation to the application for funding:
   (a) when was the funding application lodged with the department;
   (b) when was the application approved by the Minister;
   (c) did the funding application comply with the Regional Solutions Programme guidelines; if not, can details of the non-compliance be provided;
   (d) if applicable, when was the application varied;
   (e) what Regional Solutions Programme funding was sought by the proponent, including goods and services tax (if applicable);
   (f) what is the business address of the proponent;
   (g) is the proponent a sponsoring organisation administering the grant on behalf of another organisation; if so, can details be provided of this organisation including its name, business address and main activity;
   (h) what project funding category did the proponent nominate: (i) planning, (ii) project implementation, (iii) community infrastructure, or (iv) resourcing a person to work for the community; if the answer was (iv), did the proponent propose to create a new position; if not, how had the position been funded until the time of application;
   (i) what particular issue or issues in the local community did the proponent say would be addressed by the project;
   (j) what expected project benefits did the proponent nominate;
   (k) how did the proponent advise that the outcomes of the project would be sustained;
   (l) did the proponent advise that the project would be self-sustaining; if so, how;
   (m) did the project arise from an earlier community planning process; if so, how was the planning conducted and what issues and outcomes were identified;
   (n) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided;
   (o) what community involvement in project committees or working groups existed or was proposed by the proponent at the time of application;
   (p) what experience in developing, budgeting and reporting on projects of this type did the proponent possess at the time of application;
   (q) did the proponent propose to purchase consultancy services; if so, did the proponent provide quotes with the application;
   (r) if the proposal involved community infrastructure, did the proponent provide a feasibility study and/or business plan;
   (s) did the proponent approach other Commonwealth or state funding sources for the project or components of the project within 2 years of the date of application; if so, what sources were approached and what funding was received;
   (t) what other financial and non-financial contributions to the project were nominated by the proponent and can a breakdown of these proposed contributions be provided including a calculation of the dollar value of the in-kind contributions; and
   (u) what major project milestones were nominated by the proponent, including the commencement and completion dates.

QUESTIONS ON NOTICE
(7) In relation to the progress of the project:
   (a) what benefits has the project realised;
   (b) what involvement does the community have in project committees or working groups;
   (c) has the proponent purchased consultancy services with Regional Solutions Programme funding; if so, how much has been spent on consultants;
   (d) what financial and non-financial contributions to the project has the project received from other sources;
   (e) have all project milestones nominated by the proponent in the funding application been met; if not, why not; and
   (f) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, on what dates.

(8) In relation to completion of the project funding period (if applicable):
   (a) when did the project and/or funding period conclude;
   (b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;
   (c) has the proponent properly acquitted the project by submitting a final report; if so, on what date;
   (d) if applicable, has the final payment to the proponent been made; and
   (e) has an independent evaluation been undertaken; if so: (i) who undertook the evaluation, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Regional Solutions Program
(Question No. 1847)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 2 September 2003:

With reference to the grant of $12,200 to the Burnett Inland Economic Development Organisation in the 2001-02 financial year under the Regional Solutions Programme, for the implementation of a regional development strategy:

(1) (a) What total Regional Solutions Programme funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or if the funds were paid in instalments, what were the instalment dates and amounts paid on each date.

(2) Can a detailed description of the project be provided.

(3) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent.

(4) When did the department or the Minister inform the proponent and the Member for Wide Bay about the funding approval.

(5) When did the department or the Minister publicly announce the grant.

(6) In relation to the application for funding:
   (a) when was the funding application lodged with the department;
   (b) when was the application approved by the Minister;
(c) did the funding application comply with the Regional Solutions Programme guidelines; if not, can details of the non-compliance be provided;
(d) if applicable, when was the application varied;
(e) what Regional Solutions Programme funding was sought by the proponent, including goods and services tax (if applicable);
(f) what is the business address of the proponent;
(g) is the proponent a sponsoring organisation administering the grant on behalf of another organisation; if so, can details be provided of this organisation including its name, business address and main activity;
(h) what project funding category did the proponent nominate: (i) planning, (ii) project implementation, (iii) community infrastructure, or (iv) resourcing a person to work for the community; if the answer was (iv), did the proponent propose to create a new position; if not, how had the position been funded until the time of application;
(i) what particular issue or issues in the local community did the proponent say would be addressed by the project;
(j) what expected project benefits did the proponent nominate;
(k) how did the proponent advise that the outcomes of the project would be sustained;
(l) did the proponent advise that the project would be self-sustaining; if so, how;
(m) did the project arise from an earlier community planning process; if so, how was the planning conducted and what issues and outcomes were identified;
(n) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided;
(o) what community involvement in project committees or working groups existed or was proposed by the proponent at the time of application;
(p) what experience in developing, budgeting and reporting on projects of this type did the proponent possess at the time of application;
(q) did the proponent propose to purchase consultancy services; if so, did the proponent provide quotes with the application;
(r) if the proposal involved community infrastructure, did the proponent provide a feasibility study and/or business plan;
(s) did the proponent approach other Commonwealth or state funding sources for the project or components of the project within 2 years of the date of application; if so, what sources were approached and what funding was received;
(t) what other financial and non-financial contributions to the project were nominated by the proponent and can a breakdown of these proposed contributions be provided including a calculation of the dollar value of the in-kind contributions; and
(u) what major project milestones were nominated by the proponent, including the commencement and completion dates.

(7) In relation to the progress of the project:
(a) what benefits has the project realised;
(b) what involvement does the community have in project committees or working groups;
(c) has the proponent purchased consultancy services with Regional Solutions Programme funding; if so, how much has been spent on consultants;
QUESTIONS ON NOTICE

(d) what financial and non-financial contributions to the project has the project received from other sources;
(e) have all project milestones nominated by the proponent in the funding application been met; if not, why not; and
(f) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, on what dates.

(8) In relation to completion of the project funding period (if applicable):
(a) when did the project and/or funding period conclude;
(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;
(c) has the proponent properly acquitted the project by submitting a final report; if so, on what date;
(d) if applicable, has the final payment to the proponent been made; and
(e) has an independent evaluation been undertaken; if so: (i) who undertook the evaluation, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:
Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Regional Solutions Program
(Question No. 1848)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 2 September 2003:

With reference to the grant of $5,000 to the Hervey Bay Historical Railway Village in the 2001-02 financial year under the Regional Solutions Programme, to fund a consultant to assist the village:

(1) (a) What total Regional Solutions Programme funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or if the funds were paid in instalments, what were the instalment dates and amounts paid on each date.

(2) Can a detailed description of the project be provided.

(3) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent.

(4) When did the department or the Minister inform the proponent and the Member for Wide Bay about the funding approval.

(5) When did the department or the Minister publicly announce the grant.

(6) In relation to the application for funding:
(a) when was the funding application lodged with the department;
(b) when was the application approved by the Minister;
(c) did the funding application comply with the Regional Solutions Programme guidelines; if not, can details of the non-compliance be provided;
(d) if applicable, when was the application varied;
(e) what Regional Solutions Programme funding was sought by the proponent, including goods and services tax (if applicable);
(f) what is the business address of the proponent;

QUESTIONS ON NOTICE
(g) is the proponent a sponsoring organisation administering the grant on behalf of another organisation; if so, can details be provided of this organisation including its name, business address and main activity;

(h) what project funding category did the proponent nominate: (i) planning, (ii) project implementation, (iii) community infrastructure, or (iv) resourcing a person to work for the community; if the answer was (iv), did the proponent propose to create a new position; if not, how had the position been funded until the time of application;

(i) what particular issue or issues in the local community did the proponent say would be addressed by the project;

(j) what expected project benefits did the proponent nominate;

(k) how did the proponent advise that the outcomes of the project would be sustained;

(l) did the proponent advise that the project would be self-sustaining; if so, how;

(m) did the project arise from an earlier community planning process; if so, how was the planning conducted and what issues and outcomes were identified;

(n) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided;

(o) what community involvement in project committees or working groups existed or was proposed by the proponent at the time of application;

(p) what experience in developing, budgeting and reporting on projects of this type did the proponent possess at the time of application;

(q) did the proponent propose to purchase consultancy services; if so, did the proponent provide quotes with the application;

(r) if the proposal involved community infrastructure, did the proponent provide a feasibility study and/or business plan;

(s) did the proponent approach other Commonwealth or state funding sources for the project or components of the project within 2 years of the date of application; if so, what sources were approached and what funding was received;

(t) what other financial and non-financial contributions to the project were nominated by the proponent and can a breakdown of these proposed contributions be provided including a calculation of the dollar value of the in-kind contributions; and

(u) what major project milestones were nominated by the proponent, including the commencement and completion dates.

(7) In relation to the progress of the project:

(a) what benefits has the project realised;

(b) what involvement does the community have in project committees or working groups;

(c) has the proponent purchased consultancy services with Regional Solutions Programme funding; if so, how much has been spent on consultants;

(d) what financial and non-financial contributions to the project has the project received from other sources;

(e) have all project milestones nominated by the proponent in the funding application been met; if not, why not; and

(f) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, on what dates.

(8) In relation to completion of the project funding period (if applicable):

QUESTIONS ON NOTICE
(a) when did the project and/or funding period conclude;
(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;
(c) has the proponent properly acquitted the project by submitting a final report; if so, on what date;
(d) if applicable, has the final payment to the proponent been made; and
(e) has an independent evaluation been undertaken; if so: (i) who undertook the evaluation, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:
Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

**Transport and Regional Services: Regional Solutions Program**

(Question No. 1849)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 2 September 2003:
With reference to the grant of $63 635 to the Gin Gin and District Alliance Inc. in the 2001-02 financial year under the Regional Solutions Programme, to employ a co-ordinator to conduct training programs:
(1) (a) What total Regional Solutions Programme funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or if the funds were paid in instalments, what were the instalment dates and amounts paid on each date.
(2) Can a detailed description of the project be provided.
(3) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent.
(4) When did the department or the Minister inform the proponent and the Member for Wide Bay about the funding approval.
(5) When did the department or the Minister publicly announce the grant.
(6) In relation to the application for funding:
   (a) when was the funding application lodged with the department;
   (b) when was the application approved by the Minister;
   (c) did the funding application comply with the Regional Solutions Programme guidelines; if not, can details of the non-compliance be provided;
   (d) if applicable, when was the application varied;
   (e) what Regional Solutions Programme funding was sought by the proponent, including goods and services tax (if applicable);
   (f) what is the business address of the proponent;
   (g) is the proponent a sponsoring organisation administering the grant on behalf of another organisation; if so, can details be provided of this organisation including its name, business address and main activity;
   (h) what project funding category did the proponent nominate: (i) planning, (ii) project implementation, (iii) community infrastructure, or (iv) resourcing a person to work for the community; if the answer was (iv), did the proponent propose to create a new position; if not, how had the position been funded until the time of application;

QUESTIONS ON NOTICE
(i) what particular issue or issues in the local community did the proponent say would be addressed by the project;

(j) what expected project benefits did the proponent nominate;

(k) how did the proponent advise that the outcomes of the project would be sustained;

(l) did the proponent advise that the project would be self-sustaining; if so, how;

(m) did the project arise from an earlier community planning process; if so, how was the planning conducted and what issues and outcomes were identified;

(n) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided;

(o) what community involvement in project committees or working groups existed or was proposed by the proponent at the time of application;

(p) what experience in developing, budgeting and reporting on projects of this type did the proponent possess at the time of application;

(q) did the proponent propose to purchase consultancy services; if so, did the proponent provide quotes with the application;

(r) if the proposal involved community infrastructure, did the proponent provide a feasibility study and/or business plan;

(s) did the proponent approach other Commonwealth or state funding sources for the project or components of the project within 2 years of the date of application; if so, what sources were approached and what funding was received;

(t) what other financial and non-financial contributions to the project were nominated by the proponent and can a breakdown of these proposed contributions be provided including a calculation of the dollar value of the in-kind contributions; and

(u) what major project milestones were nominated by the proponent, including the commencement and completion dates.

(7) In relation to the progress of the project:

(a) what benefits has the project realised;

(b) what involvement does the community have in project committees or working groups;

(c) has the proponent purchased consultancy services with Regional Solutions Programme funding; if so, how much has been spent on consultants;

(d) what financial and non-financial contributions to the project has the project received from other sources;

(e) have all project milestones nominated by the proponent in the funding application been met; if not, why not; and

(f) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, on what dates.

(8) In relation to completion of the project funding period (if applicable):

(a) when did the project and/or funding period conclude;

(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;

(c) has the proponent properly acquitted the project by submitting a final report; if so, on what date;

(d) if applicable, has the final payment to the proponent been made; and
(e) has an independent evaluation been undertaken; if so: (i) who undertook the evaluation, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Regional Solutions Program
(Question No. 1850)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 2 September 2003:

With reference to the grant of $116,500 to the Maryborough and Hervey Bay Show Society Limited in the 2001-02 financial year under the Regional Solutions Programme, to upgrade showground infrastructure:

(1) (a) What total Regional Solutions Programme funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or if the funds were paid in instalments, what were the instalment dates and amounts paid on each date.

(2) Can a detailed description of the project be provided.

(3) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent.

(4) When did the department or the Minister inform the proponent and the Member for Wide Bay about the funding approval.

(5) When did the department or the Minister publicly announce the grant.

(6) In relation to the application for funding:

(a) when was the funding application lodged with the department;

(b) when was the application approved by the Minister;

(c) did the funding application comply with the Regional Solutions Programme guidelines; if not, can details of the non-compliance be provided;

(d) if applicable, when was the application varied;

(e) what Regional Solutions Programme funding was sought by the proponent, including goods and services tax (if applicable);

(f) what is the business address of the proponent;

(g) is the proponent a sponsoring organisation administering the grant on behalf of another organisation; if so, can details be provided of this organisation including its name, business address and main activity;

(h) what project funding category did the proponent nominate: (i) planning, (ii) project implementation, (iii) community infrastructure, or (iv) resourcing a person to work for the community; if the answer was (iv), did the proponent propose to create a new position; if not, how had the position been funded until the time of application;

(i) what particular issue or issues in the local community did the proponent say would be addressed by the project;

(j) what expected project benefits did the proponent nominate;

(k) how did the proponent advise that the outcomes of the project would be sustained;

(l) did the proponent advise that the project would be self-sustaining; if so, how;
(m) did the project arise from an earlier community planning process; if so, how was the planning conducted and what issues and outcomes were identified;
(n) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided;
(o) what community involvement in project committees or working groups existed or was proposed by the proponent at the time of application;
(p) what experience in developing, budgeting and reporting on projects of this type did the proponent possess at the time of application;
(q) did the proponent propose to purchase consultancy services; if so, did the proponent provide quotes with the application;
(r) if the proposal involved community infrastructure, did the proponent provide a feasibility study and/or business plan;
(s) did the proponent approach other Commonwealth or state funding sources for the project or components of the project within 2 years of the date of application; if so, what sources were approached and what funding was received;
(t) what other financial and non-financial contributions to the project were nominated by the proponent and can a breakdown of these proposed contributions be provided including a calculation of the dollar value of the in-kind contributions; and
(u) what major project milestones were nominated by the proponent, including the commencement and completion dates.

(7) In relation to the progress of the project:
(a) what benefits has the project realised;
(b) what involvement does the community have in project committees or working groups;
(c) has the proponent purchased consultancy services with Regional Solutions Programme funding; if so, how much has been spent on consultants;
(d) what financial and non-financial contributions to the project has the project received from other sources;
(e) have all project milestones nominated by the proponent in the funding application been met; if not, why not; and
(f) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, on what dates.

(8) In relation to completion of the project funding period (if applicable):
(a) when did the project and/or funding period conclude;
(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;
(c) has the proponent properly acquitted the project by submitting a final report; if so, on what date;
(d) if applicable, has the final payment to the proponent been made; and
(e) has an independent evaluation been undertaken; if so: (i) who undertook the evaluation, (ii) when was it completed, and (iii) what findings did it make.

**Senator Ian Campbell**—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.
Transport and Regional Services: Regional Solutions Program
(Question No. 1851)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 2 September 2003:

With reference to the grant of $178,000 to the Theodore Sport & Recreation Association Inc. in the 2001-02 financial year under the Regional Solutions Programme, to provide sport and recreation facilities:

1. (a) What total Regional Solutions Programme funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or if the funds were paid in instalments, what were the instalment dates and amounts paid on each date.

2. Can a detailed description of the project be provided.

3. Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent.

4. When did the department or the Minister inform the proponent and the Member for Wide Bay about the funding approval.

5. When did the department or the Minister publicly announce the grant.

6. In relation to the application for funding:
   (a) when was the funding application lodged with the department;
   (b) when was the application approved by the Minister;
   (c) did the funding application comply with the Regional Solutions Programme guidelines; if not, can details of the non-compliance be provided;
   (d) if applicable, when was the application varied;
   (e) what Regional Solutions Programme funding was sought by the proponent, including goods and services tax (if applicable);
   (f) what is the business address of the proponent;
   (g) is the proponent a sponsoring organisation administering the grant on behalf of another organisation; if so, can details be provided of this organisation including its name, business address and main activity;
   (h) what project funding category did the proponent nominate: (i) planning, (ii) project implementation, (iii) community infrastructure, or (iv) resourcing a person to work for the community; if the answer was (iv), did the proponent propose to create a new position; if not, how had the position been funded until the time of application;
   (i) what particular issue or issues in the local community did the proponent say would be addressed by the project;
   (j) what expected project benefits did the proponent nominate;
   (k) how did the proponent advise that the outcomes of the project would be sustained;
   (l) did the proponent advise that the project would be self-sustaining; if so, how;
   (m) did the project arise from an earlier community planning process; if so, how was the planning conducted and what issues and outcomes were identified;
   (n) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided;
   (o) what community involvement in project committees or working groups existed or was proposed by the proponent at the time of application;
(p) what experience in developing, budgeting and reporting on projects of this type did the proponent possess at the time of application;

(q) did the proponent propose to purchase consultancy services; if so, did the proponent provide quotes with the application;

(r) if the proposal involved community infrastructure, did the proponent provide a feasibility study and/or business plan;

(s) did the proponent approach other Commonwealth or state funding sources for the project or components of the project within 2 years of the date of application; if so, what sources were approached and what funding was received;

(t) what other financial and non-financial contributions to the project were nominated by the proponent and can a breakdown of these proposed contributions be provided including a calculation of the dollar value of the in-kind contributions; and

(u) what major project milestones were nominated by the proponent, including the commencement and completion dates.

(7) In relation to the progress of the project:

(a) what benefits has the project realised;

(b) what involvement does the community have in project committees or working groups;

(c) has the proponent purchased consultancy services with Regional Solutions Programme funding; if so, how much has been spent on consultants;

(d) what financial and non-financial contributions to the project has the project received from other sources;

(e) have all project milestones nominated by the proponent in the funding application been met; if not, why not; and

(f) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, on what dates.

(8) In relation to completion of the project funding period (if applicable):

(a) when did the project and/or funding period conclude;

(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;

(c) has the proponent properly acquitted the project by submitting a final report; if so, on what date;

(d) if applicable, has the final payment to the proponent been made; and

(e) has an independent evaluation been undertaken; if so: (i) who undertook the evaluation, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Regional Solutions Program

(Question No. 1852)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 2 September 2003:

With reference to the grant of $100 000 to the Eidsvold Shire Council in the 2001-02 financial year under the Regional Solutions Programme, to add value to native hardwood timbers:
(1) (a) What total Regional Solutions Programme funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or if the funds were paid in instalments, what were the instalment dates and amounts paid on each date.

(2) Can a detailed description of the project be provided.

(3) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent.

(4) When did the department or the Minister inform the proponent and the Member for Wide Bay about the funding approval.

(5) When did the department or the Minister publicly announce the grant.

(6) In relation to the application for funding:

(a) when was the funding application lodged with the department;

(b) when was the application approved by the Minister;

(c) did the funding application comply with the Regional Solutions Programme guidelines; if not, can details of the non-compliance be provided;

(d) if applicable, when was the application varied;

(e) what Regional Solutions Programme funding was sought by the proponent, including goods and services tax (if applicable);

(f) what is the business address of the proponent;

(g) is the proponent a sponsoring organisation administering the grant on behalf of another organisation; if so, can details be provided of this organisation including its name, business address and main activity;

(h) what project funding category did the proponent nominate: (i) planning, (ii) project implementation, (iii) community infrastructure, or (iv) resourcing a person to work for the community; if the answer was (iv), did the proponent propose to create a new position; if not, how had the position been funded until the time of application;

(i) what particular issue or issues in the local community did the proponent say would be addressed by the project;

(j) what expected project benefits did the proponent nominate;

(k) how did the proponent advise that the outcomes of the project would be sustained;

(l) did the proponent advise that the project would be self-sustaining; if so, how;

(m) did the project arise from an earlier community planning process; if so, how was the planning conducted and what issues and outcomes were identified;

(n) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided;

(o) what community involvement in project committees or working groups existed or was proposed by the proponent at the time of application;

(p) what experience in developing, budgeting and reporting on projects of this type did the proponent possess at the time of application;

(q) did the proponent propose to purchase consultancy services; if so, did the proponent provide quotes with the application;

(r) if the proposal involved community infrastructure, did the proponent provide a feasibility study and/or business plan;
(s) did the proponent approach other Commonwealth or state funding sources for the project or components of the project within 2 years of the date of application; if so, what sources were approached and what funding was received;

(l) what other financial and non-financial contributions to the project were nominated by the proponent and can a breakdown of these proposed contributions be provided including a calculation of the dollar value of the in-kind contributions; and

(u) what major project milestones were nominated by the proponent, including the commencement and completion dates.

(7) In relation to the progress of the project:

(a) what benefits has the project realised;

(b) what involvement does the community have in project committees or working groups;

(c) has the proponent purchased consultancy services with Regional Solutions Programme funding; if so, how much has been spent on consultants;

(d) what financial and non-financial contributions to the project has the project received from other sources;

(e) have all project milestones nominated by the proponent in the funding application been met; if not, why not; and

(f) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, on what dates.

(8) In relation to completion of the project funding period (if applicable):

(a) when did the project and/or funding period conclude;

(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;

(c) has the proponent properly acquitted the project by submitting a final report; if so, on what date;

(d) if applicable, has the final payment to the proponent been made; and

(e) has an independent evaluation been undertaken; if so: (i) who undertook the evaluation, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

**Transport and Regional Services: Regional Solutions Program**

*(Question No. 1853)*

**Senator O’Brien** asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 2 September 2003:

With reference to the grant of $272,727 to the Banana Shire Community Resource Centre Reference Group in the 2001-02 financial year under the Regional Solutions Programme, for a community resource centre:

(1) (a) What total Regional Solutions Programme funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or if the funds were paid in instalments, what were the instalment dates and amounts paid on each date.

(2) Can a detailed description of the project be provided.
(3) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent.

(4) When did the department or the Minister inform the proponent and the Member for Wide Bay about the funding approval.

(5) When did the department or the Minister publicly announce the grant.

(6) In relation to the application for funding:
   (a) when was the funding application lodged with the department;
   (b) when was the application approved by the Minister;
   (c) did the funding application comply with the Regional Solutions Programme guidelines; if not, can details of the non-compliance be provided;
   (d) if applicable, when was the application varied;
   (e) what Regional Solutions Programme funding was sought by the proponent, including goods and services tax (if applicable);
   (f) what is the business address of the proponent;
   (g) is the proponent a sponsoring organisation administering the grant on behalf of another organisation; if so, can details be provided of this organisation including its name, business address and main activity;
   (h) what project funding category did the proponent nominate: (i) planning, (ii) project implementation, (iii) community infrastructure, or (iv) resourcing a person to work for the community; if the answer was (iv), did the proponent propose to create a new position; if not, how had the position been funded until the time of application;
   (i) what particular issue or issues in the local community did the proponent say would be addressed by the project;
   (j) what expected project benefits did the proponent nominate;
   (k) how did the proponent advise that the outcomes of the project would be sustained;
   (l) did the proponent advise that the project would be self-sustaining; if so, how;
   (m) did the project arise from an earlier community planning process; if so, how was the planning conducted and what issues and outcomes were identified;
   (n) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided;
   (o) what community involvement in project committees or working groups existed or was proposed by the proponent at the time of application;
   (p) what experience in developing, budgeting and reporting on projects of this type did the proponent possess at the time of application;
   (q) did the proponent propose to purchase consultancy services; if so, did the proponent provide quotes with the application;
   (r) if the proposal involved community infrastructure, did the proponent provide a feasibility study and/or business plan;
   (s) did the proponent approach other Commonwealth or state funding sources for the project or components of the project within 2 years of the date of application; if so, what sources were approached and what funding was received;
   (t) what other financial and non-financial contributions to the project were nominated by the proponent and can a breakdown of these proposed contributions be provided including a calculation of the dollar value of the in-kind contributions; and
(u) what major project milestones were nominated by the proponent, including the commencement and completion dates.

(7) In relation to the progress of the project:
   (a) what benefits has the project realised;
   (b) what involvement does the community have in project committees or working groups;
   (c) has the proponent purchased consultancy services with Regional Solutions Programme funding; if so, how much has been spent on consultants;
   (d) what financial and non-financial contributions to the project has the project received from other sources;
   (e) have all project milestones nominated by the proponent in the funding application been met; if not, why not; and
   (f) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, on what dates.

(8) In relation to completion of the project funding period (if applicable):
   (a) when did the project and/or funding period conclude;
   (b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;
   (c) has the proponent properly acquitted the project by submitting a final report; if so, on what date;
   (d) if applicable, has the final payment to the proponent been made; and
   (e) has an independent evaluation been undertaken; if so: (i) who undertook the evaluation, (ii) when was it completed, and (iii) what findings did it make.

**Senator Ian Campbell**—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

**Transport and Regional Services: Regional Solutions Program**

(Question No. 1854)

**Senator O’Brien** asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 2 September 2003:

With reference to the grant of $29,263 to the Monduran Anglers and Stocking Association in the 2001-02 financial year under the Regional Solutions Programme, to develop skills in regional youth:

(1) (a) What total Regional Solutions Programme funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or if the funds were paid in instalments, what were the instalment dates and amounts paid on each date.

(2) Can a detailed description of the project be provided.

(3) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent.

(4) When did the department or the Minister inform the proponent and the Member for Wide Bay about the funding approval.

(5) When did the department or the Minister publicly announce the grant.

(6) In relation to the application for funding:
   (a) when was the funding application lodged with the department;
(b) when was the application approved by the Minister;
(c) did the funding application comply with the Regional Solutions Programme guidelines; if not, can details of the non-compliance be provided;
(d) if applicable, when was the application varied;
(e) what Regional Solutions Programme funding was sought by the proponent, including goods and services tax (if applicable);
(f) what is the business address of the proponent;
(g) is the proponent a sponsoring organisation administering the grant on behalf of another organisation; if so, can details be provided of this organisation including its name, business address and main activity;
(h) what project funding category did the proponent nominate: (i) planning, (ii) project implementation, (iii) community infrastructure, or (iv) resourcing a person to work for the community; if the answer was (iv), did the proponent propose to create a new position; if not, how had the position been funded until the time of application;
(i) what particular issue or issues in the local community did the proponent say would be addressed by the project;
(j) what expected project benefits did the proponent nominate;
(k) how did the proponent advise that the outcomes of the project would be sustained;
(l) did the proponent advise that the project would be self-sustaining; if so, how;
(m) did the project arise from an earlier community planning process; if so, how was the planning conducted and what issues and outcomes were identified;
(n) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided;
(o) what community involvement in project committees or working groups existed or was proposed by the proponent at the time of application;
(p) what experience in developing, budgeting and reporting on projects of this type did the proponent possess at the time of application;
(q) did the proponent propose to purchase consultancy services; if so, did the proponent provide quotes with the application;
(r) if the proposal involved community infrastructure, did the proponent provide a feasibility study and/or business plan;
(s) did the proponent approach other Commonwealth or state funding sources for the project or components of the project within 2 years of the date of application; if so, what sources were approached and what funding was received;
(t) what other financial and non-financial contributions to the project were nominated by the proponent and can a breakdown of these proposed contributions be provided including a calculation of the dollar value of the in-kind contributions; and
(u) what major project milestones were nominated by the proponent, including the commencement and completion dates.

(7) In relation to the progress of the project:
(a) what benefits has the project realised;
(b) what involvement does the community have in project committees or working groups;
(c) has the proponent purchased consultancy services with Regional Solutions Programme funding; if so, how much has been spent on consultants;
(d) what financial and non-financial contributions to the project has the project received from other sources;
(e) have all project milestones nominated by the proponent in the funding application been met; if not, why not; and
(f) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, on what dates.

(8) In relation to completion of the project funding period (if applicable):
(a) when did the project and/or funding period conclude;
(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;
(c) has the proponent properly acquitted the project by submitting a final report; if so, on what date;
(d) if applicable, has the final payment to the proponent been made; and
(e) has an independent evaluation been undertaken; if so: (i) who undertook the evaluation, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:
Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Structural Adjustment Package
(Question No. 1857)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 4 September 2003:
With reference to the grant of $90 000 for the Subaxtreme Manufacturing Facility project under the Structural Adjustment Package for the Wide Bay Burnett Region of Queensland:
(1) (a) What total Structural Adjustment Package funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or if the funds were paid in instalments, what were the instalment dates and amounts paid on each date.
(2) (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.
(3) What is the proponent’s business address.
(4) Can a description of the project be provided.
(5) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Wide Bay Burnett Region Advisory Committee.
(6) When did the department or the Minister inform the proponent, the Wide Bay Burnett Region Advisory Committee and the Member for Wide Bay about the funding approval.
(7) When did the department or the Minister publicly announce the grant.
(8) What was the quantum of the grant announced by the department or the Minister.
(9) In relation to the application for funding:
(a) when was the funding application lodged with the department;
(b) when was the funding application referred to the Wide Bay Burnett Region Advisory Committee;
(c) was the application varied; if so, when, and what was the nature of the variation/s;
(d) when did the committee make a recommendation to the Minister;
(e) what recommendation did the committee make;
(f) when was the application approved by the Minister;
(g) did the funding application comply with the structural adjustment package guidelines; if not, can details of the non-compliance be provided;
(h) what total funding was sought, including goods and services tax;
(i) what was the main business of the proponent at the time of application;
(j) how did the proponent describe the proposed project;
(k) was the proposed project a new project or an extension of an existing business activity;
(l) with reference to employment outcomes nominated by the proponent:
   (i) how many full-time and part time jobs did the proponent claim would be generated by the project,
   (ii) how many direct and indirect jobs did the proponent claim would be generated by the project,
   (iii) how many construction jobs did the proponent claim would be generated by the project,
   (iv) what employment timing was outlined by the proponent, and
   (v) what types of jobs did the proponent claim would be generated by the project i.e. skilled or unskilled and training opportunities;
(m) what project planning and design time did the proponent nominate;
(n) if applicable, what construction start date was nominated by the proponent;
(o) what project commissioning and/or commencement date was nominated by the proponent;
(p) what date did the proponent nominate for the project to become fully operational;
(q) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;
(r) what long-term benefits to the Wide Bay Burnett region did the proponent say would be generated by the project;
(s) what flow-on benefits to other businesses, organisations or individuals in the region did the proponent say would be generated by the project;
(t) was the proposal local, national or export focused;
(u) did a business plan accompany the application form;
(v) what evidence did the proponent provide to support the proposal’s feasibility and did this evidence include a feasibility study; if so, who undertook the feasibility study;
(w) did the proponent provide details of projected cash flow, revenue and expenses for at least the first 5 years; if so, did the proponent include investment analysis details such as rates of return, liquidity and debt analysis;
(x) were copies of the proponent’s business plan and financial statements provided;
(y) did the proponent provide details of similar projects successfully realised; if so, what projects;
(z) did the proponent provide a statement indicating the extent to which Commonwealth funding was needed to realise the project;
(aa) (i) what evidence did the proponent provide indicating community support for the application, and (ii) which organisations or individuals provided letters of support;
(ab) what sources of funding, other than structural adjustment package funds, did the proponent identify would be provided or had been sought for the project, including Commonwealth and/or state and/or local government funding;

(ac) was a statement provided attesting that the proponent’s financial contribution to the project would be a new investment;

(ad) did the proponent provide evidence that appropriate planning and environmental approvals had been gained or sought;

(ae) did the proponent provide a statement describing the likely impact of the project on other businesses in the region; if so, how did the proponent describe the likely impact; and

(af) did the proponent provide details of a likely net increase in employment, including, if applicable, employment growth resulting from relocation.

(10) In relation to the progress of the project:

(a) when did the proponent enter into a grant agreement with the department;

(b) with reference to employment outcomes:
   (i) how many full-time and part time jobs have been generated by the project,
   (ii) how many direct and indirect jobs have been generated by the project,
   (iii) how many construction jobs were generated by the project,
   (iv) over what time period have these jobs been created, and have employment growth and employment numbers been sustained, and
   (v) what types of jobs have been generated by the project i.e. skilled or unskilled and training opportunities;

(c) what project planning and design time was required;

(d) if applicable, what was the construction start date;

(e) when did project operations commence;

(f) when did the project become fully operational;

(g) were progress payments negotiated on the basis of project activity; if so: (i) has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;

(h) (i) what project management structure was established, (ii) what selection process for the project manager was adopted, and (iii) was a steering committee established;

(i) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;

(j) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, when;

(k) what sources of funding, other than structural adjustment package funds, have supported the project, including Commonwealth and/or state and/or local government funding;

(l) what financial contribution has the proponent made to the project; and

(m) has the proponent complied with appropriate planning and environmental laws.

(11) In relation to completion of the project funding period (if applicable):

(a) when did the project and/or funding period conclude;

(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;

(c) has the proponent lodged a final report; if so, on what date;
(d) if applicable, has the final payment to the proponent been made;
(e) how many direct and indirect full-time equivalent positions have been generated by the project; and
(f) has an independent audit been undertaken; if so: (i) who undertook the audit, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

**Transport and Regional Services: Structural Adjustment Package**

**(Question No. 1858)**

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 4 September 2003:

With reference to the grant of $500,000 for the Cooloola Agriculture Centre project under the Structural Adjustment Package for the Wide Bay Burnett Region of Queensland:

1. (a) What total Structural Adjustment Package funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or if the funds were paid in instalments, what were the instalment dates and amounts paid on each date.
2. (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.
3. What is the proponent’s business address.
4. Can a description of the project be provided.
5. Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Wide Bay Burnett Region Advisory Committee.
6. When did the department or the Minister inform the proponent, the Wide Bay Burnett Region Advisory Committee and the Member for Wide Bay about the funding approval.
7. When did the department or the Minister publicly announce the grant.
8. What was the quantum of the grant announced by the department or the Minister.
9. In relation to the application for funding:
   a. when was the funding application lodged with the department;
   b. when was the funding application referred to the Wide Bay Burnett Region Advisory Committee;
   c. was the application varied; if so, when, and what was the nature of the variation/s;
   d. when did the committee make a recommendation to the Minister;
   e. what recommendation did the committee make;
   f. when was the application approved by the Minister;
   g. did the funding application comply with the structural adjustment package guidelines; if not, can details of the non-compliance be provided;
   h. what total funding was sought, including goods and services tax;
   i. what was the main business of the proponent at the time of application;
   j. how did the proponent describe the proposed project;
   k. was the proposed project a new project or an extension of an existing business activity;
QUESTIONS ON NOTICE

(l) with reference to employment outcomes nominated by the proponent:
   (i) how many full-time and part time jobs did the proponent claim would be generated by the
       project,
   (ii) how many direct and indirect jobs did the proponent claim would be generated by the
        project,
   (iii) how many construction jobs did the proponent claim would be generated by the project,
   (iv) what employment timing was outlined by the proponent, and
   (v) what types of jobs did the proponent claim would be generated by the project i.e. skilled
        or unskilled and training opportunities;

(m) what project planning and design time did the proponent nominate;

(n) if applicable, what construction start date was nominated by the proponent;

(o) what project commissioning and/or commencement date was nominated by the proponent;

(p) what date did the proponent nominate for the project to become fully operational;

(q) did a project plan accompany the application form nominating project milestones; if so, what
    major milestones were nominated by the proponent;

(r) what long-term benefits to the Wide Bay Burnett region did the proponent say would be
    generated by the project;

(s) what flow-on benefits to other businesses, organisations or individuals in the region did the
    proponent say would be generated by the project;

(t) was the proposal local, national or export focused;

(u) did a business plan accompany the application form;

(v) what evidence did the proponent provide to support the proposal’s feasibility and did this
    evidence include a feasibility study; if so, who undertook the feasibility study;

(w) did the proponent provide details of projected cash flow, revenue and expenses for at least the
    first 5 years; if so, did the proponent include investment analysis details such as rates of return,
    liquidity and debt analysis;

(x) were copies of the proponent’s business plan and financial statements provided;

(y) did the proponent provide details of similar projects successfully realised; if so, what projects;

(z) did the proponent provide a statement indicating the extent to which Commonwealth funding
    was needed to realise the project;

(aa) (i) what evidence did the proponent provide indicating community support for the application,
    and (ii) which organisations or individuals provided letters of support;

(ab) what sources of funding, other than structural adjustment package funds, did the proponent
    identify would be provided or had been sought for the project, including Commonwealth
    and/or state and/or local government funding;

(ac) was a statement provided attesting that the proponent’s financial contribution to the project
    would be a new investment;

(ad) did the proponent provide evidence that appropriate planning and environmental approvals
    had been gained or sought;

(ae) did the proponent provide a statement describing the likely impact of the project on other
    businesses in the region; if so, how did the proponent describe the likely impact; and

(af) did the proponent provide details of a likely net increase in employment, including, if
    applicable, employment growth resulting from relocation.
(10) In relation to the progress of the project:
   (a) when did the proponent enter into a grant agreement with the department;
   (b) with reference to employment outcomes:
      (i) how many full-time and part-time jobs have been generated by the project,
      (ii) how many direct and indirect jobs have been generated by the project,
      (iii) how many construction jobs were generated by the project,
      (iv) over what time period have these jobs been created, and have employment growth and employment numbers been sustained, and
      (v) what types of jobs have been generated by the project i.e. skilled or unskilled and training opportunities;
   (c) what project planning and design time was required;
   (d) if applicable, what was the construction start date;
   (e) when did project operations commence;
   (f) when did the project become fully operational;
   (g) were progress payments negotiated on the basis of project activity; if so: (i) has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;
   (h) (i) what project management structure was established, (ii) what selection process for the project manager was adopted, and (iii) was a steering committee established;
   (i) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;
   (j) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, when;
   (k) what sources of funding, other than structural adjustment package funds, have supported the project, including Commonwealth and/or state and/or local government funding;
   (l) what financial contribution has the proponent made to the project; and
   (m) has the proponent complied with appropriate planning and environmental laws.

(11) In relation to completion of the project funding period (if applicable):
   (a) when did the project and/or funding period conclude;
   (b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;
   (c) has the proponent lodged a final report; if so, on what date;
   (d) if applicable, has the final payment to the proponent been made;
   (e) how many direct and indirect full-time equivalent positions have been generated by the project; and
   (f) has an independent audit been undertaken; if so: (i) who undertook the audit, (ii) when was it completed, and (iii) what findings did it make.

   Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:
   Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.
Transport and Regional Services: Structural Adjustment Package

(Question No. 1859)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 4 September 2003:

With reference to the grant of $160,000 for the Hervey Bay Thrill Seeker “Bungee” project under the Structural Adjustment Package for the Wide Bay Burnett Region of Queensland:

1. (a) What total Structural Adjustment Package funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or if the funds were paid in instalments, what were the instalment dates and amounts paid on each date.

2. (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

3. What is the proponent’s business address.

4. Can a description of the project be provided.

5. Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Wide Bay Burnett Region Advisory Committee.

6. When did the department or the Minister inform the proponent, the Wide Bay Burnett Region Advisory Committee and the Member for Wide Bay about the funding approval.

7. When did the department or the Minister publicly announce the grant.

8. What was the quantum of the grant announced by the department or the Minister.

9. In relation to the application for funding:

   (a) when was the funding application lodged with the department;

   (b) when was the funding application referred to the Wide Bay Burnett Region Advisory Committee;

   (c) was the application varied; if so, when, and what was the nature of the variation/s;

   (d) when did the committee make a recommendation to the Minister;

   (e) what recommendation did the committee make;

   (f) when was the application approved by the Minister;

   (g) did the funding application comply with the structural adjustment package guidelines; if not, can details of the non-compliance be provided;

   (h) what total funding was sought, including goods and services tax;

   (i) what was the main business of the proponent at the time of application;

   (j) how did the proponent describe the proposed project;

   (k) was the proposed project a new project or an extension of an existing business activity;

   (l) with reference to employment outcomes nominated by the proponent:

      (i) how many full-time and part time jobs did the proponent claim would be generated by the project,

      (ii) how many direct and indirect jobs did the proponent claim would be generated by the project,

      (iii) how many construction jobs did the proponent claim would be generated by the project,

      (iv) what employment timing was outlined by the proponent, and

      (v) what types of jobs did the proponent claim would be generated by the project i.e. skilled or unskilled and training opportunities;
(m) what project planning and design time did the proponent nominate;
(n) if applicable, what construction start date was nominated by the proponent;
(o) what project commissioning and/or commencement date was nominated by the proponent;
(p) what date did the proponent nominate for the project to become fully operational;
(q) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;
(r) what long-term benefits to the Wide Bay Burnett region did the proponent say would be generated by the project;
(s) what flow-on benefits to other businesses, organisations or individuals in the region did the proponent say would be generated by the project;
(t) was the proposal local, national or export focused;
(u) did a business plan accompany the application form;
(v) what evidence did the proponent provide to support the proposal’s feasibility and did this evidence include a feasibility study; if so, who undertook the feasibility study;
(w) did the proponent provide details of projected cash flow, revenue and expenses for at least the first 5 years; if so, did the proponent include investment analysis details such as rates of return, liquidity and debt analysis;
(x) were copies of the proponent’s business plan and financial statements provided;
(y) did the proponent provide details of similar projects successfully realised; if so, what projects;
(z) did the proponent provide a statement indicating the extent to which Commonwealth funding was needed to realise the project;
(aa) (i) what evidence did the proponent provide indicating community support for the application, and (ii) which organisations or individuals provided letters of support;
(ab) what sources of funding, other than structural adjustment package funds, did the proponent identify would be provided or had been sought for the project, including Commonwealth and/or state and/or local government funding;
(ac) was a statement provided attesting that the proponent’s financial contribution to the project would be a new investment;
(ad) did the proponent provide evidence that appropriate planning and environmental approvals had been gained or sought;
(ae) did the proponent provide a statement describing the likely impact of the project on other businesses in the region; if so, how did the proponent describe the likely impact; and
(af) did the proponent provide details of a likely net increase in employment, including, if applicable, employment growth resulting from relocation.

(10) In relation to the progress of the project:
(a) when did the proponent enter into a grant agreement with the department;
(b) with reference to employment outcomes:
   (i) how many full-time and part time jobs have been generated by the project,
   (ii) how many direct and indirect jobs have been generated by the project,
   (iii) how many construction jobs were generated by the project,
   (iv) over what time period have these jobs been created, and have employment growth and employment numbers been sustained, and
(v) what types of jobs have been generated by the project i.e. skilled or unskilled and training opportunities;
(c) what project planning and design time was required;
(d) if applicable, what was the construction start date;
(e) when did project operations commence;
(f) when did the project become fully operational;
(g) were progress payments negotiated on the basis of project activity; if so: (i) has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;
(h) (i) what project management structure was established, (ii) what selection process for the project manager was adopted, and (iii) was a steering committee established;
(i) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;
(j) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, when;
(k) what sources of funding, other than structural adjustment package funds, have supported the project, including Commonwealth and/or state and/or local government funding;
(l) what financial contribution has the proponent made to the project; and
(m) has the proponent complied with appropriate planning and environmental laws.

(11) In relation to completion of the project funding period (if applicable):
(a) when did the project and/or funding period conclude;
(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;
(c) has the proponent lodged a final report; if so, on what date;
(d) if applicable, has the final payment to the proponent been made;
(e) how many direct and indirect full-time equivalent positions have been generated by the project; and
(f) has an independent audit been undertaken; if so: (i) who undertook the audit, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:
Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Structural Adjustment Package
(Question No. 1860)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 4 September 2003:
With reference to the grant of $240 000 for the TSG Pacific Software Engineering Centre project under the Structural Adjustment Package for the Wide Bay Burnett Region of Queensland:
(1) (a) What total Structural Adjustment Package funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or if the funds were paid in instalments, what were the instalment dates and amounts paid on each date.
(2) (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

(3) What is the proponent’s business address.

(4) Can a description of the project be provided.

(5) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Wide Bay Burnett Region Advisory Committee.

(6) When did the department or the Minister inform the proponent, the Wide Bay Burnett Region Advisory Committee and the Member for Wide Bay about the funding approval.

(7) When did the department or the Minister publicly announce the grant.

(8) What was the quantum of the grant announced by the department or the Minister.

(9) In relation to the application for funding:
   (a) when was the funding application lodged with the department;
   (b) when was the funding application referred to the Wide Bay Burnett Region Advisory Committee;
   (c) was the application varied; if so, when, and what was the nature of the variation/s;
   (d) when did the committee make a recommendation to the Minister;
   (e) what recommendation did the committee make;
   (f) when was the application approved by the Minister;
   (g) did the funding application comply with the structural adjustment package guidelines; if not, can details of the non-compliance be provided;
   (h) what total funding was sought, including goods and services tax;
   (i) what was the main business of the proponent at the time of application;
   (j) how did the proponent describe the proposed project;
   (k) was the proposed project a new project or an extension of an existing business activity;
   (l) with reference to employment outcomes nominated by the proponent:
      (i) how many full-time and part time jobs did the proponent claim would be generated by the project,
      (ii) how many direct and indirect jobs did the proponent claim would be generated by the project,
      (iii) how many construction jobs did the proponent claim would be generated by the project,
      (iv) what employment timing was outlined by the proponent, and
      (v) what types of jobs did the proponent claim would be generated by the project i.e. skilled or unskilled and training opportunities;
   (m) what project planning and design time did the proponent nominate;
   (n) if applicable, what construction start date was nominated by the proponent;
   (o) what project commissioning and/or commencement date was nominated by the proponent;
   (p) what date did the proponent nominate for the project to become fully operational;
   (q) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;
   (r) what long-term benefits to the Wide Bay Burnett region did the proponent say would be generated by the project;
(s) what flow-on benefits to other businesses, organisations or individuals in the region did the proponent say would be generated by the project;
(t) was the proposal local, national or export focused;
(u) did a business plan accompany the application form;
(v) what evidence did the proponent provide to support the proposal’s feasibility and did this evidence include a feasibility study; if so, who undertook the feasibility study;
(w) did the proponent provide details of projected cash flow, revenue and expenses for at least the first 5 years; if so, did the proponent include investment analysis details such as rates of return, liquidity and debt analysis;
(x) were copies of the proponent’s business plan and financial statements provided;
(y) did the proponent provide details of similar projects successfully realised; if so, what projects;
(z) did the proponent provide a statement indicating the extent to which Commonwealth funding was needed to realise the project;
(aa) (i) what evidence did the proponent provide indicating community support for the application, and (ii) which organisations or individuals provided letters of support;
(ab) what sources of funding, other than structural adjustment package funds, did the proponent identify would be provided or had been sought for the project, including Commonwealth and/or state and/or local government funding;
(ac) was a statement provided attesting that the proponent’s financial contribution to the project would be a new investment;
(ad) did the proponent provide evidence that appropriate planning and environmental approvals had been gained or sought;
(ae) did the proponent provide a statement describing the likely impact of the project on other businesses in the region; if so, how did the proponent describe the likely impact; and
(af) did the proponent provide details of a likely net increase in employment, including, if applicable, employment growth resulting from relocation.

(10) In relation to the progress of the project:
(a) when did the proponent enter into a grant agreement with the department;
(b) with reference to employment outcomes:
  (i) how many full-time and part time jobs have been generated by the project,
  (ii) how many direct and indirect jobs have been generated by the project,
  (iii) how many construction jobs were generated by the project,
  (iv) over what time period have these jobs been created, and have employment growth and employment numbers been sustained, and
  (v) what types of jobs have been generated by the project i.e. skilled or unskilled and training opportunities;
(c) what project planning and design time was required;
(d) if applicable, what was the construction start date;
(e) when did project operations commence;
(f) when did the project become fully operational;
(g) were progress payments negotiated on the basis of project activity; if so: (i) has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;
(h) (i) what project management structure was established, (ii) what selection process for the project manager was adopted, and (iii) was a steering committee established;

(i) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;

(j) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, when;

(k) what sources of funding, other than structural adjustment package funds, have supported the project, including Commonwealth and/or state and/or local government funding;

(l) what financial contribution has the proponent made to the project; and

(m) has the proponent complied with appropriate planning and environmental laws.

(11) In relation to completion of the project funding period (if applicable):

(a) when did the project and/or funding period conclude;

(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;

(c) has the proponent lodged a final report; if so, on what date;

(d) if applicable, has the final payment to the proponent been made;

(e) how many direct and indirect full-time equivalent positions have been generated by the project; and

(f) has an independent audit been undertaken; if so: (i) who undertook the audit, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

**Transport and Regional Services: Structural Adjustment Package**  
*(Question No. 1861)*

**Senator O’Brien** asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 4 September 2003:

With reference to the grant of $294,500 for the Farmfresh Expansion Program project under the Structural Adjustment Package for the Wide Bay Burnett Region of Queensland:

1. (a) What total Structural Adjustment Package funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or if the funds were paid in instalments, what were the instalment dates and amounts paid on each date.

2. (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

3. What is the proponent’s business address.

4. Can a description of the project be provided.

5. Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Wide Bay Burnett Region Advisory Committee.

6. When did the department or the Minister inform the proponent, the Wide Bay Burnett Region Advisory Committee and the Member for Wide Bay about the funding approval.

7. When did the department or the Minister publicly announce the grant.

8. What was the quantum of the grant announced by the department or the Minister.
(9) In relation to the application for funding:
   (a) when was the funding application lodged with the department;
   (b) when was the funding application referred to the Wide Bay Burnett Region Advisory Committee;
   (c) was the application varied; if so, when, and what was the nature of the variation/s;
   (d) when did the committee make a recommendation to the Minister;
   (e) what recommendation did the committee make;
   (f) when was the application approved by the Minister;
   (g) did the funding application comply with the structural adjustment package guidelines; if not, can details of the non-compliance be provided;
   (h) what total funding was sought, including goods and services tax;
   (i) what was the main business of the proponent at the time of application;
   (j) how did the proponent describe the proposed project;
   (k) was the proposed project a new project or an extension of an existing business activity;
   (l) with reference to employment outcomes nominated by the proponent:
      (i) how many full-time and part time jobs did the proponent claim would be generated by the project,
      (ii) how many direct and indirect jobs did the proponent claim would be generated by the project,
      (iii) how many construction jobs did the proponent claim would be generated by the project,
      (iv) what employment timing was outlined by the proponent, and
      (v) what types of jobs did the proponent claim would be generated by the project i.e. skilled or unskilled and training opportunities;
   (m) what project planning and design time did the proponent nominate;
   (n) if applicable, what construction start date was nominated by the proponent;
   (o) what project commissioning and/or commencement date was nominated by the proponent;
   (p) what date did the proponent nominate for the project to become fully operational;
   (q) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;
   (r) what long-term benefits to the Wide Bay Burnett region did the proponent say would be generated by the project;
   (s) what flow-on benefits to other businesses, organisations or individuals in the region did the proponent say would be generated by the project;
   (t) was the proposal local, national or export focused;
   (u) did a business plan accompany the application form;
   (v) what evidence did the proponent provide to support the proposal’s feasibility and did this evidence include a feasibility study; if so, who undertook the feasibility study;
   (w) did the proponent provide details of projected cash flow, revenue and expenses for at least the first 5 years; if so, did the proponent include investment analysis details such as rates of return, liquidity and debt analysis;
   (x) were copies of the proponent’s business plan and financial statements provided;
   (y) did the proponent provide details of similar projects successfully realised; if so, what projects;
(z) did the proponent provide a statement indicating the extent to which Commonwealth funding was needed to realise the project;

(aa) (i) what evidence did the proponent provide indicating community support for the application, and (ii) which organisations or individuals provided letters of support;

(ab) what sources of funding, other than structural adjustment package funds, did the proponent identify would be provided or had been sought for the project, including Commonwealth and/or state and/or local government funding;

(ac) was a statement provided attesting that the proponent’s financial contribution to the project would be a new investment;

(ad) did the proponent provide evidence that appropriate planning and environmental approvals had been gained or sought;

(ae) did the proponent provide a statement describing the likely impact of the project on other businesses in the region; if so, how did the proponent describe the likely impact; and

(af) did the proponent provide details of a likely net increase in employment, including, if applicable, employment growth resulting from relocation.

(10) In relation to the progress of the project:

(a) when did the proponent enter into a grant agreement with the department;

(b) with reference to employment outcomes:

(i) how many full-time and part time jobs have been generated by the project,

(ii) how many direct and indirect jobs have been generated by the project,

(iii) how many construction jobs were generated by the project,

(iv) over what time period have these jobs been created, and have employment growth and employment numbers been sustained, and

(v) what types of jobs have been generated by the project i.e. skilled or unskilled and training opportunities;

(c) what project planning and design time was required;

(d) if applicable, what was the construction start date;

(e) when did project operations commence;

(f) when did the project become fully operational;

(g) were progress payments negotiated on the basis of project activity; if so: (i) has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;

(h) (i) what project management structure was established, (ii) what selection process for the project manager was adopted, and (iii) was a steering committee established;

(i) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;

(j) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, when;

(k) what sources of funding, other than structural adjustment package funds, have supported the project, including Commonwealth and/or state and/or local government funding;

(l) what financial contribution has the proponent made to the project; and

(m) has the proponent complied with appropriate planning and environmental laws.

(11) In relation to completion of the project funding period (if applicable):
(a) when did the project and/or funding period conclude;
(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;
(c) has the proponent lodged a final report; if so, on what date;
(d) if applicable, has the final payment to the proponent been made;
(e) how many direct and indirect full-time equivalent positions have been generated by the project; and
(f) has an independent audit been undertaken; if so: (i) who undertook the audit, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:
Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Structural Adjustment Package
(Question No. 1862)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 4 September 2003:
With reference to the grant of $330 000 for the Neptunes Reefworld Aquarium Development project under the Structural Adjustment Package for the Wide Bay Burnett Region of Queensland:
(1) (a) What total Structural Adjustment Package funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or if the funds were paid in instalments, what were the instalment dates and amounts paid on each date.
(2) (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.
(3) What is the proponent’s business address.
(4) Can a description of the project be provided.
(5) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Wide Bay Burnett Region Advisory Committee.
(6) When did the department or the Minister inform the proponent, the Wide Bay Burnett Region Advisory Committee and the Member for Wide Bay about the funding approval.
(7) When did the department or the Minister publicly announce the grant.
(8) What was the quantum of the grant announced by the department or the Minister.
(9) In relation to the application for funding:
   (a) when was the funding application lodged with the department;
   (b) when was the funding application referred to the Wide Bay Burnett Region Advisory Committee;
   (c) was the application varied; if so, when, and what was the nature of the variation/s;
   (d) when did the committee make a recommendation to the Minister;
   (e) what recommendation did the committee make;
   (f) when was the application approved by the Minister;
   (g) did the funding application comply with the structural adjustment package guidelines; if not, can details of the non-compliance be provided;
   (h) what total funding was sought, including goods and services tax;
(i) what was the main business of the proponent at the time of application;
(j) how did the proponent describe the proposed project;
(k) was the proposed project a new project or an extension of an existing business activity;
(l) with reference to employment outcomes nominated by the proponent:
   (i) how many full-time and part time jobs did the proponent claim would be generated by the project,
   (ii) how many direct and indirect jobs did the proponent claim would be generated by the project,
   (iii) how many construction jobs did the proponent claim would be generated by the project,
   (iv) what employment timing was outlined by the proponent, and
   (v) what types of jobs did the proponent claim would be generated by the project i.e. skilled or unskilled and training opportunities;
(m) what project planning and design time did the proponent nominate;
(n) if applicable, what construction start date was nominated by the proponent;
(o) what project commissioning and/or commencement date was nominated by the proponent;
(p) what date did the proponent nominate for the project to become fully operational;
(q) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;
(r) what long-term benefits to the Wide Bay Burnett region did the proponent say would be generated by the project;
(s) what flow-on benefits to other businesses, organisations or individuals in the region did the proponent say would be generated by the project;
(t) was the proposal local, national or export focused;
(u) did a business plan accompany the application form;
(v) what evidence did the proponent provide to support the proposal’s feasibility and did this evidence include a feasibility study; if so, who undertook the feasibility study;
(w) did the proponent provide details of projected cash flow, revenue and expenses for at least the first 5 years; if so, did the proponent include investment analysis details such as rates of return, liquidity and debt analysis;
(x) were copies of the proponent’s business plan and financial statements provided;
(y) did the proponent provide details of similar projects successfully realised; if so, what projects;
(z) did the proponent provide a statement indicating the extent to which Commonwealth funding was needed to realise the project;
(aa) (i) what evidence did the proponent provide indicating community support for the application, and (ii) which organisations or individuals provided letters of support;
(ab) what sources of funding, other than structural adjustment package funds, did the proponent identify would be provided or had been sought for the project, including Commonwealth and/or state and/or local government funding;
(ac) was a statement provided attesting that the proponent’s financial contribution to the project would be a new investment;
(ad) did the proponent provide evidence that appropriate planning and environmental approvals had been gained or sought;
(ae) did the proponent provide a statement describing the likely impact of the project on other businesses in the region; if so, how did the proponent describe the likely impact; and

(af) did the proponent provide details of a likely net increase in employment, including, if applicable, employment growth resulting from relocation.

(10) In relation to the progress of the project:

(a) when did the proponent enter into a grant agreement with the department;

(b) with reference to employment outcomes:
   (i) how many full-time and part time jobs have been generated by the project,
   (ii) how many direct and indirect jobs have been generated by the project,
   (iii) how many construction jobs were generated by the project,
   (iv) over what time period have these jobs been created, and have employment growth and employment numbers been sustained, and
   (v) what types of jobs have been generated by the project i.e. skilled or unskilled and training opportunities;

(c) what project planning and design time was required;

(d) if applicable, what was the construction start date;

(e) when did project operations commence;

(f) when did the project become fully operational;

(g) were progress payments negotiated on the basis of project activity; if so: (i) has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;

(h) (i) what project management structure was established, (ii) what selection process for the project manager was adopted, and (iii) was a steering committee established;

(i) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;

(j) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, when;

(k) what sources of funding, other than structural adjustment package funds, have supported the project, including Commonwealth and/or state and/or local government funding;

(l) what financial contribution has the proponent made to the project; and

(m) has the proponent complied with appropriate planning and environmental laws.

(11) In relation to completion of the project funding period (if applicable):

(a) when did the project and/or funding period conclude;

(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;

(c) has the proponent lodged a final report; if so, on what date;

(d) if applicable, has the final payment to the proponent been made;

(e) how many direct and indirect full-time equivalent positions have been generated by the project; and

(f) has an independent audit been undertaken; if so: (i) who undertook the audit, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:
Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Structural Adjustment Package  
(Question No. 1863)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 4 September 2003:

With reference to the grant of $150,000 for the B&S Classic Doors Expansion project under the Structural Adjustment Package for the Wide Bay Burnett Region of Queensland:

(1) (a) What total Structural Adjustment Package funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or if the funds were paid in instalments, what were the instalment dates and amounts paid on each date.

(2) (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

(3) What is the proponent’s business address.

(4) Can a description of the project be provided.

(5) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Wide Bay Burnett Region Advisory Committee.

(6) When did the department or the Minister inform the proponent, the Wide Bay Burnett Region Advisory Committee and the Member for Wide Bay about the funding approval.

(7) When did the department or the Minister publicly announce the grant.

(8) What was the quantum of the grant announced by the department or the Minister.

(9) In relation to the application for funding:

(a) when was the funding application lodged with the department;

(b) when was the funding application referred to the Wide Bay Burnett Region Advisory Committee;

(c) was the application varied; if so, when, and what was the nature of the variation/s;

(d) when did the committee make a recommendation to the Minister;

(e) what recommendation did the committee make;

(f) when was the application approved by the Minister;

(g) did the funding application comply with the structural adjustment package guidelines; if not, can details of the non-compliance be provided;

(h) what total funding was sought, including goods and services tax;

(i) what was the main business of the proponent at the time of application;

(j) how did the proponent describe the proposed project;

(k) was the proposed project a new project or an extension of an existing business activity;

(l) with reference to employment outcomes nominated by the proponent:

(i) how many full-time and part time jobs did the proponent claim would be generated by the project,

(ii) how many direct and indirect jobs did the proponent claim would be generated by the project,

(iii) how many construction jobs did the proponent claim would be generated by the project,

(iv) what employment timing was outlined by the proponent, and
(v) what types of jobs did the proponent claim would be generated by the project i.e. skilled or unskilled and training opportunities;

(m) what project planning and design time did the proponent nominate;

(n) if applicable, what construction start date was nominated by the proponent;

(o) what project commissioning and/or commencement date was nominated by the proponent;

(p) what date did the proponent nominate for the project to become fully operational;

(q) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;

(r) what long-term benefits to the Wide Bay Burnett region did the proponent say would be generated by the project;

(s) what flow-on benefits to other businesses, organisations or individuals in the region did the proponent say would be generated by the project;

(t) was the proposal local, national or export focused;

(u) did a business plan accompany the application form;

(v) what evidence did the proponent provide to support the proposal’s feasibility and did this evidence include a feasibility study; if so, who undertook the feasibility study;

(w) did the proponent provide details of projected cash flow, revenue and expenses for at least the first 5 years; if so, did the proponent include investment analysis details such as rates of return, liquidity and debt analysis;

(x) were copies of the proponent’s business plan and financial statements provided;

(y) did the proponent provide details of similar projects successfully realised; if so, what projects;

(z) did the proponent provide a statement indicating the extent to which Commonwealth funding was needed to realise the project;

(aa) (i) what evidence did the proponent provide indicating community support for the application, and (ii) which organisations or individuals provided letters of support;

(ab) what sources of funding, other than structural adjustment package funds, did the proponent identify would be provided or had been sought for the project, including Commonwealth and/or state and/or local government funding;

(ac) was a statement provided attesting that the proponent’s financial contribution to the project would be a new investment;

(ad) did the proponent provide evidence that appropriate planning and environmental approvals had been gained or sought;

(ae) did the proponent provide a statement describing the likely impact of the project on other businesses in the region; if so, how did the proponent describe the likely impact; and

(af) did the proponent provide details of a likely net increase in employment, including, if applicable, employment growth resulting from relocation.

(10) In relation to the progress of the project:

(a) when did the proponent enter into a grant agreement with the department;

(b) with reference to employment outcomes:

   (i) how many full-time and part time jobs have been generated by the project,

   (ii) how many direct and indirect jobs have been generated by the project,

   (iii) how many construction jobs were generated by the project,
(iv) over what time period have these jobs been created, and have employment growth and employment numbers been sustained, and
(v) what types of jobs have been generated by the project i.e. skilled or unskilled and training opportunities;
(c) what project planning and design time was required;
(d) if applicable, what was the construction start date;
(e) when did project operations commence;
(f) when did the project become fully operational;
(g) were progress payments negotiated on the basis of project activity; if so: (i) has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;
(h) (i) what project management structure was established, (ii) what selection process for the project manager was adopted, and (iii) was a steering committee established;
(i) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;
(j) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, when;
(k) what sources of funding, other than structural adjustment package funds, have supported the project, including Commonwealth and/or state and/or local government funding;
(l) what financial contribution has the proponent made to the project; and
(m) has the proponent complied with appropriate planning and environmental laws.

(11) In relation to completion of the project funding period (if applicable):
(a) when did the project and/or funding period conclude;
(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;
(c) has the proponent lodged a final report; if so, on what date;
(d) if applicable, has the final payment to the proponent been made;
(e) how many direct and indirect full-time equivalent positions have been generated by the project; and
(f) has an independent audit been undertaken; if so: (i) who undertook the audit, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:
Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Structural Adjustment Package
(Question No. 1864)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 4 September 2003:
With reference to the grant of $24,500 for the Expansion of Mikes Industrial Coatings project under the Structural Adjustment Package for the Wide Bay Burnett Region of Queensland:
(1) (a) What total Structural Adjustment Package funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or if the funds were paid in instalments, what were the instalment dates and amounts paid on each date.

(2) (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

(3) What is the proponent’s business address.

(4) Can a description of the project be provided.

(5) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Wide Bay Burnett Region Advisory Committee.

(6) When did the department or the Minister inform the proponent, the Wide Bay Burnett Region Advisory Committee and the Member for Wide Bay about the funding approval.

(7) When did the department or the Minister publicly announce the grant.

(8) What was the quantum of the grant announced by the department or the Minister.

(9) In relation to the application for funding:

   (a) when was the funding application lodged with the department;

   (b) when was the funding application referred to the Wide Bay Burnett Region Advisory Committee;

   (c) was the application varied; if so, when, and what was the nature of the variation/s;

   (d) when did the committee make a recommendation to the Minister;

   (e) what recommendation did the committee make;

   (f) when was the application approved by the Minister;

   (g) did the funding application comply with the structural adjustment package guidelines; if not, can details of the non-compliance be provided;

   (h) what total funding was sought, including goods and services tax;

   (i) what was the main business of the proponent at the time of application;

   (j) how did the proponent describe the proposed project;

   (k) was the proposed project a new project or an extension of an existing business activity;

   (l) with reference to employment outcomes nominated by the proponent:

       (i) how many full-time and part time jobs did the proponent claim would be generated by the project,

       (ii) how many direct and indirect jobs did the proponent claim would be generated by the project,

       (iii) how many construction jobs did the proponent claim would be generated by the project,

       (iv) what employment timing was outlined by the proponent, and

       (v) what types of jobs did the proponent claim would be generated by the project i.e. skilled or unskilled and training opportunities;

   (m) what project planning and design time did the proponent nominate;

   (n) if applicable, what construction start date was nominated by the proponent;

   (o) what project commissioning and/or commencement date was nominated by the proponent;

   (p) what date did the proponent nominate for the project to become fully operational;

   (q) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;

QUESTIONS ON NOTICE
(r) what long-term benefits to the Wide Bay Burnett region did the proponent say would be generated by the project;

(s) what flow-on benefits to other businesses, organisations or individuals in the region did the proponent say would be generated by the project;

(t) was the proposal local, national or export focused;

(u) did a business plan accompany the application form;

(v) what evidence did the proponent provide to support the proposal’s feasibility and did this evidence include a feasibility study; if so, who undertook the feasibility study;

(w) did the proponent provide details of projected cash flow, revenue and expenses for at least the first 5 years; if so, did the proponent include investment analysis details such as rates of return, liquidity and debt analysis;

(x) were copies of the proponent’s business plan and financial statements provided;

(y) did the proponent provide details of similar projects successfully realised; if so, what projects;

(z) did the proponent provide a statement indicating the extent to which Commonwealth funding was needed to realise the project;

(aa) (i) what evidence did the proponent provide indicating community support for the application, and (ii) which organisations or individuals provided letters of support;

(ab) what sources of funding, other than structural adjustment package funds, did the proponent identify would be provided or had been sought for the project, including Commonwealth and/or state and/or local government funding;

(ac) was a statement provided attesting that the proponent’s financial contribution to the project would be a new investment;

(ad) did the proponent provide evidence that appropriate planning and environmental approvals had been gained or sought;

(ae) did the proponent provide a statement describing the likely impact of the project on other businesses in the region; if so, how did the proponent describe the likely impact; and

#af) did the proponent provide details of a likely net increase in employment, including, if applicable, employment growth resulting from relocation.

(10) In relation to the progress of the project:

(a) when did the proponent enter into a grant agreement with the department;

(b) with reference to employment outcomes:

(i) how many full-time and part time jobs have been generated by the project,

(ii) how many direct and indirect jobs have been generated by the project,

(iii) how many construction jobs were generated by the project,

(iv) over what time period have these jobs been created, and have employment growth and employment numbers been sustained, and

(v) what types of jobs have been generated by the project i.e. skilled or unskilled and training opportunities;

(c) what project planning and design time was required;

(d) if applicable, what was the construction start date;

(e) when did project operations commence;

(f) when did the project become fully operational;

QUESTIONS ON NOTICE
QUESTIONS ON NOTICE

(g) were progress payments negotiated on the basis of project activity; if so: (i) has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;

(h) (i) what project management structure was established, (ii) what selection process for the project manager was adopted, and (iii) was a steering committee established;

(i) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;

(j) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, when;

(k) what sources of funding, other than structural adjustment package funds, have supported the project, including Commonwealth and/or state and/or local government funding;

(l) what financial contribution has the proponent made to the project; and

(m) has the proponent complied with appropriate planning and environmental laws.

(11) In relation to completion of the project funding period (if applicable):

(a) when did the project and/or funding period conclude;

(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;

(c) has the proponent lodged a final report; if so, on what date;

(d) if applicable, has the final payment to the proponent been made;

(e) how many direct and indirect full-time equivalent positions have been generated by the project; and

(f) has an independent audit been undertaken; if so: (i) who undertook the audit, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Structural Adjustment Package

(Question No. 1865)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 4 September 2003:

With reference to the grant of $275 000 for the Whitesnake Ventilation Improved Underground project under the Structural Adjustment Package for the Wide Bay Burnett Region of Queensland:

(1) (a) What total Structural Adjustment Package funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or if the funds were paid in instalments, what were the instalment dates and amounts paid on each date.

(2) (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

(3) What is the proponent’s business address.

(4) Can a description of the project be provided.

(5) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Wide Bay Burnett Region Advisory Committee.
(6) When did the department or the Minister inform the proponent, the Wide Bay Burnett Region Advisory Committee and the Member for Wide Bay about the funding approval.

(7) When did the department or the Minister publicly announce the grant.

(8) What was the quantum of the grant announced by the department or the Minister.

(9) In relation to the application for funding:
   (a) when was the funding application lodged with the department;
   (b) when was the funding application referred to the Wide Bay Burnett Region Advisory Committee;
   (c) was the application varied; if so, when, and what was the nature of the variation/s;
   (d) when did the committee make a recommendation to the Minister;
   (e) what recommendation did the committee make;
   (f) when was the application approved by the Minister;
   (g) did the funding application comply with the structural adjustment package guidelines; if not, can details of the non-compliance be provided;
   (h) what total funding was sought, including goods and services tax;
   (i) what was the main business of the proponent at the time of application;
   (j) how did the proponent describe the proposed project;
   (k) was the proposed project a new project or an extension of an existing business activity;
   (l) with reference to employment outcomes nominated by the proponent:
      (i) how many full-time and part time jobs did the proponent claim would be generated by the project,
      (ii) how many direct and indirect jobs did the proponent claim would be generated by the project,
      (iii) how many construction jobs did the proponent claim would be generated by the project,
      (iv) what employment timing was outlined by the proponent, and
      (v) what types of jobs did the proponent claim would be generated by the project i.e. skilled or unskilled and training opportunities;
   (m) what project planning and design time did the proponent nominate;
   (n) if applicable, what construction start date was nominated by the proponent;
   (o) what project commissioning and/or commencement date was nominated by the proponent;
   (p) what date did the proponent nominate for the project to become fully operational;
   (q) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;
   (r) what long-term benefits to the Wide Bay Burnett region did the proponent say would be generated by the project;
   (s) what flow-on benefits to other businesses, organisations or individuals in the region did the proponent say would be generated by the project;
   (t) was the proposal local, national or export focused;
   (u) did a business plan accompany the application form;
   (v) what evidence did the proponent provide to support the proposal’s feasibility and did this evidence include a feasibility study; if so, who undertook the feasibility study;
(w) did the proponent provide details of projected cash flow, revenue and expenses for at least the first 5 years; if so, did the proponent include investment analysis details such as rates of return, liquidity and debt analysis;

(x) were copies of the proponent’s business plan and financial statements provided;

(y) did the proponent provide details of similar projects successfully realised; if so, what projects;

(z) did the proponent provide a statement indicating the extent to which Commonwealth funding was needed to realise the project;

(aa) (i) what evidence did the proponent provide indicating community support for the application, and (ii) which organisations or individuals provided letters of support;

(ab) what sources of funding, other than structural adjustment package funds, did the proponent identify would be provided or had been sought for the project, including Commonwealth and/or state and/or local government funding;

(ac) was a statement provided attesting that the proponent’s financial contribution to the project would be a new investment;

(ad) did the proponent provide evidence that appropriate planning and environmental approvals had been gained or sought;

(ae) did the proponent provide a statement describing the likely impact of the project on other businesses in the region; if so, how did the proponent describe the likely impact; and

(af) did the proponent provide details of a likely net increase in employment, including, if applicable, employment growth resulting from relocation.

(10) In relation to the progress of the project:

(a) when did the proponent enter into a grant agreement with the department;

(b) with reference to employment outcomes:

(i) how many full-time and part time jobs have been generated by the project,

(ii) how many direct and indirect jobs have been generated by the project,

(iii) how many construction jobs were generated by the project,

(iv) over what time period have these jobs been created, and have employment growth and employment numbers been sustained, and

(v) what types of jobs have been generated by the project i.e. skilled or unskilled and training opportunities;

(c) what project planning and design time was required;

(d) if applicable, what was the construction start date;

(e) when did project operations commence;

(f) when did the project become fully operational;

(g) were progress payments negotiated on the basis of project activity; if so: (i) has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;

(h) (i) what project management structure was established, (ii) what selection process for the project manager was adopted, and (iii) was a steering committee established;

(i) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;

(j) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, when;
(k) what sources of funding, other than structural adjustment package funds, have supported the project, including Commonwealth and/or state and/or local government funding;
(l) what financial contribution has the proponent made to the project; and
(m) has the proponent complied with appropriate planning and environmental laws.

(11) In relation to completion of the project funding period (if applicable):
(a) when did the project and/or funding period conclude;
(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;
(c) has the proponent lodged a final report; if so, on what date;
(d) if applicable, has the final payment to the proponent been made;
(e) how many direct and indirect full-time equivalent positions have been generated by the project; and
(f) has an independent audit been undertaken; if so: (i) who undertook the audit, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Structural Adjustment Package
(Question No. 1866)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 4 September 2003:

With reference to the grant of $135 000 for the Queensland Travel Wholesalers Web Development project under the Structural Adjustment Package for the Wide Bay Burnett Region of Queensland:

(1) (a) What total Structural Adjustment Package funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or if the funds were paid in instalments, what were the instalment dates and amounts paid on each date.

(2) (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

(3) What is the proponent’s business address.

(4) Can a description of the project be provided.

(5) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Wide Bay Burnett Region Advisory Committee.

(6) When did the department or the Minister inform the proponent, the Wide Bay Burnett Region Advisory Committee and the Member for Wide Bay about the funding approval.

(7) When did the department or the Minister publicly announce the grant.

(8) What was the quantum of the grant announced by the department or the Minister.

(9) In relation to the application for funding:

(a) when was the funding application lodged with the department;

(b) when was the funding application referred to the Wide Bay Burnett Region Advisory Committee;

(c) was the application varied; if so, when, and what was the nature of the variation/s;

(d) when did the committee make a recommendation to the Minister;
(e) what recommendation did the committee make;
(f) when was the application approved by the Minister;
(g) did the funding application comply with the structural adjustment package guidelines; if not, can details of the non-compliance be provided;
(h) what total funding was sought, including goods and services tax;
(i) what was the main business of the proponent at the time of application;
(j) how did the proponent describe the proposed project;
(k) was the proposed project a new project or an extension of an existing business activity;
(l) with reference to employment outcomes nominated by the proponent:
   (i) how many full-time and part time jobs did the proponent claim would be generated by the project,
   (ii) how many direct and indirect jobs did the proponent claim would be generated by the project,
   (iii) how many construction jobs did the proponent claim would be generated by the project,
   (iv) what employment timing was outlined by the proponent, and
   (v) what types of jobs did the proponent claim would be generated by the project i.e. skilled or unskilled and training opportunities;
(m) what project planning and design time did the proponent nominate;
(n) if applicable, what construction start date was nominated by the proponent;
(o) what project commissioning and/or commencement date was nominated by the proponent;
(p) what date did the proponent nominate for the project to become fully operational;
(q) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;
(r) what long-term benefits to the Wide Bay Burnett region did the proponent say would be generated by the project;
(s) what flow-on benefits to other businesses, organisations or individuals in the region did the proponent say would be generated by the project;
(t) was the proposal local, national or export focused;
(u) did a business plan accompany the application form;
(v) what evidence did the proponent provide to support the proposal’s feasibility and did this evidence include a feasibility study; if so, who undertook the feasibility study;
(w) did the proponent provide details of projected cash flow, revenue and expenses for at least the first 5 years; if so, did the proponent include investment analysis details such as rates of return, liquidity and debt analysis;
(x) were copies of the proponent’s business plan and financial statements provided;
(y) did the proponent provide details of similar projects successfully realised; if so, what projects;
(z) did the proponent provide a statement indicating the extent to which Commonwealth funding was needed to realise the project;
(aa) (i) what evidence did the proponent provide indicating community support for the application, and (ii) which organisations or individuals provided letters of support;
(ab) what sources of funding, other than structural adjustment package funds, did the proponent identify would be provided or had been sought for the project, including Commonwealth and/or state and/or local government funding;

(ac) was a statement provided attesting that the proponent’s financial contribution to the project would be a new investment;

(ad) did the proponent provide evidence that appropriate planning and environmental approvals had been gained or sought;

(ae) did the proponent provide a statement describing the likely impact of the project on other businesses in the region; if so, how did the proponent describe the likely impact; and

(af) did the proponent provide details of a likely net increase in employment, including, if applicable, employment growth resulting from relocation.

(10) In relation to the progress of the project:

(a) when did the proponent enter into a grant agreement with the department;

(b) with reference to employment outcomes:
   (i) how many full-time and part time jobs have been generated by the project,
   (ii) how many direct and indirect jobs have been generated by the project,
   (iii) how many construction jobs were generated by the project,
   (iv) over what time period have these jobs been created, and have employment growth and employment numbers been sustained, and
   (v) what types of jobs have been generated by the project i.e. skilled or unskilled and training opportunities;

(c) what project planning and design time was required;

(d) if applicable, what was the construction start date;

(e) when did project operations commence;

(f) when did the project become fully operational;

(g) were progress payments negotiated on the basis of project activity; if so: (i) has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;

(h) (i) what project management structure was established, (ii) what selection process for the project manager was adopted, and (iii) was a steering committee established;

(i) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;

(j) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, when;

(k) what sources of funding, other than structural adjustment package funds, have supported the project, including Commonwealth and/or state and/or local government funding;

(l) what financial contribution has the proponent made to the project; and

(m) has the proponent complied with appropriate planning and environmental laws.

(11) In relation to completion of the project funding period (if applicable):

(a) when did the project and/or funding period conclude;

(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;

(c) has the proponent lodged a final report; if so, on what date;
(d) if applicable, has the final payment to the proponent been made;
(e) how many direct and indirect full-time equivalent positions have been generated by the project; and
(f) has an independent audit been undertaken; if so: (i) who undertook the audit, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Structural Adjustment Package
(Question No. 1873)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 1 October 2003:

With reference to the grant of $247,500 for the Kaygee’s manufacturing facility project under the Structural Adjustment Package for the Wide Bay Burnett Region of Queensland:

(1) (a) What total Structural Adjustment Package funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or if the funds were paid in instalments, what were the instalment dates and amounts paid on each date.

(2) (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

(3) What is the proponent’s business address.

(4) Can a description of the project be provided.

(5) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Wide Bay Burnett Region Advisory Committee.

(6) When did the department or the Minister inform the proponent, the Wide Bay Burnett Region Advisory Committee and the Member for Wide Bay about the funding approval.

(7) When did the department or the Minister publicly announce the grant.

(8) What was the quantum of the grant announced by the department or the Minister.

(9) In relation to the application for funding:
   (a) when was the funding application lodged with the department;
   (b) when was the funding application referred to the Wide Bay Burnett Region Advisory Committee;
   (c) was the application varied; if so, when, and what was the nature of the variation/s;
   (d) when did the committee make a recommendation to the Minister;
   (e) what recommendation did the committee make;
   (f) when was the application approved by the Minister;
   (g) did the funding application comply with the structural adjustment package guidelines; if not, can details of the non-compliance be provided;
   (h) what total funding was sought, including goods and services tax;
   (i) what was the main business of the proponent at the time of application;
   (j) how did the proponent describe the proposed project;
   (k) was the proposed project a new project or an extension of an existing business activity;
(l) with reference to employment outcomes nominated by the proponent:
   (i) how many full-time and part time jobs did the proponent claim would be generated by the project,
   (ii) how many direct and indirect jobs did the proponent claim would be generated by the project,
   (iii) how many construction jobs did the proponent claim would be generated by the project,
   (iv) what employment timing was outlined by the proponent, and
   (v) what types of jobs did the proponent claim would be generated by the project i.e. skilled or unskilled and training opportunities;

(m) what project planning and design time did the proponent nominate;

(n) if applicable, what construction start date was nominated by the proponent;

(o) what project commissioning and/or commencement date was nominated by the proponent;

(p) what date did the proponent nominate for the project to become fully operational;

(q) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;

(r) what long-term benefits to the Wide Bay Burnett region did the proponent say would be generated by the project;

(s) what flow-on benefits to other businesses, organisations or individuals in the region did the proponent say would be generated by the project;

(t) was the proposal local, national or export focused;

(u) did a business plan accompany the application form;

(v) what evidence did the proponent provide to support the proposal’s feasibility and did this evidence include a feasibility study; if so, who undertook the feasibility study;

(w) did the proponent provide details of projected cash flow, revenue and expenses for at least the first 5 years; if so, did the proponent include investment analysis details such as rates of return, liquidity and debt analysis;

(x) were copies of the proponent’s business plan and financial statements provided;

(y) did the proponent provide details of similar projects successfully realised; if so, what projects;

(z) did the proponent provide a statement indicating the extent to which Commonwealth funding was needed to realise the project;

(aa) (i) what evidence did the proponent provide indicating community support for the application, and (ii) which organisations or individuals provided letters of support;

(ab) what sources of funding, other than structural adjustment package funds, did the proponent identify would be provided or had been sought for the project, including Commonwealth and/or state and/or local government funding;

(ac) was a statement provided attesting that the proponent’s financial contribution to the project would be a new investment;

(ad) did the proponent provide evidence that appropriate planning and environmental approvals had been gained or sought;

(ae) did the proponent provide a statement describing the likely impact of the project on other businesses in the region; if so, how did the proponent describe the likely impact; and

(af) did the proponent provide details of a likely net increase in employment, including, if applicable, employment growth resulting from relocation.
(10) In relation to the progress of the project:

(a) when did the proponent enter into a grant agreement with the department;

(b) with reference to employment outcomes:
   (i) how many full-time and part time jobs have been generated by the project,
   (ii) how many direct and indirect jobs have been generated by the project,
   (iii) how many construction jobs were generated by the project,
   (iv) over what time period have these jobs been created, and have employment growth and employment numbers been sustained, and
   (v) what types of jobs have been generated by the project i.e. skilled or unskilled and training opportunities;

(c) what project planning and design time was required;

(d) if applicable, what was the construction start date;

(e) when did project operations commence;

(f) when did the project become fully operational;

(g) were progress payments negotiated on the basis of project activity; if so: (i) has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;

(h) (i) what project management structure was established, (ii) what selection process for the project manager was adopted, and (iii) was a steering committee established;

(i) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;

(j) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, when;

(k) what long-term benefits for the region have been generated by the project;

(l) what flow-on benefits to other businesses, organisations or individuals in the region have been generated by the project;

(m) has the project been local, national or export focused;

(n) what sources of funding, other than structural adjustment package funds, have supported the project, including Commonwealth and/or state and/or local government funding;

(o) what financial contribution has the proponent made to the project;

(p) has the proponent complied with appropriate planning and environmental laws; and

(q) what impact has the project had on other businesses in the region.

(11) In relation to completion of the project funding period (if applicable):

(a) when did the project and/or funding period conclude;

(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;

(c) has the proponent lodged a final report; if so, on what date;

(d) if applicable, has the final payment to the proponent been made;

(e) how many direct and indirect full-time equivalent positions have been generated by the project; and

(f) has an independent audit been undertaken; if so: (i) who undertook the audit, (ii) when was it completed, and (iii) what findings did it make.
Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

**Transport and Regional Services: Structural Adjustment Package**

(Question No. 1874)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 1 October 2003:

With reference to the grant of $450,000 for the Chrome Engineering Expansion project under the Structural Adjustment Package for the Wide Bay Burnett Region of Queensland:

(1) (a) What total Structural Adjustment Package funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or if the funds were paid in instalments, what were the instalment dates and amounts paid on each date.

(2) (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

(3) What is the proponent’s business address.

(4) Can a description of the project be provided.

(5) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Wide Bay Burnett Region Advisory Committee.

(6) When did the department or the Minister inform the proponent, the Wide Bay Burnett Region Advisory Committee and the Member for Wide Bay about the funding approval.

(7) When did the department or the Minister publicly announce the grant.

(8) What was the quantum of the grant announced by the department or the Minister.

(9) In relation to the application for funding:

(a) when was the funding application lodged with the department;

(b) when was the funding application referred to the Wide Bay Burnett Region Advisory Committee;

(c) was the application varied; if so, when, and what was the nature of the variation/s;

(d) when did the committee make a recommendation to the Minister;

(e) what recommendation did the committee make;

(f) when was the application approved by the Minister;

(g) did the funding application comply with the structural adjustment package guidelines; if not, can details of the non-compliance be provided;

(h) what total funding was sought, including goods and services tax;

(i) what was the main business of the proponent at the time of application;

(j) how did the proponent describe the proposed project;

(k) was the proposed project a new project or an extension of an existing business activity;

(l) with reference to employment outcomes nominated by the proponent:

(i) how many full-time and part time jobs did the proponent claim would be generated by the project,

(ii) how many direct and indirect jobs did the proponent claim would be generated by the project,
(iii) how many construction jobs did the proponent claim would be generated by the project,
(iv) what employment timing was outlined by the proponent, and
(v) what types of jobs did the proponent claim would be generated by the project i.e. skilled or unskilled and training opportunities;
(m) what project planning and design time did the proponent nominate;
(n) if applicable, what construction start date was nominated by the proponent;
(o) what project commissioning and/or commencement date was nominated by the proponent;
(p) what date did the proponent nominate for the project to become fully operational;
(q) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;
(r) what long-term benefits to the Wide Bay Burnett region did the proponent say would be generated by the project;
(s) what flow-on benefits to other businesses, organisations or individuals in the region did the proponent say would be generated by the project;
(t) was the proposal local, national or export focused;
(u) did a business plan accompany the application form;
(v) what evidence did the proponent provide to support the proposal’s feasibility and did this evidence include a feasibility study; if so, who undertook the feasibility study;
(w) did the proponent provide details of projected cash flow, revenue and expenses for at least the first 5 years; if so, did the proponent include investment analysis details such as rates of return, liquidity and debt analysis;
(x) were copies of the proponent’s business plan and financial statements provided;
(y) did the proponent provide details of similar projects successfully realised; if so, what projects;
(z) did the proponent provide a statement indicating the extent to which Commonwealth funding was needed to realise the project;
(aa) (i) what evidence did the proponent provide indicating community support for the application, and (ii) which organisations or individuals provided letters of support;
(ab) what sources of funding, other than structural adjustment package funds, did the proponent identify would be provided or had been sought for the project, including Commonwealth and/or state and/or local government funding;
(ac) was a statement provided attesting that the proponent’s financial contribution to the project would be a new investment;
(ad) did the proponent provide evidence that appropriate planning and environmental approvals had been gained or sought;
(ae) did the proponent provide a statement describing the likely impact of the project on other businesses in the region; if so, how did the proponent describe the likely impact; and
(af) did the proponent provide details of a likely net increase in employment, including, if applicable, employment growth resulting from relocation.

(10) In relation to the progress of the project:
(a) when did the proponent enter into a grant agreement with the department;
(b) with reference to employment outcomes:
   (i) how many full-time and part time jobs have been generated by the project,
   (ii) how many direct and indirect jobs have been generated by the project,
QUESTIONS ON NOTICE

(iii) how many construction jobs were generated by the project,
(iv) over what time period have these jobs been created, and have employment growth and employment numbers been sustained, and
(v) what types of jobs have been generated by the project i.e. skilled or unskilled and training opportunities;
(c) what project planning and design time was required;
(d) if applicable, what was the construction start date;
(e) when did project operations commence;
(f) when did the project become fully operational;
(g) were progress payments negotiated on the basis of project activity; if so: (i) has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;
(h) (i) what project management structure was established, (ii) what selection process for the project manager was adopted, and (iii) was a steering committee established;
(i) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;
(j) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, when;
(k) what long-term benefits for the region have been generated by the project;
(l) what flow-on benefits to other businesses, organisations or individuals in the region have been generated by the project;
(m) has the project been local, national or export focused;
(n) what sources of funding, other than structural adjustment package funds, have supported the project, including Commonwealth and/or state and/or local government funding;
(o) what financial contribution has the proponent made to the project;
(p) has the proponent complied with appropriate planning and environmental laws; and
(q) what impact has the project had on other businesses in the region.

(11) In relation to completion of the project funding period (if applicable):
(a) when did the project and/or funding period conclude;
(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;
(c) has the proponent lodged a final report; if so, on what date;
(d) if applicable, has the final payment to the proponent been made;
(e) how many direct and indirect full-time equivalent positions have been generated by the project; and
(f) has an independent audit been undertaken; if so: (i) who undertook the audit, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.
 QUESTIONS ON NOTICE

Transport and Regional Services: Structural Adjustment Package
(Question No. 1875)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 1 October 2003:

With reference to the grant of $100,000 for the Gin Gin Bakery project under the Structural Adjustment Package for the Wide Bay Burnett Region of Queensland:

(1) (a) What total Structural Adjustment Package funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or if the funds were paid in instalments, what were the instalment dates and amounts paid on each date.

(2) (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

(3) What is the proponent’s business address.

(4) Can a description of the project be provided.

(5) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Wide Bay Burnett Region Advisory Committee.

(6) When did the department or the Minister inform the proponent, the Wide Bay Burnett Region Advisory Committee and the Member for Wide Bay about the funding approval.

(7) When did the department or the Minister publicly announce the grant.

(8) What was the quantum of the grant announced by the department or the Minister.

(9) In relation to the application for funding:

(a) when was the funding application lodged with the department;

(b) when was the funding application referred to the Wide Bay Burnett Region Advisory Committee;

(c) was the application varied; if so, when, and what was the nature of the variation/s;

(d) when did the committee make a recommendation to the Minister;

(e) what recommendation did the committee make;

(f) when was the application approved by the Minister;

(g) did the funding application comply with the structural adjustment package guidelines; if not, can details of the non-compliance be provided;

(h) what total funding was sought, including goods and services tax;

(i) what was the main business of the proponent at the time of application;

(j) how did the proponent describe the proposed project;

(k) was the proposed project a new project or an extension of an existing business activity;

(l) with reference to employment outcomes nominated by the proponent:

(i) how many full-time and part time jobs did the proponent claim would be generated by the project,

(ii) how many direct and indirect jobs did the proponent claim would be generated by the project,

(iii) how many construction jobs did the proponent claim would be generated by the project,

(iv) what employment timing was outlined by the proponent, and

(v) what types of jobs did the proponent claim would be generated by the project i.e. skilled or unskilled and training opportunities;
(m) what project planning and design time did the proponent nominate;
(n) if applicable, what construction start date was nominated by the proponent;
(o) what project commissioning and/or commencement date was nominated by the proponent;
(p) what date did the proponent nominate for the project to become fully operational;
(q) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;
(r) what long-term benefits to the Wide Bay Burnett region did the proponent say would be generated by the project;
(s) what flow-on benefits to other businesses, organisations or individuals in the region did the proponent say would be generated by the project;
(t) was the proposal local, national or export focused;
(u) did a business plan accompany the application form;
(v) what evidence did the proponent provide to support the proposal’s feasibility and did this evidence include a feasibility study; if so, who undertook the feasibility study;
(w) did the proponent provide details of projected cash flow, revenue and expenses for at least the first 5 years; if so, did the proponent include investment analysis details such as rates of return, liquidity and debt analysis;
(x) were copies of the proponent’s business plan and financial statements provided;
(y) did the proponent provide details of similar projects successfully realised; if so, what projects;
(z) did the proponent provide a statement indicating the extent to which Commonwealth funding was needed to realise the project;
(aa) (i) what evidence did the proponent provide indicating community support for the application, and (ii) which organisations or individuals provided letters of support;
(ab) what sources of funding, other than structural adjustment package funds, did the proponent identify would be provided or had been sought for the project, including Commonwealth and/or state and/or local government funding;
(ac) was a statement provided attesting that the proponent’s financial contribution to the project would be a new investment;
(ad) did the proponent provide evidence that appropriate planning and environmental approvals had been gained or sought;
(ae) did the proponent provide a statement describing the likely impact of the project on other businesses in the region; if so, how did the proponent describe the likely impact; and
(af) did the proponent provide details of a likely net increase in employment, including, if applicable, employment growth resulting from relocation.

(10) In relation to the progress of the project:
(a) when did the proponent enter into a grant agreement with the department;
(b) with reference to employment outcomes:
   (i) how many full-time and part time jobs have been generated by the project,
   (ii) how many direct and indirect jobs have been generated by the project,
   (iii) how many construction jobs were generated by the project,
   (iv) over what time period have these jobs been created, and have employment growth and employment numbers been sustained, and
(v) what types of jobs have been generated by the project i.e. skilled or unskilled and training opportunities;
(c) what project planning and design time was required;
(d) if applicable, what was the construction start date;
(e) when did project operations commence;
(f) when did the project become fully operational;
(g) were progress payments negotiated on the basis of project activity; if so: (i) has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;
(h) (i) what project management structure was established, (ii) what selection process for the project manager was adopted, and (iii) was a steering committee established;
(i) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;
(j) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, when;
(k) what long-term benefits for the region have been generated by the project;
(l) what flow-on benefits to other businesses, organisations or individuals in the region have been generated by the project;
(m) has the project been local, national or export focused;
(n) what sources of funding, other than structural adjustment package funds, have supported the project, including Commonwealth and/or state and/or local government funding;
(o) what financial contribution has the proponent made to the project;
(p) has the proponent complied with appropriate planning and environmental laws; and
(q) what impact has the project had on other businesses in the region.

(11) In relation to completion of the project funding period (if applicable):
(a) when did the project and/or funding period conclude;
(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;
(c) has the proponent lodged a final report; if so, on what date;
(d) if applicable, has the final payment to the proponent been made;
(e) how many direct and indirect full-time equivalent positions have been generated by the project; and
(f) has an independent audit been undertaken; if so: (i) who undertook the audit, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Structural Adjustment Package
(Question No. 1876)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 1 October 2003:
With reference to the grant of $115 000 for the Cadastral Survey Data Management project under the Structural Adjustment Package for the Wide Bay Burnett Region of Queensland:

1. (a) What total Structural Adjustment Package funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or if the funds were paid in instalments, what were the instalment dates and amounts paid on each date.

2. (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

3. What is the proponent’s business address.

4. Can a description of the project be provided.

5. Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Wide Bay Burnett Region Advisory Committee.

6. When did the department or the Minister inform the proponent, the Wide Bay Burnett Region Advisory Committee and the Member for Wide Bay about the funding approval.

7. When did the department or the Minister publicly announce the grant.

8. What was the quantum of the grant announced by the department or the Minister.

9. In relation to the application for funding:
   (a) when was the funding application lodged with the department;
   (b) when was the funding application referred to the Wide Bay Burnett Region Advisory Committee;
   (c) was the application varied; if so, when, and what was the nature of the variation/s;
   (d) when did the committee make a recommendation to the Minister;
   (e) what recommendation did the committee make;
   (f) when was the application approved by the Minister;
   (g) did the funding application comply with the structural adjustment package guidelines; if not, can details of the non-compliance be provided;
   (h) what total funding was sought, including goods and services tax;
   (i) what was the main business of the proponent at the time of application;
   (j) how did the proponent describe the proposed project;
   (k) was the proposed project a new project or an extension of an existing business activity;
   (l) with reference to employment outcomes nominated by the proponent:
      (i) how many full-time and part time jobs did the proponent claim would be generated by the project,
      (ii) how many direct and indirect jobs did the proponent claim would be generated by the project,
      (iii) how many construction jobs did the proponent claim would be generated by the project,
      (iv) what employment timing was outlined by the proponent, and
      (v) what types of jobs did the proponent claim would be generated by the project i.e. skilled or unskilled and training opportunities;
   (m) what project planning and design time did the proponent nominate;
   (n) if applicable, what construction start date was nominated by the proponent;
   (o) what project commissioning and/or commencement date was nominated by the proponent;
   (p) what date did the proponent nominate for the project to become fully operational;

QUESTIONS ON NOTICE
(q) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;

(r) what long-term benefits to the Wide Bay Burnett region did the proponent say would be generated by the project;

(s) what flow-on benefits to other businesses, organisations or individuals in the region did the proponent say would be generated by the project;

(t) was the proposal local, national or export focused;

(u) did a business plan accompany the application form;

(v) what evidence did the proponent provide to support the proposal’s feasibility and did this evidence include a feasibility study; if so, who undertook the feasibility study;

(w) did the proponent provide details of projected cash flow, revenue and expenses for at least the first 5 years; if so, did the proponent include investment analysis details such as rates of return, liquidity and debt analysis;

(x) were copies of the proponent’s business plan and financial statements provided;

(y) did the proponent provide details of similar projects successfully realised; if so, what projects;

(z) did the proponent provide a statement indicating the extent to which Commonwealth funding was needed to realise the project;

(aa) (i) what evidence did the proponent provide indicating community support for the application, and (ii) which organisations or individuals provided letters of support;

(ab) what sources of funding, other than structural adjustment package funds, did the proponent identify would be provided or had been sought for the project, including Commonwealth and/or state and/or local government funding;

(ac) was a statement provided attesting that the proponent’s financial contribution to the project would be a new investment;

(ad) did the proponent provide evidence that appropriate planning and environmental approvals had been gained or sought;

(ae) did the proponent provide a statement describing the likely impact of the project on other businesses in the region; if so, how did the proponent describe the likely impact; and

(af) did the proponent provide details of a likely net increase in employment, including, if applicable, employment growth resulting from relocation.

(10) In relation to the progress of the project:

(a) when did the proponent enter into a grant agreement with the department;

(b) with reference to employment outcomes:

(i) how many full-time and part time jobs have been generated by the project,

(ii) how many direct and indirect jobs have been generated by the project,

(iii) how many construction jobs were generated by the project,

(iv) over what time period have these jobs been created, and have employment growth and employment numbers been sustained, and

(v) what types of jobs have been generated by the project i.e. skilled or unskilled and training opportunities;

(c) what project planning and design time was required;

(d) if applicable, what was the construction start date;

(e) when did project operations commence;
(f) when did the project become fully operational;

(g) were progress payments negotiated on the basis of project activity; if so: (i) has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;

(h) (i) what project management structure was established, (ii) what selection process for the project manager was adopted, and (iii) was a steering committee established;

(i) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;

(j) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, when;

(k) what long-term benefits for the region have been generated by the project;

(l) what flow-on benefits to other businesses, organisations or individuals in the region have been generated by the project;

(m) has the project been local, national or export focused;

(n) what sources of funding, other than structural adjustment package funds, have supported the project, including Commonwealth and/or state and/or local government funding;

(o) what financial contribution has the proponent made to the project;

(p) has the proponent complied with appropriate planning and environmental laws; and

(q) what impact has the project had on other businesses in the region.

(11) In relation to completion of the project funding period (if applicable):

(a) when did the project and/or funding period conclude;

(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;

(c) has the proponent lodged a final report; if so, on what date;

(d) if applicable, has the final payment to the proponent been made;

(e) how many direct and indirect full-time equivalent positions have been generated by the project; and

(f) has an independent audit been undertaken; if so: (i) who undertook the audit, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question: Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Structural Adjustment Package

(Question No. 1877)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 1 October 2003:

With reference to the grant of $93,500 for the Fraser Coast Packhouse project under the Structural Adjustment Package for the Wide Bay Burnett Region of Queensland:

(1) (a) What total Structural Adjustment Package funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or if the funds were paid in instalments, what were the instalment dates and amounts paid on each date.

QUESTIONS ON NOTICE
(2) (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

(3) What is the proponent’s business address.

(4) Can a description of the project be provided.

(5) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Wide Bay Burnett Region Advisory Committee.

(6) When did the department or the Minister inform the proponent, the Wide Bay Burnett Region Advisory Committee and the Member for Wide Bay about the funding approval.

(7) When did the department or the Minister publicly announce the grant.

(8) What was the quantum of the grant announced by the department or the Minister.

(9) In relation to the application for funding:

(a) when was the funding application lodged with the department;

(b) when was the funding application referred to the Wide Bay Burnett Region Advisory Committee;

(c) was the application varied; if so, when, and what was the nature of the variation/s;

(d) when did the committee make a recommendation to the Minister;

(e) what recommendation did the committee make;

(f) when was the application approved by the Minister;

(g) did the funding application comply with the structural adjustment package guidelines; if not, can details of the non-compliance be provided;

(h) what total funding was sought, including goods and services tax;

(i) what was the main business of the proponent at the time of application;

(j) how did the proponent describe the proposed project;

(k) was the proposed project a new project or an extension of an existing business activity;

(l) with reference to employment outcomes nominated by the proponent:

(i) how many full-time and part time jobs did the proponent claim would be generated by the project,

(ii) how many direct and indirect jobs did the proponent claim would be generated by the project,

(iii) how many construction jobs did the proponent claim would be generated by the project,

(iv) what employment timing was outlined by the proponent, and

(v) what types of jobs did the proponent claim would be generated by the project i.e. skilled or unskilled and training opportunities;

(m) what project planning and design time did the proponent nominate;

(n) if applicable, what construction start date was nominated by the proponent;

(o) what project commissioning and/or commencement date was nominated by the proponent;

(p) what date did the proponent nominate for the project to become fully operational;

(q) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;

(r) what long-term benefits to the Wide Bay Burnett region did the proponent say would be generated by the project;
(s) what flow-on benefits to other businesses, organisations or individuals in the region did the proponent say would be generated by the project;
(t) was the proposal local, national or export focused;
(u) did a business plan accompany the application form;
(v) what evidence did the proponent provide to support the proposal’s feasibility and did this evidence include a feasibility study; if so, who undertook the feasibility study;
(w) did the proponent provide details of projected cash flow, revenue and expenses for at least the first 5 years; if so, did the proponent include investment analysis details such as rates of return, liquidity and debt analysis;
(x) were copies of the proponent’s business plan and financial statements provided;
(y) did the proponent provide details of similar projects successfully realised; if so, what projects;
(z) did the proponent provide a statement indicating the extent to which Commonwealth funding was needed to realise the project;
(aa) (i) what evidence did the proponent provide indicating community support for the application, and (ii) which organisations or individuals provided letters of support;
(ab) what sources of funding, other than structural adjustment package funds, did the proponent identify would be provided or had been sought for the project, including Commonwealth and/or state and/or local government funding;
(ac) was a statement provided attesting that the proponent’s financial contribution to the project would be a new investment;
(ad) did the proponent provide evidence that appropriate planning and environmental approvals had been gained or sought;
(ae) did the proponent provide a statement describing the likely impact of the project on other businesses in the region; if so, how did the proponent describe the likely impact; and
(af) did the proponent provide details of a likely net increase in employment, including, if applicable, employment growth resulting from relocation.

(10) In relation to the progress of the project:
(a) when did the proponent enter into a grant agreement with the department;
(b) with reference to employment outcomes:
   (i) how many full-time and part time jobs have been generated by the project,
   (ii) how many direct and indirect jobs have been generated by the project,
   (iii) how many construction jobs were generated by the project,
   (iv) over what time period have these jobs been created, and have employment growth and employment numbers been sustained, and
   (v) what types of jobs have been generated by the project i.e. skilled or unskilled and training opportunities;
(c) what project planning and design time was required;
(d) if applicable, what was the construction start date;
(e) when did project operations commence;
(f) when did the project become fully operational;
(g) were progress payments negotiated on the basis of project activity; if so: (i) has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;

QUESTIONS ON NOTICE
(h) (i) what project management structure was established, (ii) what selection process for the project manager was adopted, and (iii) was a steering committee established;
(i) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;
(j) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, when;
(k) what long-term benefits for the region have been generated by the project;
(l) what flow-on benefits to other businesses, organisations or individuals in the region have been generated by the project;
(m) has the project been local, national or export focused;
(n) what sources of funding, other than structural adjustment package funds, have supported the project, including Commonwealth and/or state and/or local government funding;
(o) what financial contribution has the proponent made to the project;
(p) has the proponent complied with appropriate planning and environmental laws; and
(q) what impact has the project had on other businesses in the region.

(11) In relation to completion of the project funding period (if applicable):
(a) when did the project and/or funding period conclude;
(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;
(c) has the proponent lodged a final report; if so, on what date;
(d) if applicable, has the final payment to the proponent been made;
(e) how many direct and indirect full-time equivalent positions have been generated by the project; and
(f) has an independent audit been undertaken; if so: (i) who undertook the audit, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:
Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Structural Adjustment Package
(Question No. 1878)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 1 October 2003:
With reference to the grant of $550,000 for the Hervey Bay Organic Processing Plant project under the Structural Adjustment Package for the Wide Bay Burnett Region of Queensland:
(1) (a) What total Structural Adjustment Package funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or if the funds were paid in instalments, what were the instalment dates and amounts paid on each date.
(2) (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.
(3) What is the proponent’s business address.
(4) Can a description of the project be provided.

QUESTIONS ON NOTICE
(5) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Wide Bay Burnett Region Advisory Committee.

(6) When did the department or the Minister inform the proponent, the Wide Bay Burnett Region Advisory Committee and the Member for Wide Bay about the funding approval.

(7) When did the department or the Minister publicly announce the grant.

(8) What was the quantum of the grant announced by the department or the Minister.

(9) In relation to the application for funding:
   (a) when was the funding application lodged with the department;
   (b) when was the funding application referred to the Wide Bay Burnett Region Advisory Committee;
   (c) was the application varied; if so, when, and what was the nature of the variation/s;
   (d) when did the committee make a recommendation to the Minister;
   (e) what recommendation did the committee make;
   (f) when was the application approved by the Minister;
   (g) did the funding application comply with the structural adjustment package guidelines; if not, can details of the non-compliance be provided;
   (h) what total funding was sought, including goods and services tax;
   (i) what was the main business of the proponent at the time of application;
   (j) how did the proponent describe the proposed project;
   (k) was the proposed project a new project or an extension of an existing business activity;
   (l) with reference to employment outcomes nominated by the proponent:
      (i) how many full-time and part time jobs did the proponent claim would be generated by the project,
      (ii) how many direct and indirect jobs did the proponent claim would be generated by the project,
      (iii) how many construction jobs did the proponent claim would be generated by the project,
      (iv) what employment timing was outlined by the proponent, and
      (v) what types of jobs did the proponent claim would be generated by the project i.e. skilled or unskilled and training opportunities;
   (m) what project planning and design time did the proponent nominate;
   (n) if applicable, what construction start date was nominated by the proponent;
   (o) what project commissioning and/or commencement date was nominated by the proponent;
   (p) what date did the proponent nominate for the project to become fully operational;
   (q) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;
   (r) what long-term benefits to the Wide Bay Burnett region did the proponent say would be generated by the project;
   (s) what flow-on benefits to other businesses, organisations or individuals in the region did the proponent say would be generated by the project;
   (t) was the proposal local, national or export focused;
   (u) did a business plan accompany the application form;
(v) what evidence did the proponent provide to support the proposal’s feasibility and did this evidence include a feasibility study; if so, who undertook the feasibility study;

(w) did the proponent provide details of projected cash flow, revenue and expenses for at least the first 5 years; if so, did the proponent include investment analysis details such as rates of return, liquidity and debt analysis;

(x) were copies of the proponent’s business plan and financial statements provided;

(y) did the proponent provide details of similar projects successfully realised; if so, what projects;

(z) did the proponent provide a statement indicating the extent to which Commonwealth funding was needed to realise the project;

(aa) (i) what evidence did the proponent provide indicating community support for the application, and (ii) which organisations or individuals provided letters of support;

(ab) what sources of funding, other than structural adjustment package funds, did the proponent identify would be provided or had been sought for the project, including Commonwealth and/or state and/or local government funding;

(ac) was a statement provided attesting that the proponent’s financial contribution to the project would be a new investment;

(ad) did the proponent provide evidence that appropriate planning and environmental approvals had been gained or sought;

(ae) did the proponent provide a statement describing the likely impact of the project on other businesses in the region; if so, how did the proponent describe the likely impact; and

(af) did the proponent provide details of a likely net increase in employment, including, if applicable, employment growth resulting from relocation.

(10) In relation to the progress of the project:

(a) when did the proponent enter into a grant agreement with the department;

(b) with reference to employment outcomes:

(i) how many full-time and part time jobs have been generated by the project,

(ii) how many direct and indirect jobs have been generated by the project,

(iii) how many construction jobs were generated by the project,

(iv) over what time period have these jobs been created, and have employment growth and employment numbers been sustained, and

(v) what types of jobs have been generated by the project i.e. skilled or unskilled and training opportunities;

(c) what project planning and design time was required;

(d) if applicable, what was the construction start date;

(e) when did project operations commence;

(f) when did the project become fully operational;

(g) were progress payments negotiated on the basis of project activity; if so: (i) has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;

(h) (i) what project management structure was established, (ii) what selection process for the project manager was adopted, and (iii) was a steering committee established;

(i) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met.

QUESTIONS ON NOTICE
(j) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, when;

(k) what long-term benefits for the region have been generated by the project;

(l) what flow-on benefits to other businesses, organisations or individuals in the region have been generated by the project;

(m) has the project been local, national or export focused;

(n) what sources of funding, other than structural adjustment package funds, have supported the project, including Commonwealth and/or state and/or local government funding;

(o) what financial contribution has the proponent made to the project;

(p) has the proponent complied with appropriate planning and environmental laws; and

(q) what impact has the project had on other businesses in the region.

(11) In relation to completion of the project funding period (if applicable):

(a) when did the project and/or funding period conclude;

(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;

(c) has the proponent lodged a final report; if so, on what date;

(d) if applicable, has the final payment to the proponent been made;

(e) how many direct and indirect full-time equivalent positions have been generated by the project; and

(f) has an independent audit been undertaken; if so: (i) who undertook the audit, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Structural Adjustment Package

(Question No. 1879)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 1 October 2003:

With reference to the grant of $70 000 for the MacLennon Nominees Production of Citrus for Coles Supermarkets project under the Structural Adjustment Package for the Wide Bay Burnett Region of Queensland:

(1) (a) What total Structural Adjustment Package funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or if the funds were paid in instalments, what were the instalment dates and amounts paid on each date.

(2) (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

(3) What is the proponent’s business address.

(4) Can a description of the project be provided.

(5) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Wide Bay Burnett Region Advisory Committee.

(6) When did the department or the Minister inform the proponent, the Wide Bay Burnett Region Advisory Committee and the Member for Wide Bay about the funding approval.
(7) When did the department or the Minister publicly announce the grant.

(8) What was the quantum of the grant announced by the department or the Minister.

(9) In relation to the application for funding:
   (a) when was the funding application lodged with the department;
   (b) when was the funding application referred to the Wide Bay Burnett Region Advisory Committee;
   (c) was the application varied; if so, when, and what was the nature of the variation/s;
   (d) when did the committee make a recommendation to the Minister;
   (e) what recommendation did the committee make;
   (f) when was the application approved by the Minister;
   (g) did the funding application comply with the structural adjustment package guidelines; if not, can details of the non-compliance be provided;
   (h) what total funding was sought, including goods and services tax;
   (i) what was the main business of the proponent at the time of application;
   (j) how did the proponent describe the proposed project;
   (k) was the proposed project a new project or an extension of an existing business activity;
   (l) with reference to employment outcomes nominated by the proponent:
      (i) how many full-time and part time jobs did the proponent claim would be generated by the project,
      (ii) how many direct and indirect jobs did the proponent claim would be generated by the project,
      (iii) how many construction jobs did the proponent claim would be generated by the project,
      (iv) what employment timing was outlined by the proponent, and
      (v) what types of jobs did the proponent claim would be generated by the project i.e. skilled or unskilled and training opportunities;
   (m) what project planning and design time did the proponent nominate;
   (n) if applicable, what construction start date was nominated by the proponent;
   (o) what project commissioning and/or commencement date was nominated by the proponent;
   (p) what date did the proponent nominate for the project to become fully operational;
   (q) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;
   (r) what long-term benefits to the Wide Bay Burnett region did the proponent say would be generated by the project;
   (s) what flow-on benefits to other businesses, organisations or individuals in the region did the proponent say would be generated by the project;
   (t) was the proposal local, national or export focused;
   (u) did a business plan accompany the application form;
   (v) what evidence did the proponent provide to support the proposal’s feasibility and did this evidence include a feasibility study; if so, who undertook the feasibility study;
   (w) did the proponent provide details of projected cash flow, revenue and expenses for at least the first 5 years; if so, did the proponent include investment analysis details such as rates of return, liquidity and debt analysis;
(x) were copies of the proponent’s business plan and financial statements provided;
(y) did the proponent provide details of similar projects successfully realised; if so, what projects;
(z) did the proponent provide a statement indicating the extent to which Commonwealth funding was needed to realise the project;
(aa) (i) what evidence did the proponent provide indicating community support for the application, and (ii) which organisations or individuals provided letters of support;
(ab) what sources of funding, other than structural adjustment package funds, did the proponent identify would be provided or had been sought for the project, including Commonwealth and/or state and/or local government funding;
(ac) was a statement provided attesting that the proponent’s financial contribution to the project would be a new investment;
(ad) did the proponent provide evidence that appropriate planning and environmental approvals had been gained or sought;
(ae) did the proponent provide a statement describing the likely impact of the project on other businesses in the region; if so, how did the proponent describe the likely impact; and
(af) did the proponent provide details of a likely net increase in employment, including, if applicable, employment growth resulting from relocation.

(10) In relation to the progress of the project:
(a) when did the proponent enter into a grant agreement with the department;
(b) with reference to employment outcomes:
   (i) how many full-time and part time jobs have been generated by the project,
   (ii) how many direct and indirect jobs have been generated by the project,
   (iii) how many construction jobs were generated by the project,
   (iv) over what time period have these jobs been created, and have employment growth and employment numbers been sustained, and
   (v) what types of jobs have been generated by the project i.e. skilled or unskilled and training opportunities;
(c) what project planning and design time was required;
(d) if applicable, what was the construction start date;
(e) when did project operations commence;
(f) when did the project become fully operational;
(g) were progress payments negotiated on the basis of project activity; if so: (i) has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;
(h) (i) what project management structure was established, (ii) what selection process for the project manager was adopted, and (iii) was a steering committee established;
(i) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;
(j) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, when;
(k) what long-term benefits for the region have been generated by the project;
(l) what flow-on benefits to other businesses, organisations or individuals in the region have been generated by the project;
(m) has the project been local, national or export focused;
(n) what sources of funding, other than structural adjustment package funds, have supported the project, including Commonwealth and/or state and/or local government funding;
(o) what financial contribution has the proponent made to the project;
(p) has the proponent complied with appropriate planning and environmental laws; and
(q) what impact has the project had on other businesses in the region.

(11) In relation to completion of the project funding period (if applicable):
(a) when did the project and/or funding period conclude;
(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;
(c) has the proponent lodged a final report; if so, on what date;
(d) if applicable, has the final payment to the proponent been made;
(e) how many direct and indirect full-time equivalent positions have been generated by the project; and
(f) has an independent audit been undertaken; if so: (i) who undertook the audit, (ii) when was it completed, and (iii) what findings did it make.

**Senator Ian Campbell**—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

**Transport and Regional Services: Structural Adjustment Package**

(Question No. 1880)

**Senator O’Brien** asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 1 October 2003:

With reference to the grant of $250,000 for the Abbotsleigh Citrus Stage Two project under the Structural Adjustment Package for the Wide Bay Burnett Region of Queensland:

1. (a) What total Structural Adjustment Package funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or if the funds were paid in instalments, what were the instalment dates and amounts paid on each date.

2. (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

3. What is the proponent’s business address.

4. Can a description of the project be provided.

5. Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Wide Bay Burnett Region Advisory Committee.

6. When did the department or the Minister inform the proponent, the Wide Bay Burnett Region Advisory Committee and the Member for Wide Bay about the funding approval.

7. When did the department or the Minister publicly announce the grant.

8. What was the quantum of the grant announced by the department or the Minister.

9. In relation to the application for funding:
   (a) when was the funding application lodged with the department;
   (b) when was the funding application referred to the Wide Bay Burnett Region Advisory Committee;
(c) was the application varied; if so, when, and what was the nature of the variation/s;
(d) when did the committee make a recommendation to the Minister;
(e) what recommendation did the committee make;
(f) when was the application approved by the Minister;
(g) did the funding application comply with the structural adjustment package guidelines; if not, can details of the non-compliance be provided;
(h) what total funding was sought, including goods and services tax;
(i) what was the main business of the proponent at the time of application;
(j) how did the proponent describe the proposed project;
(k) was the proposed project a new project or an extension of an existing business activity;
(l) with reference to employment outcomes nominated by the proponent:
  (i) how many full-time and part time jobs did the proponent claim would be generated by the project,
  (ii) how many direct and indirect jobs did the proponent claim would be generated by the project,
  (iii) how many construction jobs did the proponent claim would be generated by the project,
  (iv) what employment timing was outlined by the proponent, and
  (v) what types of jobs did the proponent claim would be generated by the project i.e. skilled or unskilled and training opportunities;
(m) what project planning and design time did the proponent nominate;
(n) if applicable, what construction start date was nominated by the proponent;
(o) what project commissioning and/or commencement date was nominated by the proponent;
(p) what date did the proponent nominate for the project to become fully operational;
(q) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;
(r) what long-term benefits to the Wide Bay Burnett region did the proponent say would be generated by the project;
(s) what flow-on benefits to other businesses, organisations or individuals in the region did the proponent say would be generated by the project;
(t) was the proposal local, national or export focused;
(u) did a business plan accompany the application form;
(v) what evidence did the proponent provide to support the proposal’s feasibility and did this evidence include a feasibility study; if so, who undertook the feasibility study;
(w) did the proponent provide details of projected cash flow, revenue and expenses for at least the first 5 years; if so, did the proponent include investment analysis details such as rates of return, liquidity and debt analysis;
(x) were copies of the proponent’s business plan and financial statements provided;
(y) did the proponent provide details of similar projects successfully realised; if so, what projects;
(z) did the proponent provide a statement indicating the extent to which Commonwealth funding was needed to realise the project;
(aa) (i) what evidence did the proponent provide indicating community support for the application, and (ii) which organisations or individuals provided letters of support;
(ab) what sources of funding, other than structural adjustment package funds, did the proponent identify would be provided or had been sought for the project, including Commonwealth and/or state and/or local government funding;

(ac) was a statement provided attesting that the proponent’s financial contribution to the project would be a new investment;

(ad) did the proponent provide evidence that appropriate planning and environmental approvals had been gained or sought;

(ae) did the proponent provide a statement describing the likely impact of the project on other businesses in the region; if so, how did the proponent describe the likely impact; and

(af) did the proponent provide details of a likely net increase in employment, including, if applicable, employment growth resulting from relocation.

(10) In relation to the progress of the project:

(a) when did the proponent enter into a grant agreement with the department;

(b) with reference to employment outcomes:
(i) how many full-time and part time jobs have been generated by the project,
(ii) how many direct and indirect jobs have been generated by the project,
(iii) how many construction jobs were generated by the project,
(iv) over what time period have these jobs been created, and have employment growth and employment numbers been sustained, and
(v) what types of jobs have been generated by the project i.e. skilled or unskilled and training opportunities;

(c) what project planning and design time was required;

(d) if applicable, what was the construction start date;

(e) when did project operations commence;

(f) when did the project become fully operational;

(g) were progress payments negotiated on the basis of project activity; if so: (i) has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;

(h) (i) what project management structure was established, (ii) what selection process for the project manager was adopted, and (iii) was a steering committee established;

(i) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;

(j) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, when;

(k) what long-term benefits for the region have been generated by the project;

(l) what flow-on benefits to other businesses, organisations or individuals in the region have been generated by the project;

(m) has the project been local, national or export focused;

(n) what sources of funding, other than structural adjustment package funds, have supported the project, including Commonwealth and/or state and/or local government funding;

(o) what financial contribution has the proponent made to the project;

(p) has the proponent complied with appropriate planning and environmental laws; and

(q) what impact has the project had on other businesses in the region.

QUESTIONS ON NOTICE
(11) In relation to completion of the project funding period (if applicable):
   (a) when did the project and/or funding period conclude;
   (b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;
   (c) has the proponent lodged a final report; if so, on what date;
   (d) if applicable, has the final payment to the proponent been made;
   (e) how many direct and indirect full-time equivalent positions have been generated by the project; and
   (f) has an independent audit been undertaken; if so: (i) who undertook the audit, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Structural Adjustment Package
(Question No. 1881)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 1 October 2003:

With reference to the grant of $250 000 for the Kingaroy and South Burnett Community Private Hospital project under the Structural Adjustment Package for the Wide Bay Burnett Region of Queensland:

(1) (a) What total Structural Adjustment Package funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or if the funds were paid in instalments, what were the instalment dates and amounts paid on each date.

(2) (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

(3) What is the proponent’s business address.

(4) Can a description of the project be provided.

(5) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Wide Bay Burnett Region Advisory Committee.

(6) When did the department or the Minister inform the proponent, the Wide Bay Burnett Region Advisory Committee and the Member for Wide Bay about the funding approval.

(7) When did the department or the Minister publicly announce the grant.

(8) What was the quantum of the grant announced by the department or the Minister.

(9) In relation to the application for funding:
   (a) when was the funding application lodged with the department;
   (b) when was the funding application referred to the Wide Bay Burnett Region Advisory Committee;
   (c) was the application varied; if so, when, and what was the nature of the variation/s;
   (d) when did the committee make a recommendation to the Minister;
   (e) what recommendation did the committee make;
   (f) when was the application approved by the Minister;
   (g) did the funding application comply with the structural adjustment package guidelines; if not, can details of the non-compliance be provided;
(h) what total funding was sought, including goods and services tax;
(i) what was the main business of the proponent at the time of application;
(j) how did the proponent describe the proposed project;
(k) was the proposed project a new project or an extension of an existing business activity;
(l) with reference to employment outcomes nominated by the proponent:
   (i) how many full-time and part time jobs did the proponent claim would be generated by the project,
   (ii) how many direct and indirect jobs did the proponent claim would be generated by the project,
   (iii) how many construction jobs did the proponent claim would be generated by the project,
   (iv) what employment timing was outlined by the proponent, and
   (v) what types of jobs did the proponent claim would be generated by the project i.e. skilled or unskilled and training opportunities;
(m) what project planning and design time did the proponent nominate;
(n) if applicable, what construction start date was nominated by the proponent;
(o) what project commissioning and/or commencement date was nominated by the proponent;
(p) what date did the proponent nominate for the project to become fully operational;
(q) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;
(r) what long-term benefits to the Wide Bay Burnett region did the proponent say would be generated by the project;
(s) what flow-on benefits to other businesses, organisations or individuals in the region did the proponent say would be generated by the project;
(t) was the proposal local, national or export focused;
(u) did a business plan accompany the application form;
(v) what evidence did the proponent provide to support the proposal’s feasibility and did this evidence include a feasibility study; if so, who undertook the feasibility study;
(w) did the proponent provide details of projected cash flow, revenue and expenses for at least the first 5 years; if so, did the proponent include investment analysis details such as rates of return, liquidity and debt analysis;
(x) were copies of the proponent’s business plan and financial statements provided;
(y) did the proponent provide details of similar projects successfully realised; if so, what projects;
(z) did the proponent provide a statement indicating the extent to which Commonwealth funding was needed to realise the project;
(aa) (i) what evidence did the proponent provide indicating community support for the application, and (ii) which organisations or individuals provided letters of support;
(ab) what sources of funding, other than structural adjustment package funds, did the proponent identify would be provided or had been sought for the project, including Commonwealth and/or state and/or local government funding;
(ac) was a statement provided attesting that the proponent’s financial contribution to the project would be a new investment;
(ad) did the proponent provide evidence that appropriate planning and environmental approvals had been gained or sought;
(ae) did the proponent provide a statement describing the likely impact of the project on other businesses in the region; if so, how did the proponent describe the likely impact; and

(af) did the proponent provide details of a likely net increase in employment, including, if applicable, employment growth resulting from relocation.

(10) In relation to the progress of the project:

(a) when did the proponent enter into a grant agreement with the department;

(b) with reference to employment outcomes:

(i) how many full-time and part-time jobs have been generated by the project,

(ii) how many direct and indirect jobs have been generated by the project,

(iii) how many construction jobs were generated by the project,

(iv) over what time period have these jobs been created, and have employment growth and employment numbers been sustained, and

(v) what types of jobs have been generated by the project i.e. skilled or unskilled and training opportunities;

(c) what project planning and design time was required;

(d) if applicable, what was the construction start date;

(e) when did project operations commence;

(f) when did the project become fully operational;

(g) were progress payments negotiated on the basis of project activity; if so: (i) has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;

(h) (i) what project management structure was established, (ii) what selection process for the project manager was adopted, and (iii) was a steering committee established;

(i) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;

(j) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, when;

(k) what long-term benefits for the region have been generated by the project;

(l) what flow-on benefits to other businesses, organisations or individuals in the region have been generated by the project;

(m) has the project been local, national or export focused;

(n) what sources of funding, other than structural adjustment package funds, have supported the project, including Commonwealth and/or state and/or local government funding;

(o) what financial contribution has the proponent made to the project;

(p) has the proponent complied with appropriate planning and environmental laws; and

(q) what impact has the project had on other businesses in the region.

(11) In relation to completion of the project funding period (if applicable):

(a) when did the project and/or funding period conclude;

(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;

(c) has the proponent lodged a final report; if so, on what date;

(d) if applicable, has the final payment to the proponent been made;

QUESTIONS ON NOTICE
(e) how many direct and indirect full-time equivalent positions have been generated by the project; and

(f) has an independent audit been undertaken; if so: (i) who undertook the audit, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Regional Assistance Program
(Question No. 1888)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 8 September 2003:

With reference to the grant of $45 000 for the Capricorn Crayfish Value Adding and Marketing project in round one of the Regional Assistance Programme in the 1999-2000 financial year:

(1) (a) What total programme funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or, if paid in instalments, what were the instalment dates and amounts paid on each date.

(2) (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

(3) What is the proponent’s business address.

(4) Can a description of the project be provided.

(5) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Central Queensland Area Consultative Committee.

(6) When did the department or the Minister inform the proponent, the committee and the Member for Wide Bay about the funding approval.

(7) When did the department or the Minister publicly announce the grant.

(8) What was the quantum of the grant announced by the department or the Minister.

(9) In relation to the application for funding:

(a) when was the funding application lodged with the department;

(b) when was the application approved by the Minister;

(c) did the funding application comply with the programme guidelines; if not, can details of the non-compliance be provided;

(d) what total funding was sought, including, if applicable, the goods and services tax (GST) free amount, the GST-inclusive amount and the specific GST amount;

(e) what preferred project start date was nominated by the proponent;

(f) what preferred project completion date was nominated by the proponent;

(g) what was the project rationale, including identification of need for the project and demonstrated connection to the committee strategic regional plan;

(h) what community consultation did the proponent undertake prior to submitting the application;

(i) what previous studies or projects did the proponent nominate as relevant to the project;

(j) what project objectives and outcomes did the proponent nominate including employment outcomes and ongoing regional benefit;
(k) with reference to employment outcomes, how many direct and indirect full time equivalent positions did the proponent claim would be generated;

(l) what additional sources of funding did the proponent nominate would be required to sustain the project at the end of the funding period;

(m) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;

(n) (i) what project linkages were nominated by the proponent, including federal agencies, state agencies, local government, community organisations and the private sector, and (ii) what was the nature of the links;

(o) (i) what project management structure was proposed by the proponent, (ii) what selection process for the project manager was proposed, and (iii) if applicable, what was the proposed membership, role and terms of reference for the steering committee;

(p) what progress report timing and format did the proponent propose;

(q) what monitoring and evaluation process did the proponent propose;

(r) what assistance did the proponent advise would be received from other sources (identified by source and type of assistance);

(s) did the proponent disclose receipt of other government funding in the 3 years before the application was lodged; if so, what funding had the proponent received;

(t) did the proponent propose the purchase of assets with the programme funds;

(u) did the proponent hold workers compensation, public liability, professional indemnity and voluntary worker accident insurance when the application was lodged;

(v) was the proponent a Job Network member or involved with a New Apprenticeship Centre or Work for the Dole at the time the application was lodged;

(w) was the project endorsed for funding by the committee;

(x) was the proponent and/or the Committee asked to provide advice on the primary and secondary electorates in which the project activity would be based; if so, why was this question asked and what answer was provided; and

(y) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided.

(10) In relation to the progress of the project:

(a) when did the project start;

(b) how many direct and indirect full-time equivalent positions have been generated by the project;

(c) what economic or regional benefit has the project provided;

(d) (i) were progress payments negotiated on the basis of project activity; if so, has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;

(e) were all nominated project linkages, i.e. with government agencies and the private sector, realised; if not, which linkages were not realised;

(f) (i) what project management structure was established, (ii) what selection process for the project manager was adopted; and (iii) was a steering committee established;

(g) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;
(h) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, on what dates.
(i) has the project received assistance from other sources during the programme funding period; if so, can this assistance be identified by source and type;
(j) has the proponent purchased assets with the programme funds; if so, did the proponent receive written permission prior to the purchase;
(k) has the proponent maintained workers compensation, public liability, professional indemnity and voluntary worker accident insurance during the funding period;

(11) In relation to completion of the project funding period (if applicable):
(a) when did the project and/or funding period conclude;
(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;
(c) has the proponent lodged a final report; if so, on what date;
(d) if applicable, has the final payment to the proponent been made;
(e) how many direct and indirect full-time equivalent positions have been generated by the project;
(f) have any assets purchased with programme funds remained the property of the Commonwealth; and
(g) has an independent evaluation been undertaken; if so: (i) who undertook the evaluation, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:
Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Regional Assistance Program
(Question No. 1889)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 8 September 2003:

With reference to the grant of $45 000 for the SILO Information and Reception Centre project in round one of the Regional Assistance Programme in the 1999-2000 financial year:

(1) (a) What total programme funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or, if paid in instalments, what were the instalment dates and amounts paid on each date.

(2) (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

(3) What is the proponent’s business address.

(4) Can a description of the project be provided.

(5) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Central Queensland Area Consultative Committee.

(6) When did the department or the Minister inform the proponent, the committee and the Member for Wide Bay about the funding approval.

(7) When did the department or the Minister publicly announce the grant.

(8) What was the quantum of the grant announced by the department or the Minister.
(9) In relation to the application for funding:
(a) when was the funding application lodged with the department;
(b) when was the application approved by the Minister;
(c) did the funding application comply with the programme guidelines; if not, can details of the non-compliance be provided;
(d) what total funding was sought, including, if applicable, the goods and services tax (GST) free amount, the GST-inclusive amount and the specific GST amount;
(e) what preferred project start date was nominated by the proponent;
(f) what preferred project completion date was nominated by the proponent;
(g) what was the project rationale, including identification of need for the project and demonstrated connection to the committee strategic regional plan;
(h) what community consultation did the proponent undertake prior to submitting the application;
(i) what previous studies or projects did the proponent nominate as relevant to the project;
(j) what project objectives and outcomes did the proponent nominate including employment outcomes and ongoing regional benefit;
(k) with reference to employment outcomes, how many direct and indirect full time equivalent positions did the proponent claim would be generated;
(l) what additional sources of funding did the proponent nominate would be required to sustain the project at the end of the funding period;
(m) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;
(n) (i) what project linkages were nominated by the proponent, including federal agencies, state agencies, local government, community organisations and the private sector, and (ii) what was the nature of the links;
(o) (i) what project management structure was proposed by the proponent, (ii) what selection process for the project manager was proposed, and (iii) if applicable, what was the proposed membership, role and terms of reference for the steering committee;
(p) what progress report timing and format did the proponent propose;
(q) what monitoring and evaluation process did the proponent propose;
(r) what assistance did the proponent advise would be received from other sources (identified by source and type of assistance);
(s) did the proponent disclose receipt of other government funding in the 3 years before the application was lodged; if so, what funding had the proponent received;
(t) did the proponent propose the purchase of assets with the programme funds;
(u) did the proponent hold workers compensation, public liability, professional indemnity and voluntary worker accident insurance when the application was lodged;
(v) was the proponent a Job Network member or involved with a New Apprenticeship Centre or Work for the Dole at the time the application was lodged;
(w) was the project endorsed for funding by the committee;
(x) was the proponent and/or the Committee asked to provide advice on the primary and secondary electorates in which the project activity would be based; if so, why was this question asked and what answer was provided; and
QUESTIONS ON NOTICE

(y) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided.

(10) In relation to the progress of the project:
(a) when did the project start;
(b) how many direct and indirect full-time equivalent positions have been generated by the project;
(c) what economic or regional benefit has the project provided;
(d) (i) were progress payments negotiated on the basis of project activity; if so, has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;
(e) were all nominated project linkages, i.e. with government agencies and the private sector, realised; if not, which linkages were not realised;
(f) (i) what project management structure was established, (ii) what selection process for the project manager was adopted; and (iii) was a steering committee established;
(g) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;
(h) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, on what dates.
(i) has the project received assistance from other sources during the programme funding period; if so, can this assistance be identified by source and type;
(j) has the proponent purchased assets with the programme funds; if so, did the proponent receive written permission prior to the purchase;
(k) has the proponent maintained workers compensation, public liability, professional indemnity and voluntary worker accident insurance during the funding period;

(11) In relation to completion of the project funding period (if applicable):
(a) when did the project and/or funding period conclude;
(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;
(c) has the proponent lodged a final report; if so, on what date;
(d) if applicable, has the final payment to the proponent been made;
(e) how many direct and indirect full-time equivalent positions have been generated by the project;
(f) have any assets purchased with programme funds remained the property of the Commonwealth; and
(g) has an independent evaluation been undertaken; if so: (i) who undertook the evaluation, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.
Transport and Regional Services: Regional Assistance Program
(Question No. 1890)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 8 September 2003:

With reference to the grant of $25 000 for the Dawson Valley Hardwood Plantation project in round one of the Regional Assistance Programme in the 1999-2000 financial year:

(1) (a) What total programme funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or, if paid in instalments, what were the instalment dates and amounts paid on each date.

(2) (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

(3) What is the proponent’s business address.

(4) Can a description of the project be provided.

(5) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Central Queensland Area Consultative Committee.

(6) When did the department or the Minister inform the proponent, the committee and the Member for Wide Bay about the funding approval.

(7) When did the department or the Minister publicly announce the grant.

(8) What was the quantum of the grant announced by the department or the Minister.

(9) In relation to the application for funding:

(a) when was the funding application lodged with the department;

(b) when was the application approved by the Minister;

(c) did the funding application comply with the programme guidelines; if not, can details of the non-compliance be provided;

(d) what total funding was sought, including, if applicable, the goods and services tax (GST) free amount, the GST-inclusive amount and the specific GST amount;

(e) what preferred project start date was nominated by the proponent;

(f) what preferred project completion date was nominated by the proponent;

(g) what was the project rationale, including identification of need for the project and demonstrated connection to the committee strategic regional plan;

(h) what community consultation did the proponent undertake prior to submitting the application;

(i) what previous studies or projects did the proponent nominate as relevant to the project;

(j) what project objectives and outcomes did the proponent nominate including employment outcomes and ongoing regional benefit;

(k) with reference to employment outcomes, how many direct and indirect full time equivalent positions did the proponent claim would be generated;

(l) what additional sources of funding did the proponent nominate would be required to sustain the project at the end of the funding period;

(m) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;
(n) what project linkages were nominated by the proponent, including federal agencies, state agencies, local government, community organisations and the private sector; and (ii) what was the nature of the links;

(o) (i) what project management structure was proposed by the proponent, (ii) what selection process for the project manager was proposed, and (iii) if applicable, what was the proposed membership, role and terms of reference for the steering committee;

(p) what progress report timing and format did the proponent propose;

(q) what monitoring and evaluation process did the proponent propose;

(r) what assistance did the proponent advise would be received from other sources (identified by source and type of assistance);

(s) did the proponent disclose receipt of other government funding in the 3 years before the application was lodged; if so, what funding had the proponent received;

(t) did the proponent propose the purchase of assets with the programme funds;

(u) did the proponent hold workers compensation, public liability, professional indemnity and voluntary worker accident insurance when the application was lodged;

(v) was the proponent a Job Network member or involved with a New Apprenticeship Centre or Work for the Dole at the time the application was lodged;

(w) was the project endorsed for funding by the committee;

(x) was the proponent and/or the Committee asked to provide advice on the primary and secondary electorates in which the project activity would be based; if so, why was this question asked and what answer was provided; and

(y) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided.

(10) In relation to the progress of the project:

(a) when did the project start;

(b) how many direct and indirect full-time equivalent positions have been generated by the project;

(c) what economic or regional benefit has the project provided;

(d) (i) were progress payments negotiated on the basis of project activity; if so, has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;

(e) were all nominated project linkages, i.e. with government agencies and the private sector, realised; if not, which linkages were not realised;

(f) (i) what project management structure was established, (ii) what selection process for the project manager was adopted; and (iii) was a steering committee established;

(g) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;

(h) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, on what dates.

(i) has the project received assistance from other sources during the programme funding period; if so, can this assistance be identified by source and type;

(j) has the proponent purchased assets with the programme funds; if so, did the proponent receive written permission prior to the purchase;
(k) has the proponent maintained workers compensation, public liability, professional indemnity and voluntary worker accident insurance during the funding period;

(11) In relation to completion of the project funding period (if applicable):
(a) when did the project and/or funding period conclude;
(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;
(c) has the proponent lodged a final report; if so, on what date;
(d) if applicable, has the final payment to the proponent been made;
(e) how many direct and indirect full-time equivalent positions have been generated by the project;
(f) have any assets purchased with programme funds remained the property of the Commonwealth; and
(g) has an independent evaluation been undertaken; if so: (i) who undertook the evaluation, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Regional Assistance Program

(Question No. 1891)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 8 September 2003:

With reference to the grant of $45 000 for the Trial Herb Processing Plant project in round three of the Regional Assistance Programme in the 1999-2000 financial year:

(1) (a) What total programme funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or, if paid in instalments, what were the instalment dates and amounts paid on each date.

(2) (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

(3) What is the proponent’s business address.

(4) Can a description of the project be provided.

(5) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Central Queensland Area Consultative Committee.

(6) When did the department or the Minister inform the proponent, the committee and the Member for Wide Bay about the funding approval.

(7) When did the department or the Minister publicly announce the grant.

(8) What was the quantum of the grant announced by the department or the Minister.

(9) In relation to the application for funding:
(a) when was the funding application lodged with the department;
(b) when was the application approved by the Minister;
(c) did the funding application comply with the programme guidelines; if not, can details of the non-compliance be provided;
(d) what total funding was sought, including, if applicable, the goods and services tax (GST) free amount, the GST-inclusive amount and the specific GST amount;
(e) what preferred project start date was nominated by the proponent;
(f) what preferred project completion date was nominated by the proponent;
(g) what was the project rationale, including identification of need for the project and demonstrated connection to the committee strategic regional plan;
(h) what community consultation did the proponent undertake prior to submitting the application;
(i) what previous studies or projects did the proponent nominate as relevant to the project;
(j) what project objectives and outcomes did the proponent nominate including employment outcomes and ongoing regional benefit;
(k) with reference to employment outcomes, how many direct and indirect full time equivalent positions did the proponent claim would be generated;
(l) what additional sources of funding did the proponent nominate would be required to sustain the project at the end of the funding period;
(m) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;
(n) (i) what project linkages were nominated by the proponent, including federal agencies, state agencies, local government, community organisations and the private sector, and (ii) what was the nature of the links;
(o) (i) what project management structure was proposed by the proponent, (ii) what selection process for the project manager was proposed, and (iii) if applicable, what was the proposed membership, role and terms of reference for the steering committee;
(p) what progress report timing and format did the proponent propose;
(q) what monitoring and evaluation process did the proponent propose;
(r) what assistance did the proponent advise would be received from other sources (identified by source and type of assistance);
(s) did the proponent disclose receipt of other government funding in the 3 years before the application was lodged; if so, what funding had the proponent received;
(t) did the proponent propose the purchase of assets with the programme funds;
(u) did the proponent hold workers compensation, public liability, professional indemnity and voluntary worker accident insurance when the application was lodged;
(v) was the proponent a Job Network member or involved with a New Apprenticeship Centre or Work for the Dole at the time the application was lodged;
(w) was the project endorsed for funding by the committee;
(x) was the proponent and/or the Committee asked to provide advice on the primary and secondary electorates in which the project activity would be based; if so, why was this question asked and what answer was provided; and
(y) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided.

(10) In relation to the progress of the project:
(a) when did the project start;
(b) how many direct and indirect full-time equivalent positions have been generated by the project;
(c) what economic or regional benefit has the project provided;

(d) (i) were progress payments negotiated on the basis of project activity; if so, has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;

(e) were all nominated project linkages, i.e. with government agencies and the private sector, realised; if not, which linkages were not realised;

(f) (i) what project management structure was established, (ii) what selection process for the project manager was adopted; and (iii) was a steering committee established;

(g) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;

(h) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, on what dates.

(i) has the project received assistance from other sources during the programme funding period; if so, can this assistance be identified by source and type;

(j) has the proponent purchased assets with the programme funds; if so, did the proponent receive written permission prior to the purchase;

(k) has the proponent maintained workers compensation, public liability, professional indemnity and voluntary worker accident insurance during the funding period;

(11) In relation to completion of the project funding period (if applicable):

(a) when did the project and/or funding period conclude;

(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;

(c) has the proponent lodged a final report; if so, on what date;

(d) if applicable, has the final payment to the proponent been made;

(e) how many direct and indirect full-time equivalent positions have been generated by the project;

(f) have any assets purchased with programme funds remained the property of the Commonwealth; and

(g) has an independent evaluation been undertaken; if so: (i) who undertook the evaluation, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Regional Assistance Program

(Question No. 1892)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 8 September 2003:

With reference to the grant of $49 500 for the Biloela Economic Development Strategy project in round one of the Regional Assistance Programme in the 2001-2002 financial year:

(1) (a) What total programme funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or, if paid in instalments, what were the instalment dates and amounts paid on each date.
(2) (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

(3) What is the proponent’s business address.

(4) Can a description of the project be provided.

(5) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Central Queensland Area Consultative Committee.

(6) When did the department or the Minister inform the proponent, the committee and the Member for Wide Bay about the funding approval.

(7) When did the department or the Minister publicly announce the grant.

(8) What was the quantum of the grant announced by the department or the Minister.

(9) In relation to the application for funding:
   (a) when was the funding application lodged with the department;
   (b) when was the application approved by the Minister;
   (c) did the funding application comply with the programme guidelines; if not, can details of the non-compliance be provided;
   (d) what total funding was sought, including, if applicable, the goods and services tax (GST) free amount, the GST-inclusive amount and the specific GST amount;
   (e) what preferred project start date was nominated by the proponent;
   (f) what preferred project completion date was nominated by the proponent;
   (g) what was the project rationale, including identification of need for the project and demonstrated connection to the committee strategic regional plan;
   (h) what community consultation did the proponent undertake prior to submitting the application;
   (i) what previous studies or projects did the proponent nominate as relevant to the project;
   (j) what project objectives and outcomes did the proponent nominate including employment outcomes and ongoing regional benefit;
   (k) with reference to employment outcomes, how many direct and indirect full time equivalent positions did the proponent claim would be generated;
   (l) what additional sources of funding did the proponent nominate would be required to sustain the project at the end of the funding period;
   (m) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;
   (n) (i) what project linkages were nominated by the proponent, including federal agencies, state agencies, local government, community organisations and the private sector, and (ii) what was the nature of the links;
   (o) (i) what project management structure was proposed by the proponent, (ii) what selection process for the project manager was proposed, and (iii) if applicable, what was the proposed membership, role and terms of reference for the steering committee;
   (p) what progress report timing and format did the proponent propose;
   (q) what monitoring and evaluation process did the proponent propose;
   (r) what assistance did the proponent advise would be received from other sources (identified by source and type of assistance);
   (s) did the proponent disclose receipt of other government funding in the 3 years before the application was lodged; if so, what funding had the proponent received;

QUESTIONS ON NOTICE
(t) did the proponent propose the purchase of assets with the programme funds;
(u) did the proponent hold workers compensation, public liability, professional indemnity and voluntary worker accident insurance when the application was lodged;
(v) was the proponent a Job Network member or involved with a New Apprenticeship Centre or Work for the Dole at the time the application was lodged;
(w) was the project endorsed for funding by the committee;
(x) was the proponent and/or the Committee asked to provide advice on the primary and secondary electorates in which the project activity would be based; if so, why was this question asked and what answer was provided; and
(y) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided.

(10) In relation to the progress of the project:
(a) when did the project start;
(b) how many direct and indirect full-time equivalent positions have been generated by the project;
(c) what economic or regional benefit has the project provided;
(d) (i) were progress payments negotiated on the basis of project activity; if so, has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;
(e) were all nominated project linkages, i.e. with government agencies and the private sector, realised; if not, which linkages were not realised;
(f) (i) what project management structure was established, (ii) what selection process for the project manager was adopted; and (iii) was a steering committee established;
(g) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;
(h) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, on what dates.
(i) has the project received assistance from other sources during the programme funding period; if so, can this assistance be identified by source and type;
(j) has the proponent purchased assets with the programme funds; if so, did the proponent receive written permission prior to the purchase;
(k) has the proponent maintained workers compensation, public liability, professional indemnity and voluntary worker accident insurance during the funding period;

(11) In relation to completion of the project funding period (if applicable):
(a) when did the project and/or funding period conclude;
(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;
(c) has the proponent lodged a final report; if so, on what date;
(d) if applicable, has the final payment to the proponent been made;
(e) how many direct and indirect full-time equivalent positions have been generated by the project;
(f) have any assets purchased with programme funds remained the property of the Commonwealth; and
(g) has an independent evaluation been undertaken; if so: (i) who undertook the evaluation, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

**Transport and Regional Services: Regional Assistance Program**

*(Question No. 1893)*

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 8 September 2003:

With reference to the grant of $43,460 for the Cooloola Region Tourism Co-ordination project in round one of the Regional Assistance Programme in the 1999-2000 financial year:

1. (a) What total programme funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or, if paid in instalments, what were the instalment dates and amounts paid on each date.

2. (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

3. What is the proponent’s business address.

4. Can a description of the project be provided.

5. Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Central Queensland Area Consultative Committee.

6. When did the department or the Minister inform the proponent, the committee and the Member for Wide Bay about the funding approval.

7. When did the department or the Minister publicly announce the grant.

8. What was the quantum of the grant announced by the department or the Minister.

9. In relation to the application for funding:

   (a) when was the funding application lodged with the department;

   (b) when was the application approved by the Minister;

   (c) did the funding application comply with the programme guidelines; if not, can details of the non-compliance be provided;

   (d) what total funding was sought, including, if applicable, the goods and services tax (GST) free amount, the GST-inclusive amount and the specific GST amount;

   (e) what preferred project start date was nominated by the proponent;

   (f) what preferred project completion date was nominated by the proponent;

   (g) what was the project rationale, including identification of need for the project and demonstrated connection to the committee strategic regional plan;

   (h) what community consultation did the proponent undertake prior to submitting the application;

   (i) what previous studies or projects did the proponent nominate as relevant to the project;

   (j) what project objectives and outcomes did the proponent nominate including employment outcomes and ongoing regional benefit;

   (k) with reference to employment outcomes, how many direct and indirect full time equivalent positions did the proponent claim would be generated;
(l) what additional sources of funding did the proponent nominate would be required to sustain the project at the end of the funding period;

(m) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;

(n) (i) what project linkages were nominated by the proponent, including federal agencies, state agencies, local government, community organisations and the private sector, and (ii) what was the nature of the links;

(o) (i) what project management structure was proposed by the proponent, (ii) what selection process for the project manager was proposed, and (iii) if applicable, what was the proposed membership, role and terms of reference for the steering committee;

(p) what progress report timing and format did the proponent propose;

(q) what monitoring and evaluation process did the proponent propose;

(r) what assistance did the proponent advise would be received from other sources (identified by source and type of assistance);

(s) did the proponent disclose receipt of other government funding in the 3 years before the application was lodged; if so, what funding had the proponent received;

(t) did the proponent propose the purchase of assets with the programme funds;

(u) did the proponent hold workers compensation, public liability, professional indemnity and voluntary worker accident insurance when the application was lodged;

(v) was the proponent a Job Network member or involved with a New Apprenticeship Centre or Work for the Dole at the time the application was lodged;

(w) was the project endorsed for funding by the committee;

(x) was the proponent and/or the Committee asked to provide advice on the primary and secondary electorates in which the project activity would be based; if so, why was this question asked and what answer was provided; and

(y) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided.

(10) In relation to the progress of the project:

(a) when did the project start;

(b) how many direct and indirect full-time equivalent positions have been generated by the project;

(c) what economic or regional benefit has the project provided;

(d) (i) were progress payments negotiated on the basis of project activity; if so, has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;

(e) were all nominated project linkages, i.e. with government agencies and the private sector, realised; if not, which linkages were not realised;

(f) (i) what project management structure was established, (ii) what selection process for the project manager was adopted; and (iii) was a steering committee established;

(g) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;

(h) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, on what dates.
QUESTIONS ON NOTICE

(i) has the project received assistance from other sources during the programme funding period; if
so, can this assistance be identified by source and type;

(j) has the proponent purchased assets with the programme funds; if so, did the proponent receive
written permission prior to the purchase;

(k) has the proponent maintained workers compensation, public liability, professional indemnity
and voluntary worker accident insurance during the funding period;

(l) In relation to completion of the project funding period (if applicable):

(a) when did the project and/or funding period conclude;

(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;

(c) has the proponent lodged a final report; if so, on what date;

(d) if applicable, has the final payment to the proponent been made;

(e) how many direct and indirect full-time equivalent positions have been generated by the
project;

(f) have any assets purchased with programme funds remained the property of the
Commonwealth; and

(g) has an independent evaluation been undertaken; if so: (i) who undertook the evaluation, (ii)
when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided
the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the
Senate Table Office.

Transport and Regional Services: Regional Assistance Program

(Question No. 1894)

Senator赵’Brien asked the Minister representing the Minister for Transport and Regional
Services, upon notice, on 8 September 2003:

With reference to the grant of $30 193 for the Maryborough CBD Revitalisation project in round one of
the Regional Assistance Programme in the 1999-2000 financial year:

(1) (a) What total programme funds have been paid to the proponent; and (b) if the funds were paid in
one sum, on what date was the payment made; or, if paid in instalments, what were the instalment
dates and amounts paid on each date.

(2) (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does
it operate on a commercial or not-for-profit basis.

(3) What is the proponent’s business address.

(4) Can a description of the project be provided.

(5) Did the department or the Minister receive representations from the Member for Wide Bay (Mr
Truss) on behalf of the proponent and/or the Central Queensland Area Consultative Committee.

(6) When did the department or the Minister inform the proponent, the committee and the Member for
Wide Bay about the funding approval.

(7) When did the department or the Minister publicly announce the grant.

(8) What was the quantum of the grant announced by the department or the Minister.

(9) In relation to the application for funding:

(a) when was the funding application lodged with the department;

QUESTIONS ON NOTICE
QUESTIONS ON NOTICE

(b) when was the application approved by the Minister;
(c) did the funding application comply with the programme guidelines; if not, can details of the non-compliance be provided;
(d) what total funding was sought, including, if applicable, the goods and services tax (GST) free amount, the GST-inclusive amount and the specific GST amount;
(e) what preferred project start date was nominated by the proponent;
(f) what preferred project completion date was nominated by the proponent;
(g) what was the project rationale, including identification of need for the project and demonstrated connection to the committee strategic regional plan;
(h) what community consultation did the proponent undertake prior to submitting the application;
(i) what previous studies or projects did the proponent nominate as relevant to the project;
(j) what project objectives and outcomes did the proponent nominate including employment outcomes and ongoing regional benefit;
(k) with reference to employment outcomes, how many direct and indirect full time equivalent positions did the proponent claim would be generated;
(l) what additional sources of funding did the proponent nominate would be required to sustain the project at the end of the funding period;
(m) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;
(n) (i) what project linkages were nominated by the proponent, including federal agencies, state agencies, local government, community organisations and the private sector, and (ii) what was the nature of the links;
(o) (i) what project management structure was proposed by the proponent, (ii) what selection process for the project manager was proposed, and (iii) if applicable, what was the proposed membership, role and terms of reference for the steering committee;
(p) what progress report timing and format did the proponent propose;
(q) what monitoring and evaluation process did the proponent propose;
(r) what assistance did the proponent advise would be received from other sources (identified by source and type of assistance);
(s) did the proponent disclose receipt of other government funding in the 3 years before the application was lodged; if so, what funding had the proponent received;
(t) did the proponent propose the purchase of assets with the programme funds;
(u) did the proponent hold workers compensation, public liability, professional indemnity and voluntary worker accident insurance when the application was lodged;
(v) was the proponent a Job Network member or involved with a New Apprenticeship Centre or Work for the Dole at the time the application was lodged;
(w) was the project endorsed for funding by the committee;
(x) was the proponent and/or the Committee asked to provide advice on the primary and secondary electorates in which the project activity would be based; if so, why was this question asked and what answer was provided; and
(y) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided.

(10) In relation to the progress of the project:
(a) when did the project start;
(b) how many direct and indirect full-time equivalent positions have been generated by the project;
(c) what economic or regional benefit has the project provided;
(d) (i) were progress payments negotiated on the basis of project activity; if so, has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;
(e) were all nominated project linkages, i.e. with government agencies and the private sector, realised; if not, which linkages were not realised;
(f) (i) what project management structure was established, (ii) what selection process for the project manager was adopted; and (iii) was a steering committee established;
(g) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;
(h) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, on what dates.
(i) has the project received assistance from other sources during the programme funding period; if so, can this assistance be identified by source and type;
(j) has the proponent purchased assets with the programme funds; if so, did the proponent receive written permission prior to the purchase;
(k) has the proponent maintained workers compensation, public liability, professional indemnity and voluntary worker accident insurance during the funding period;

(11) In relation to completion of the project funding period (if applicable):
(a) when did the project and/or funding period conclude;
(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;
(c) has the proponent lodged a final report; if so, on what date;
(d) if applicable, has the final payment to the proponent been made;
(e) how many direct and indirect full-time equivalent positions have been generated by the project;
(f) have any assets purchased with programme funds remained the property of the Commonwealth; and
(g) has an independent evaluation been undertaken; if so: (i) who undertook the evaluation, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:
Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Regional Assistance Program
(Question No. 1895)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 8 September 2003:
With reference to the grant of $25 000 for the Cooloola Region Hardwood Value Adding Strategy project in round one of the Regional Assistance Programme in the 1999-2000 financial year:
QUESTIONS ON NOTICE

(1) (a) What total programme funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or, if paid in instalments, what were the instalment dates and amounts paid on each date.

(2) (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

(3) What is the proponent’s business address.

(4) Can a description of the project be provided.

(5) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Central Queensland Area Consultative Committee.

(6) When did the department or the Minister inform the proponent, the committee and the Member for Wide Bay about the funding approval.

(7) When did the department or the Minister publicly announce the grant.

(8) What was the quantum of the grant announced by the department or the Minister.

(9) In relation to the application for funding:
   (a) when was the funding application lodged with the department;
   (b) when was the application approved by the Minister;
   (c) did the funding application comply with the programme guidelines; if not, can details of the non-compliance be provided;
   (d) what total funding was sought, including, if applicable, the goods and services tax (GST) free amount, the GST-inclusive amount and the specific GST amount;
   (e) what preferred project start date was nominated by the proponent;
   (f) what preferred project completion date was nominated by the proponent;
   (g) what was the project rationale, including identification of need for the project and demonstrated connection to the committee strategic regional plan;
   (h) what community consultation did the proponent undertake prior to submitting the application;
   (i) what previous studies or projects did the proponent nominate as relevant to the project;
   (j) what project objectives and outcomes did the proponent nominate including employment outcomes and ongoing regional benefit;
   (k) with reference to employment outcomes, how many direct and indirect full time equivalent positions did the proponent claim would be generated;
   (l) what additional sources of funding did the proponent nominate would be required to sustain the project at the end of the funding period;
   (m) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;
   (n) (i) what project linkages were nominated by the proponent, including federal agencies, state agencies, local government, community organisations and the private sector, and (ii) what was the nature of the links;
   (o) (i) what project management structure was proposed by the proponent, (ii) what selection process for the project manager was proposed, and (iii) if applicable, what was the proposed membership, role and terms of reference for the steering committee;
   (p) what progress report timing and format did the proponent propose;
   (q) what monitoring and evaluation process did the proponent propose;
(r) what assistance did the proponent advise would be received from other sources (identified by source and type of assistance);
(s) did the proponent disclose receipt of other government funding in the 3 years before the application was lodged; if so, what funding had the proponent received;
(t) did the proponent propose the purchase of assets with the programme funds;
(u) did the proponent hold workers compensation, public liability, professional indemnity and voluntary worker accident insurance when the application was lodged;
(v) was the proponent a Job Network member or involved with a New Apprenticeship Centre or Work for the Dole at the time the application was lodged;
(w) was the project endorsed for funding by the committee;
(x) was the proponent and/or the Committee asked to provide advice on the primary and secondary electorates in which the project activity would be based; if so, why was this question asked and what answer was provided; and
(y) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided.
(10) In relation to the progress of the project:
(a) when did the project start;
(b) how many direct and indirect full-time equivalent positions have been generated by the project;
(c) what economic or regional benefit has the project provided;
(d) (i) were progress payments negotiated on the basis of project activity; if so, has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;
(e) were all nominated project linkages, i.e. with government agencies and the private sector, realised; if not, which linkages were not realised;
(f) (i) what project management structure was established, (ii) what selection process for the project manager was adopted; and (iii) was a steering committee established;
(g) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;
(h) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, on what dates.
(i) has the project received assistance from other sources during the programme funding period; if so, can this assistance be identified by source and type;
(j) has the proponent purchased assets with the programme funds; if so, did the proponent receive written permission prior to the purchase;
(k) has the proponent maintained workers compensation, public liability, professional indemnity and voluntary worker accident insurance during the funding period;
(11) In relation to completion of the project funding period (if applicable):
(a) when did the project and/or funding period conclude;
(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;
(c) has the proponent lodged a final report; if so, on what date;
(d) if applicable, has the final payment to the proponent been made;
(e) how many direct and indirect full-time equivalent positions have been generated by the project;

(f) have any assets purchased with programme funds remained the property of the Commonwealth; and

(g) has an independent evaluation been undertaken; if so: (i) who undertook the evaluation, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Regional Assistance Program
(Question No. 1896)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 8 September 2003:

With reference to the grant of $23 080 for the South Burnett Wine Industry Development project in round one of the Regional Assistance Programme in the 1999-2000 financial year:

(1) (a) What total programme funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or, if paid in instalments, what were the instalment dates and amounts paid on each date.

(2) (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

(3) What is the proponent’s business address.

(4) Can a description of the project be provided.

(5) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Central Queensland Area Consultative Committee.

(6) When did the department or the Minister inform the proponent, the committee and the Member for Wide Bay about the funding approval.

(7) When did the department or the Minister publicly announce the grant.

(8) What was the quantum of the grant announced by the department or the Minister.

(9) In relation to the application for funding:

(a) when was the funding application lodged with the department;

(b) when was the application approved by the Minister;

(c) did the funding application comply with the programme guidelines; if not, can details of the non-compliance be provided;

(d) what total funding was sought, including, if applicable, the goods and services tax (GST) free amount, the GST-inclusive amount and the specific GST amount;

(e) what preferred project start date was nominated by the proponent;

(f) what preferred project completion date was nominated by the proponent;

(g) what was the project rationale, including identification of need for the project and demonstrated connection to the committee strategic regional plan;

(h) what community consultation did the proponent undertake prior to submitting the application;

(i) what previous studies or projects did the proponent nominate as relevant to the project;
(j) what project objectives and outcomes did the proponent nominate including employment outcomes and ongoing regional benefit;
(k) with reference to employment outcomes, how many direct and indirect full time equivalent positions did the proponent claim would be generated;
(l) what additional sources of funding did the proponent nominate would be required to sustain the project at the end of the funding period;
(m) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;
(n) (i) what project linkages were nominated by the proponent, including federal agencies, state agencies, local government, community organisations and the private sector, and (ii) what was the nature of the links;
(o) (i) what project management structure was proposed by the proponent, (ii) what selection process for the project manager was proposed, and (iii) if applicable, what was the proposed membership, role and terms of reference for the steering committee;
(p) what progress report timing and format did the proponent propose;
(q) what monitoring and evaluation process did the proponent propose;
(r) what assistance did the proponent advise would be received from other sources (identified by source and type of assistance);
(s) did the proponent disclose receipt of other government funding in the 3 years before the application was lodged; if so, what funding had the proponent received;
(t) did the proponent propose the purchase of assets with the programme funds;
(u) did the proponent hold workers compensation, public liability, professional indemnity and voluntary worker accident insurance when the application was lodged;
(v) was the proponent a Job Network member or involved with a New Apprenticeship Centre or Work for the Dole at the time the application was lodged;
(w) was the project endorsed for funding by the committee;
(x) was the proponent and/or the Committee asked to provide advice on the primary and secondary electorates in which the project activity would be based; if so, why was this question asked and what answer was provided; and
(y) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided.

(10) In relation to the progress of the project:
(a) when did the project start;
(b) how many direct and indirect full-time equivalent positions have been generated by the project;
(c) what economic or regional benefit has the project provided;
(d) (i) were progress payments negotiated on the basis of project activity; if so, has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;
(e) were all nominated project linkages, i.e. with government agencies and the private sector, realised; if not, which linkages were not realised;
(f) (i) what project management structure was established, (ii) what selection process for the project manager was adopted; and (iii) was a steering committee established;
Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Regional Assistance Program

(Question No. 1897)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 8 September 2003:

With reference to the grant of $350,000 for the Promoting International and National Visitation to the Bundaberg Region project in round two of the Regional Assistance Programme in the 1999-2000 financial year:

(1) (a) What total programme funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or, if paid in instalments, what were the instalment dates and amounts paid on each date.

(2) (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

(3) What is the proponent’s business address.

(4) Can a description of the project be provided.

(5) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Central Queensland Area Consultative Committee.

(6) When did the department or the Minister inform the proponent, the committee and the Member for Wide Bay about the funding approval.
(7) When did the department or the Minister publicly announce the grant.
(8) What was the quantum of the grant announced by the department or the Minister.
(9) In relation to the application for funding:
   (a) when was the funding application lodged with the department;
   (b) when was the application approved by the Minister;
   (c) did the funding application comply with the programme guidelines; if not, can details of the non-compliance be provided;
   (d) what total funding was sought, including, if applicable, the goods and services tax (GST) free amount, the GST-inclusive amount and the specific GST amount;
   (e) what preferred project start date was nominated by the proponent;
   (f) what preferred project completion date was nominated by the proponent;
   (g) what was the project rationale, including identification of need for the project and demonstrated connection to the committee strategic regional plan;
   (h) what community consultation did the proponent undertake prior to submitting the application;
   (i) what previous studies or projects did the proponent nominate as relevant to the project;
   (j) what project objectives and outcomes did the proponent nominate including employment outcomes and ongoing regional benefit;
   (k) with reference to employment outcomes, how many direct and indirect full time equivalent positions did the proponent claim would be generated;
   (l) what additional sources of funding did the proponent nominate would be required to sustain the project at the end of the funding period;
   (m) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;
   (n) (i) what project linkages were nominated by the proponent, including federal agencies, state agencies, local government, community organisations and the private sector, and (ii) what was the nature of the links;
   (o) (i) what project management structure was proposed by the proponent, (ii) what selection process for the project manager was proposed, and (iii) if applicable, what was the proposed membership, role and terms of reference for the steering committee;
   (p) what progress report timing and format did the proponent propose;
   (q) what monitoring and evaluation process did the proponent propose;
   (r) what assistance did the proponent advise would be received from other sources (identified by source and type of assistance);
   (s) did the proponent disclose receipt of other government funding in the 3 years before the application was lodged; if so, what funding had the proponent received;
   (t) did the proponent propose the purchase of assets with the programme funds;
   (u) did the proponent hold workers compensation, public liability, professional indemnity and voluntary worker accident insurance when the application was lodged;
   (v) was the proponent a Job Network member or involved with a New Apprenticeship Centre or Work for the Dole at the time the application was lodged;
   (w) was the project endorsed for funding by the committee;
(x) was the proponent and/or the Committee asked to provide advice on the primary and secondary electorates in which the project activity would be based; if so, why was this question asked and what answer was provided; and

(y) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided.

(10) In relation to the progress of the project:
   (a) when did the project start;
   (b) how many direct and indirect full-time equivalent positions have been generated by the project;
   (c) what economic or regional benefit has the project provided;
   (d) (i) were progress payments negotiated on the basis of project activity; if so, has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;
   (e) were all nominated project linkages, i.e. with government agencies and the private sector, realised; if not, which linkages were not realised;
   (f) (i) what project management structure was established, (ii) what selection process for the project manager was adopted; and (iii) was a steering committee established;
   (g) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;
   (h) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, on what dates.
   (i) has the project received assistance from other sources during the programme funding period; if so, can this assistance be identified by source and type;
   (j) has the proponent purchased assets with the programme funds; if so, did the proponent receive written permission prior to the purchase;
   (k) has the proponent maintained workers compensation, public liability, professional indemnity and voluntary worker accident insurance during the funding period;

(11) In relation to completion of the project funding period (if applicable):
   (a) when did the project and/or funding period conclude;
   (b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;
   (c) has the proponent lodged a final report; if so, on what date;
   (d) if applicable, has the final payment to the proponent been made;
   (e) how many direct and indirect full-time equivalent positions have been generated by the project;
   (f) have any assets purchased with programme funds remained the property of the Commonwealth; and
   (g) has an independent evaluation been undertaken; if so: (i) who undertook the evaluation, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.
Transport and Regional Services: Regional Assistance Program

(Question No. 1898)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 8 September 2003:

With reference to the grant of $25 000 for the Mary Valley Heritage Railway Development Strategy project in round two of the Regional Assistance Programme in the 1999-2000 financial year:

(1) (a) What total programme funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or, if paid in instalments, what were the instalment dates and amounts paid on each date.

(2) (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

(3) What is the proponent’s business address.

(4) Can a description of the project be provided.

(5) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Central Queensland Area Consultative Committee.

(6) When did the department or the Minister inform the proponent, the committee and the Member for Wide Bay about the funding approval.

(7) When did the department or the Minister publicly announce the grant.

(8) What was the quantum of the grant announced by the department or the Minister.

(9) In relation to the application for funding:

(a) when was the funding application lodged with the department;

(b) when was the application approved by the Minister;

(c) did the funding application comply with the programme guidelines; if not, can details of the non-compliance be provided;

(d) what total funding was sought, including, if applicable, the goods and services tax (GST) free amount, the GST-inclusive amount and the specific GST amount;

(e) what preferred project start date was nominated by the proponent;

(f) what preferred project completion date was nominated by the proponent;

(g) what was the project rationale, including identification of need for the project and demonstrated connection to the committee strategic regional plan;

(h) what community consultation did the proponent undertake prior to submitting the application;

(i) what previous studies or projects did the proponent nominate as relevant to the project;

(j) what project objectives and outcomes did the proponent nominate including employment outcomes and ongoing regional benefit;

(k) with reference to employment outcomes, how many direct and indirect full time equivalent positions did the proponent claim would be generated;

(l) what additional sources of funding did the proponent nominate would be required to sustain the project at the end of the funding period;

(m) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;
(n) (i) what project linkages were nominated by the proponent, including federal agencies, state agencies, local government, community organisations and the private sector, and (ii) what was the nature of the links;

(o) (i) what project management structure was proposed by the proponent, (ii) what selection process for the project manager was proposed, and (iii) if applicable, what was the proposed membership, role and terms of reference for the steering committee;

(p) what progress report timing and format did the proponent propose;

(q) what monitoring and evaluation process did the proponent propose;

(r) what assistance did the proponent advise would be received from other sources (identified by source and type of assistance);

(s) did the proponent disclose receipt of other government funding in the 3 years before the application was lodged; if so, what funding had the proponent received;

(t) did the proponent propose the purchase of assets with the programme funds;

(u) did the proponent hold workers compensation, public liability, professional indemnity and voluntary worker accident insurance when the application was lodged;

(v) was the proponent a Job Network member or involved with a New Apprenticeship Centre or Work for the Dole at the time the application was lodged;

(w) was the project endorsed for funding by the committee;

(x) was the proponent and/or the Committee asked to provide advice on the primary and secondary electorates in which the project activity would be based; if so, why was this question asked and what answer was provided; and

(y) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided.

(10) In relation to the progress of the project:

(a) when did the project start;

(b) how many direct and indirect full-time equivalent positions have been generated by the project;

(c) what economic or regional benefit has the project provided;

(d) (i) were progress payments negotiated on the basis of project activity; if so, has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;

(e) were all nominated project linkages, i.e. with government agencies and the private sector, realised; if not, which linkages were not realised;

(f) (i) what project management structure was established, (ii) what selection process for the project manager was adopted; and (iii) was a steering committee established;

(g) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;

(h) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, on what dates.

(i) has the project received assistance from other sources during the programme funding period; if so, can this assistance be identified by source and type;

(j) has the proponent purchased assets with the programme funds; if so, did the proponent receive written permission prior to the purchase;
(k) has the proponent maintained workers compensation, public liability, professional indemnity and voluntary worker accident insurance during the funding period;

(11) In relation to completion of the project funding period (if applicable):

(a) when did the project and/or funding period conclude;
(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;
(c) has the proponent lodged a final report; if so, on what date;
(d) if applicable, has the final payment to the proponent been made;
(e) how many direct and indirect full-time equivalent positions have been generated by the project;
(f) have any assets purchased with programme funds remained the property of the Commonwealth; and
(g) has an independent evaluation been undertaken; if so: (i) who undertook the evaluation, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:
Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Regional Assistance Program
(Question No. 1899)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 8 September 2003:
With reference to the grant of $30 000 for the Australian Fishing Museum project in round two of the Regional Assistance Programme in the 1999-2000 financial year:

(1) (a) What total programme funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or, if paid in instalments, what were the instalment dates and amounts paid on each date.
(2) (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.
(3) What is the proponent’s business address.
(4) Can a description of the project be provided.
(5) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Central Queensland Area Consultative Committee.
(6) When did the department or the Minister inform the proponent, the committee and the Member for Wide Bay about the funding approval.
(7) When did the department or the Minister publicly announce the grant.
(8) What was the quantum of the grant announced by the department or the Minister.
(9) In relation to the application for funding:
(a) when was the funding application lodged with the department;
(b) when was the application approved by the Minister;
(c) did the funding application comply with the programme guidelines; if not, can details of the non-compliance be provided;

QUESTIONS ON NOTICE
QUESTIONS ON NOTICE

(d) what total funding was sought, including, if applicable, the goods and services tax (GST) free amount, the GST-inclusive amount and the specific GST amount;

(e) what preferred project start date was nominated by the proponent;

(f) what preferred project completion date was nominated by the proponent;

(g) what was the project rationale, including identification of need for the project and demonstrated connection to the committee strategic regional plan;

(h) what community consultation did the proponent undertake prior to submitting the application;

(i) what previous studies or projects did the proponent nominate as relevant to the project;

(j) what project objectives and outcomes did the proponent nominate including employment outcomes and ongoing regional benefit;

(k) with reference to employment outcomes, how many direct and indirect full time equivalent positions did the proponent claim would be generated;

(l) what additional sources of funding did the proponent nominate would be required to sustain the project at the end of the funding period;

(m) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;

(n) (i) what project linkages were nominated by the proponent, including federal agencies, state agencies, local government, community organisations and the private sector, and (ii) what was the nature of the links;

(o) (i) what project management structure was proposed by the proponent, (ii) what selection process for the project manager was proposed, and (iii) if applicable, what was the proposed membership, role and terms of reference for the steering committee;

(p) what progress report timing and format did the proponent propose;

(q) what monitoring and evaluation process did the proponent propose;

(r) what assistance did the proponent advise would be received from other sources (identified by source and type of assistance);

(s) did the proponent disclose receipt of other government funding in the 3 years before the application was lodged; if so, what funding had the proponent received;

(t) did the proponent propose the purchase of assets with the programme funds;

(u) did the proponent hold workers compensation, public liability, professional indemnity and voluntary worker accident insurance when the application was lodged;

(v) was the proponent a Job Network member or involved with a New Apprenticeship Centre or Work for the Dole at the time the application was lodged;

(w) was the project endorsed for funding by the committee;

(x) was the proponent and/or the Committee asked to provide advice on the primary and secondary electorates in which the project activity would be based; if so, why was this question asked and what answer was provided; and

(y) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided.

(10) In relation to the progress of the project:

(a) when did the project start;

(b) how many direct and indirect full-time equivalent positions have been generated by the project;

QUESTIONS ON NOTICE
(c) what economic or regional benefit has the project provided;
(d) (i) were progress payments negotiated on the basis of project activity; if so, has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;
(e) were all nominated project linkages, i.e. with government agencies and the private sector, realised; if not, which linkages were not realised;
(f) (i) what project management structure was established, (ii) what selection process for the project manager was adopted; and (iii) was a steering committee established;
(g) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;
(h) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, on what dates.
(i) has the project received assistance from other sources during the programme funding period; if so, can this assistance be identified by source and type;
(j) has the proponent purchased assets with the programme funds; if so, did the proponent receive written permission prior to the purchase;
(k) has the proponent maintained workers compensation, public liability, professional indemnity and voluntary worker accident insurance during the funding period;

(11) In relation to completion of the project funding period (if applicable):
(a) when did the project and/or funding period conclude;
(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;
(c) has the proponent lodged a final report; if so, on what date;
(d) if applicable, has the final payment to the proponent been made;
(e) how many direct and indirect full-time equivalent positions have been generated by the project;
(f) have any assets purchased with programme funds remained the property of the Commonwealth; and
(g) has an independent evaluation been undertaken; if so: (i) who undertook the evaluation, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Regional Assistance Program
(Question No. 1900)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 8 September 2003:

With reference to the grant of $25 000 for the Bundaberg CBD revitalisation project in round two of the Regional Assistance Programme in the 1999-2000 financial year:

(1) (a) What total programme funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or, if paid in instalments, what were the instalment dates and amounts paid on each date.
(2) (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

(3) What is the proponent’s business address.

(4) Can a description of the project be provided.

(5) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Central Queensland Area Consultative Committee.

(6) When did the department or the Minister inform the proponent, the committee and the Member for Wide Bay about the funding approval.

(7) When did the department or the Minister publicly announce the grant.

(8) What was the quantum of the grant announced by the department or the Minister.

(9) In relation to the application for funding:
   (a) when was the funding application lodged with the department;
   (b) when was the application approved by the Minister;
   (c) did the funding application comply with the programme guidelines; if not, can details of the non-compliance be provided;
   (d) what total funding was sought, including, if applicable, the goods and services tax (GST) free amount, the GST-inclusive amount and the specific GST amount;
   (e) what preferred project start date was nominated by the proponent;
   (f) what preferred project completion date was nominated by the proponent;
   (g) what was the project rationale, including identification of need for the project and demonstrated connection to the committee strategic regional plan;
   (h) what community consultation did the proponent undertake prior to submitting the application;
   (i) what previous studies or projects did the proponent nominate as relevant to the project;
   (j) what project objectives and outcomes did the proponent nominate including employment outcomes and ongoing regional benefit;
   (k) with reference to employment outcomes, how many direct and indirect full time equivalent positions did the proponent claim would be generated;
   (l) what additional sources of funding did the proponent nominate would be required to sustain the project at the end of the funding period;
   (m) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;
   (n) (i) what project linkages were nominated by the proponent, including federal agencies, state agencies, local government, community organisations and the private sector, and (ii) what was the nature of the links;
   (o) (i) what project management structure was proposed by the proponent, (ii) what selection process for the project manager was proposed, and (iii) if applicable, what was the proposed membership, role and terms of reference for the steering committee;
   (p) what progress report timing and format did the proponent propose;
   (q) what monitoring and evaluation process did the proponent propose;
   (r) what assistance did the proponent advise would be received from other sources (identified by source and type of assistance);
   (s) did the proponent disclose receipt of other government funding in the 3 years before the application was lodged; if so, what funding had the proponent received;
(i) did the proponent propose the purchase of assets with the programme funds;
(u) did the proponent hold workers compensation, public liability, professional indemnity and voluntary worker accident insurance when the application was lodged;
(v) was the proponent a Job Network member or involved with a New Apprenticeship Centre or Work for the Dole at the time the application was lodged;
(w) was the project endorsed for funding by the committee;
(x) was the proponent and/or the Committee asked to provide advice on the primary and secondary electorates in which the project activity would be based; if so, why was this question asked and what answer was provided; and
(y) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided.

(10) In relation to the progress of the project:
(a) when did the project start;
(b) how many direct and indirect full-time equivalent positions have been generated by the project;
(c) what economic or regional benefit has the project provided;
(d) (i) were progress payments negotiated on the basis of project activity; if so, has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;
(e) were all nominated project linkages, i.e. with government agencies and the private sector, realised; if not, which linkages were not realised;
(f) (i) what project management structure was established, (ii) what selection process for the project manager was adopted; and (iii) was a steering committee established;
(g) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;
(h) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, on what dates.
(i) has the project received assistance from other sources during the programme funding period; if so, can this assistance be identified by source and type;
(j) has the proponent purchased assets with the programme funds; if so, did the proponent receive written permission prior to the purchase;
(k) has the proponent maintained workers compensation, public liability, professional indemnity and voluntary worker accident insurance during the funding period;

(11) In relation to completion of the project funding period (if applicable):
(a) when did the project and/or funding period conclude;
(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;
(c) has the proponent lodged a final report; if so, on what date;
(d) if applicable, has the final payment to the proponent been made;
(e) how many direct and indirect full-time equivalent positions have been generated by the project;
(f) have any assets purchased with programme funds remained the property of the Commonwealth; and
(g) has an independent evaluation been undertaken; if so: (i) who undertook the evaluation, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Regional Assistance Program
(Question No. 1901)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 8 September 2003:

With reference to the grant of $20,000 for the Eidsvold—Our Future project in round two of the Regional Assistance Programme in the 1999-2000 financial year:

(1) (a) What total programme funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or, if paid in instalments, what were the instalment dates and amounts paid on each date.

(2) (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

(3) What is the proponent’s business address.

(4) Can a description of the project be provided.

(5) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Central Queensland Area Consultative Committee.

(6) When did the department or the Minister inform the proponent, the committee and the Member for Wide Bay about the funding approval.

(7) When did the department or the Minister publicly announce the grant.

(8) What was the quantum of the grant announced by the department or the Minister.

(9) In relation to the application for funding:

(a) when was the funding application lodged with the department;

(b) when was the application approved by the Minister;

(c) did the funding application comply with the programme guidelines; if not, can details of the non-compliance be provided;

(d) what total funding was sought, including, if applicable, the goods and services tax (GST) free amount, the GST-inclusive amount and the specific GST amount;

(e) what preferred project start date was nominated by the proponent;

(f) what preferred project completion date was nominated by the proponent;

(g) what was the project rationale, including identification of need for the project and demonstrated connection to the committee strategic regional plan;

(h) what community consultation did the proponent undertake prior to submitting the application;

(i) what previous studies or projects did the proponent nominate as relevant to the project;

(j) what project objectives and outcomes did the proponent nominate including employment outcomes and ongoing regional benefit;

(k) with reference to employment outcomes, how many direct and indirect full time equivalent positions did the proponent claim would be generated;

QUESTIONS ON NOTICE
(l) what additional sources of funding did the proponent nominate would be required to sustain the project at the end of the funding period;

(m) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;

(n) (i) what project linkages were nominated by the proponent, including federal agencies, state agencies, local government, community organisations and the private sector, and (ii) what was the nature of the links;

(o) (i) what project management structure was proposed by the proponent, (ii) what selection process for the project manager was proposed, and (iii) if applicable, what was the proposed membership, role and terms of reference for the steering committee;

(p) what progress report timing and format did the proponent propose;

(q) what monitoring and evaluation process did the proponent propose;

(r) what assistance did the proponent advise would be received from other sources (identified by source and type of assistance);

(s) did the proponent disclose receipt of other government funding in the 3 years before the application was lodged; if so, what funding had the proponent received;

(t) did the proponent propose the purchase of assets with the programme funds;

(u) did the proponent hold workers compensation, public liability, professional indemnity and voluntary worker accident insurance when the application was lodged;

(v) was the proponent a Job Network member or involved with a New Apprenticeship Centre or Work for the Dole at the time the application was lodged;

(w) was the project endorsed for funding by the committee;

(x) was the proponent and/or the Committee asked to provide advice on the primary and secondary electorates in which the project activity would be based; if so, why was this question asked and what answer was provided; and

(y) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided.

(10) In relation to the progress of the project:

(a) when did the project start;

(b) how many direct and indirect full-time equivalent positions have been generated by the project;

(c) what economic or regional benefit has the project provided;

(d) (i) were progress payments negotiated on the basis of project activity; if so, has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;

(e) were all nominated project linkages, i.e. with government agencies and the private sector, realised; if not, which linkages were not realised;

(f) (i) what project management structure was established, (ii) what selection process for the project manager was adopted; and (iii) was a steering committee established;

(g) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;

(h) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, on what dates.
(i) has the project received assistance from other sources during the programme funding period; if so, can this assistance be identified by source and type;

(j) has the proponent purchased assets with the programme funds; if so, did the proponent receive written permission prior to the purchase;

(k) has the proponent maintained workers compensation, public liability, professional indemnity and voluntary worker accident insurance during the funding period;

(11) In relation to completion of the project funding period (if applicable):

(a) when did the project and/or funding period conclude;

(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;

(c) has the proponent lodged a final report; if so, on what date;

(d) if applicable, has the final payment to the proponent been made;

(e) how many direct and indirect full-time equivalent positions have been generated by the project;

(f) have any assets purchased with programme funds remained the property of the Commonwealth; and

(g) has an independent evaluation been undertaken; if so: (i) who undertook the evaluation, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Regional Assistance Program

(Question No. 1902)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 8 September 2003:

With reference to the grant of $63,250 for the Marketing Wide Bay Arts and Crafts project in round three of the Regional Assistance Programme in the 1999-2000 financial year:

(1) (a) What total programme funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or, if paid in instalments, what were the instalment dates and amounts paid on each date.

(2) (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

(3) What is the proponent’s business address.

(4) Can a description of the project be provided.

(5) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Central Queensland Area Consultative Committee.

(6) When did the department or the Minister inform the proponent, the committee and the Member for Wide Bay about the funding approval.

(7) When did the department or the Minister publicly announce the grant.

(8) What was the quantum of the grant announced by the department or the Minister.

(9) In relation to the application for funding:

(a) when was the funding application lodged with the department;
[117x679](b) when was the application approved by the Minister;
(c) did the funding application comply with the programme guidelines; if not, can details of the non-compliance be provided;
(d) what total funding was sought, including, if applicable, the goods and services tax (GST) free amount, the GST-inclusive amount and the specific GST amount;
(e) what preferred project start date was nominated by the proponent;
(f) what preferred project completion date was nominated by the proponent;
(g) what was the project rationale, including identification of need for the project and demonstrated connection to the committee strategic regional plan;
(h) what community consultation did the proponent undertake prior to submitting the application;
(i) what previous studies or projects did the proponent nominate as relevant to the project;
(j) what project objectives and outcomes did the proponent nominate including employment outcomes and ongoing regional benefit;
(k) with reference to employment outcomes, how many direct and indirect full time equivalent positions did the proponent claim would be generated;
(l) what additional sources of funding did the proponent nominate would be required to sustain the project at the end of the funding period;
(m) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;
(n) (i) what project linkages were nominated by the proponent, including federal agencies, state agencies, local government, community organisations and the private sector, and (ii) what was the nature of the links;
(o) (i) what project management structure was proposed by the proponent, (ii) what selection process for the project manager was proposed, and (iii) if applicable, what was the proposed membership, role and terms of reference for the steering committee;
(p) what progress report timing and format did the proponent propose;
(q) what monitoring and evaluation process did the proponent propose;
(r) what assistance did the proponent advise would be received from other sources (identified by source and type of assistance);
(s) did the proponent disclose receipt of other government funding in the 3 years before the application was lodged; if so, what funding had the proponent received;
(t) did the proponent propose the purchase of assets with the programme funds;
(u) did the proponent hold workers compensation, public liability, professional indemnity and voluntary worker accident insurance when the application was lodged;
(v) was the proponent a Job Network member or involved with a New Apprenticeship Centre or Work for the Dole at the time the application was lodged;
(w) was the project endorsed for funding by the committee;
(x) was the proponent and/or the Committee asked to provide advice on the primary and secondary electorates in which the project activity would be based; if so, why was this question asked and what answer was provided; and
(y) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided.

(10) In relation to the progress of the project:
QUESTIONS ON NOTICE

(a) when did the project start;
(b) how many direct and indirect full-time equivalent positions have been generated by the project;
(c) what economic or regional benefit has the project provided;
(d) (i) were progress payments negotiated on the basis of project activity; if so, has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;
(e) were all nominated project linkages, i.e. with government agencies and the private sector, realised; if not, which linkages were not realised;
(f) (i) what project management structure was established, (ii) what selection process for the project manager was adopted; and (iii) was a steering committee established;
(g) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;
(h) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, on what dates.
(i) has the project received assistance from other sources during the programme funding period; if so, can this assistance be identified by source and type;
(j) has the proponent purchased assets with the programme funds; if so, did the proponent receive written permission prior to the purchase;
(k) has the proponent maintained workers compensation, public liability, professional indemnity and voluntary worker accident insurance during the funding period; (11) In relation to completion of the project funding period (if applicable):
(a) when did the project and/or funding period conclude;
(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;
(c) has the proponent lodged a final report; if so, on what date;
(d) if applicable, has the final payment to the proponent been made;
(e) how many direct and indirect full-time equivalent positions have been generated by the project;
(f) have any assets purchased with programme funds remained the property of the Commonwealth; and
(g) has an independent evaluation been undertaken; if so: (i) who undertook the evaluation, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:
Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Regional Assistance Program
(Question No. 1903)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 8 September 2003:
With reference to the grant of $22,000 for the Murgon/Wondai/Kilkivan Economic Development project in round four of the Regional Assistance Programme in the 1999-2000 financial year:
(1) (a) What total programme funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or, if paid in instalments, what were the instalment dates and amounts paid on each date.

(2) (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

(3) What is the proponent’s business address.

(4) Can a description of the project be provided.

(5) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Central Queensland Area Consultative Committee.

(6) When did the department or the Minister inform the proponent, the committee and the Member for Wide Bay about the funding approval.

(7) When did the department or the Minister publicly announce the grant.

(8) What was the quantum of the grant announced by the department or the Minister.

(9) In relation to the application for funding:
   (a) when was the funding application lodged with the department;
   (b) when was the application approved by the Minister;
   (c) did the funding application comply with the programme guidelines; if not, can details of the non-compliance be provided;
   (d) what total funding was sought, including, if applicable, the goods and services tax (GST) free amount, the GST-inclusive amount and the specific GST amount;
   (e) what preferred project start date was nominated by the proponent;
   (f) what preferred project completion date was nominated by the proponent;
   (g) what was the project rationale, including identification of need for the project and demonstrated connection to the committee strategic regional plan;
   (h) what community consultation did the proponent undertake prior to submitting the application;
   (i) what previous studies or projects did the proponent nominate as relevant to the project;
   (j) what project objectives and outcomes did the proponent nominate including employment outcomes and ongoing regional benefit;
   (k) with reference to employment outcomes, how many direct and indirect full time equivalent positions did the proponent claim would be generated;
   (l) what additional sources of funding did the proponent nominate would be required to sustain the project at the end of the funding period;
   (m) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;
   (n) (i) what project linkages were nominated by the proponent, including federal agencies, state agencies, local government, community organisations and the private sector, and (ii) what was the nature of the links;
   (o) (i) what project management structure was proposed by the proponent, (ii) what selection process for the project manager was proposed, and (iii) if applicable, what was the proposed membership, role and terms of reference for the steering committee;
   (p) what progress report timing and format did the proponent propose;
   (q) what monitoring and evaluation process did the proponent propose;
(r) what assistance did the proponent advise would be received from other sources (identified by source and type of assistance);

(s) did the proponent disclose receipt of other government funding in the 3 years before the application was lodged; if so, what funding had the proponent received;

(t) did the proponent propose the purchase of assets with the programme funds;

(u) did the proponent hold workers compensation, public liability, professional indemnity and voluntary worker accident insurance when the application was lodged;

(v) was the proponent a Job Network member or involved with a New Apprenticeship Centre or Work for the Dole at the time the application was lodged;

(w) was the project endorsed for funding by the committee;

(x) was the proponent and/or the Committee asked to provide advice on the primary and secondary electorates in which the project activity would be based; if so, why was this question asked and what answer was provided; and

(y) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided.

(10) In relation to the progress of the project:

(a) when did the project start;

(b) how many direct and indirect full-time equivalent positions have been generated by the project;

(c) what economic or regional benefit has the project provided;

(d) (i) were progress payments negotiated on the basis of project activity; if so, has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;

(e) were all nominated project linkages, i.e. with government agencies and the private sector, realised; if not, which linkages were not realised;

(f) (i) what project management structure was established, (ii) what selection process for the project manager was adopted; and (iii) was a steering committee established;

(g) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;

(h) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, on what dates.

(i) has the project received assistance from other sources during the programme funding period; if so, can this assistance be identified by source and type;

(j) has the proponent purchased assets with the programme funds; if so, did the proponent receive written permission prior to the purchase;

(k) has the proponent maintained workers compensation, public liability, professional indemnity and voluntary worker accident insurance during the funding period;

(11) In relation to completion of the project funding period (if applicable):

(a) when did the project and/or funding period conclude;

(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;

(c) has the proponent lodged a final report; if so, on what date;

(d) if applicable, has the final payment to the proponent been made;
(e) how many direct and indirect full-time equivalent positions have been generated by the project;
(f) have any assets purchased with programme funds remained the property of the Commonwealth; and
(g) has an independent evaluation been undertaken; if so: (i) who undertook the evaluation, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Regional Assistance Program
(Question No. 1904)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 8 September 2003:

With reference to the grant of $74,250 for the Whistle Stop General Manager project in round four of the Regional Assistance Programme in the 1999-2000 financial year:

(1) (a) What total programme funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or, if paid in instalments, what were the instalment dates and amounts paid on each date.

(2) (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

(3) What is the proponent’s business address.

(4) Can a description of the project be provided.

(5) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Central Queensland Area Consultative Committee.

(6) When did the department or the Minister inform the proponent, the committee and the Member for Wide Bay about the funding approval.

(7) When did the department or the Minister publicly announce the grant.

(8) What was the quantum of the grant announced by the department or the Minister.

(9) In relation to the application for funding:

(a) when was the funding application lodged with the department;
(b) when was the application approved by the Minister;
(c) did the funding application comply with the programme guidelines; if not, can details of the non-compliance be provided;
(d) what total funding was sought, including, if applicable, the goods and services tax (GST) free amount, the GST-inclusive amount and the specific GST amount;
(e) what preferred project start date was nominated by the proponent;
(f) what preferred project completion date was nominated by the proponent;
(g) what was the project rationale, including identification of need for the project and demonstrated connection to the committee strategic regional plan;
(h) what community consultation did the proponent undertake prior to submitting the application;
(i) what previous studies or projects did the proponent nominate as relevant to the project;
(j) what project objectives and outcomes did the proponent nominate including employment outcomes and ongoing regional benefit;

(k) with reference to employment outcomes, how many direct and indirect full time equivalent positions did the proponent claim would be generated;

(l) what additional sources of funding did the proponent nominate would be required to sustain the project at the end of the funding period;

(m) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;

(n) (i) what project linkages were nominated by the proponent, including federal agencies, state agencies, local government, community organisations and the private sector, and (ii) what was the nature of the links;

(o) (i) what project management structure was proposed by the proponent, (ii) what selection process for the project manager was proposed, and (iii) if applicable, what was the proposed membership, role and terms of reference for the steering committee;

(p) what progress report timing and format did the proponent propose;

(q) what monitoring and evaluation process did the proponent propose;

(r) what assistance did the proponent advise would be received from other sources (identified by source and type of assistance);

(s) did the proponent disclose receipt of other government funding in the 3 years before the application was lodged; if so, what funding had the proponent received;

(t) did the proponent propose the purchase of assets with the programme funds;

(u) did the proponent hold workers compensation, public liability, professional indemnity and voluntary worker accident insurance when the application was lodged;

(v) was the proponent a Job Network member or involved with a New Apprenticeship Centre or Work for the Dole at the time the application was lodged;

(w) was the project endorsed for funding by the committee;

(x) was the proponent and/or the Committee asked to provide advice on the primary and secondary electorates in which the project activity would be based; if so, why was this question asked and what answer was provided; and

(y) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided.

(10) In relation to the progress of the project:

(a) when did the project start;

(b) how many direct and indirect full-time equivalent positions have been generated by the project;

(c) what economic or regional benefit has the project provided;

(d) (i) were progress payments negotiated on the basis of project activity; if so, has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;

(e) were all nominated project linkages, i.e. with government agencies and the private sector, realised; if not, which linkages were not realised;

(f) (i) what project management structure was established, (ii) what selection process for the project manager was adopted; and (iii) was a steering committee established;
(g) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;
(h) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, on what dates.
(i) has the project received assistance from other sources during the programme funding period; if so, can this assistance be identified by source and type;
(j) has the proponent purchased assets with the programme funds; if so, did the proponent receive written permission prior to the purchase;
(k) has the proponent maintained workers compensation, public liability, professional indemnity and voluntary worker accident insurance during the funding period;
(l1) In relation to completion of the project funding period (if applicable):
(a) when did the project and/or funding period conclude;
(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;
(c) has the proponent lodged a final report; if so, on what date;
(d) if applicable, has the final payment to the proponent been made;
(e) how many direct and indirect full-time equivalent positions have been generated by the project;
(f) have any assets purchased with programme funds remained the property of the Commonwealth; and
(g) has an independent evaluation been undertaken; if so: (i) who undertook the evaluation, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

**Transport and Regional Services: Regional Assistance Program (Question No. 1905)**

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 8 September 2003:

With reference to the grant of $8,800 for the Childers Passport project in round one of the Regional Assistance Programme in the 1999-2000 financial year:

1. (a) What total programme funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or, if paid in instalments, what were the instalment dates and amounts paid on each date.

2. (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

3. What is the proponent’s business address.

4. Can a description of the project be provided.

5. Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Central Queensland Area Consultative Committee.

6. When did the department or the Minister inform the proponent, the committee and the Member for Wide Bay about the funding approval.

QUESTIONS ON NOTICE
(7) When did the department or the Minister publicly announce the grant.
(8) What was the quantum of the grant announced by the department or the Minister.
(9) In relation to the application for funding:
   (a) when was the funding application lodged with the department;
   (b) when was the application approved by the Minister;
   (c) did the funding application comply with the programme guidelines; if not, can details of the non-compliance be provided;
   (d) what total funding was sought, including, if applicable, the goods and services tax (GST) free amount, the GST-inclusive amount and the specific GST amount;
   (e) what preferred project start date was nominated by the proponent;
   (f) what preferred project completion date was nominated by the proponent;
   (g) what was the project rationale, including identification of need for the project and demonstrated connection to the committee strategic regional plan;
   (h) what community consultation did the proponent undertake prior to submitting the application;
   (i) what previous studies or projects did the proponent nominate as relevant to the project;
   (j) what project objectives and outcomes did the proponent nominate including employment outcomes and ongoing regional benefit;
   (k) with reference to employment outcomes, how many direct and indirect full time equivalent positions did the proponent claim would be generated;
   (l) what additional sources of funding did the proponent nominate would be required to sustain the project at the end of the funding period;
   (m) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;
   (n) (i) what project linkages were nominated by the proponent, including federal agencies, state agencies, local government, community organisations and the private sector, and (ii) what was the nature of the links;
   (o) (i) what project management structure was proposed by the proponent, (ii) what selection process for the project manager was proposed, and (iii) if applicable, what was the proposed membership, role and terms of reference for the steering committee;
   (p) what progress report timing and format did the proponent propose;
   (q) what monitoring and evaluation process did the proponent propose;
   (r) what assistance did the proponent advise would be received from other sources (identified by source and type of assistance);
   (s) did the proponent disclose receipt of other government funding in the 3 years before the application was lodged; if so, what funding had the proponent received;
   (t) did the proponent propose the purchase of assets with the programme funds;
   (u) did the proponent hold workers compensation, public liability, professional indemnity and voluntary worker accident insurance when the application was lodged;
   (v) was the proponent a Job Network member or involved with a New Apprenticeship Centre or Work for the Dole at the time the application was lodged;
   (w) was the project endorsed for funding by the committee;
(x) was the proponent and/or the Committee asked to provide advice on the primary and secondary electorates in which the project activity would be based; if so, why was this question asked and what answer was provided; and

(y) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided.

(10) In relation to the progress of the project:

(a) when did the project start;

(b) how many direct and indirect full-time equivalent positions have been generated by the project;

(c) what economic or regional benefit has the project provided;

(d) (i) were progress payments negotiated on the basis of project activity; if so, has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;

(e) were all nominated project linkages, i.e. with government agencies and the private sector, realised; if not, which linkages were not realised;

(f) (i) what project management structure was established, (ii) what selection process for the project manager was adopted; and (iii) was a steering committee established;

(g) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;

(h) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, on what dates.

(i) has the project received assistance from other sources during the programme funding period; if so, can this assistance be identified by source and type;

(j) has the proponent purchased assets with the programme funds; if so, did the proponent receive written permission prior to the purchase;

(k) has the proponent maintained workers compensation, public liability, professional indemnity and voluntary worker accident insurance during the funding period;

(11) In relation to completion of the project funding period (if applicable):

(a) when did the project and/or funding period conclude;

(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;

(c) has the proponent lodged a final report; if so, on what date;

(d) if applicable, has the final payment to the proponent been made;

(e) how many direct and indirect full-time equivalent positions have been generated by the project;

(f) have any assets purchased with programme funds remained the property of the Commonwealth; and

(g) has an independent evaluation been undertaken; if so: (i) who undertook the evaluation, (ii) when was it completed, and (iii) what findings did it make.

**Senator Ian Campbell**—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.
Transport and Regional Services: Regional Assistance Program
(Question No. 1906)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 8 September 2003:

With reference to the grant of $199 700 for the Capricorn Crayfish Value Adding and Marketing project in round one of the Regional Assistance Programme in the 2000-2001 financial year:

(1) (a) What total programme funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or, if paid in instalments, what were the instalment dates and amounts paid on each date.

(2) (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

(3) What is the proponent’s business address.

(4) Can a description of the project be provided.

(5) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Central Queensland Area Consultative Committee.

(6) When did the department or the Minister inform the proponent, the committee and the Member for Wide Bay about the funding approval.

(7) When did the department or the Minister publicly announce the grant.

(8) What was the quantum of the grant announced by the department or the Minister.

(9) In relation to the application for funding:

(a) when was the funding application lodged with the department;

(b) when was the application approved by the Minister;

(c) did the funding application comply with the programme guidelines; if not, can details of the non-compliance be provided;

(d) what total funding was sought, including, if applicable, the goods and services tax (GST) free amount, the GST-inclusive amount and the specific GST amount;

(e) what preferred project start date was nominated by the proponent;

(f) what preferred project completion date was nominated by the proponent;

(g) what was the project rationale, including identification of need for the project and demonstrated connection to the committee strategic regional plan;

(h) what community consultation did the proponent undertake prior to submitting the application;

(i) what previous studies or projects did the proponent nominate as relevant to the project;

(j) what project objectives and outcomes did the proponent nominate including employment outcomes and ongoing regional benefit;

(k) with reference to employment outcomes, how many direct and indirect full time equivalent positions did the proponent claim would be generated;

(l) what additional sources of funding did the proponent nominate would be required to sustain the project at the end of the funding period;

(m) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;
(n) (i) what project linkages were nominated by the proponent, including federal agencies, state agencies, local government, community organisations and the private sector, and (ii) what was the nature of the links;
(o) (i) what project management structure was proposed by the proponent, (ii) what selection process for the project manager was proposed, and (iii) if applicable, what was the proposed membership, role and terms of reference for the steering committee;
(p) what progress report timing and format did the proponent propose;
(q) what monitoring and evaluation process did the proponent propose;
(r) what assistance did the proponent advise would be received from other sources (identified by source and type of assistance);
(s) did the proponent disclose receipt of other government funding in the 3 years before the application was lodged; if so, what funding had the proponent received;
(t) did the proponent propose the purchase of assets with the programme funds;
(u) did the proponent hold workers compensation, public liability, professional indemnity and voluntary worker accident insurance when the application was lodged;
(v) was the proponent a Job Network member or involved with a New Apprenticeship Centre or Work for the Dole at the time the application was lodged;
(w) was the project endorsed for funding by the committee;
(x) was the proponent and/or the Committee asked to provide advice on the primary and secondary electorates in which the project activity would be based; if so, why was this question asked and what answer was provided; and
(y) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided.

(10) In relation to the progress of the project:
(a) when did the project start;
(b) how many direct and indirect full-time equivalent positions have been generated by the project;
(c) what economic or regional benefit has the project provided;
(d) (i) were progress payments negotiated on the basis of project activity; if so, has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;
(e) were all nominated project linkages, i.e. with government agencies and the private sector, realised; if not, which linkages were not realised;
(f) (i) what project management structure was established, (ii) what selection process for the project manager was adopted; and (iii) was a steering committee established;
(g) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;
(h) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, on what dates.
(i) has the project received assistance from other sources during the programme funding period; if so, can this assistance be identified by source and type;
(j) has the proponent purchased assets with the programme funds; if so, did the proponent receive written permission prior to the purchase;
(k) has the proponent maintained workers compensation, public liability, professional indemnity and voluntary worker accident insurance during the funding period;

(11) In relation to completion of the project funding period (if applicable):
(a) when did the project and/or funding period conclude;
(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;
(c) has the proponent lodged a final report; if so, on what date;
(d) if applicable, has the final payment to the proponent been made;
(e) how many direct and indirect full-time equivalent positions have been generated by the project;
(f) have any assets purchased with programme funds remained the property of the Commonwealth; and
(g) has an independent evaluation been undertaken; if so: (i) who undertook the evaluation, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Regional Assistance Program
(Question No. 1907)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 8 September 2003:

With reference to the grant of $38 500 for the Tarong and Beyond E-commerce project in round one of the Regional Assistance Programme in the 1999-2000 financial year:

(1) (a) What total programme funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or, if paid in instalments, what were the instalment dates and amounts paid on each date.

(2) (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

(3) What is the proponent’s business address.

(4) Can a description of the project be provided.

(5) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Central Queensland Area Consultative Committee.

(6) When did the department or the Minister inform the proponent, the committee and the Member for Wide Bay about the funding approval.

(7) When did the department or the Minister publicly announce the grant.

(8) What was the quantum of the grant announced by the department or the Minister.

(9) In relation to the application for funding:
(a) when was the funding application lodged with the department;
(b) when was the application approved by the Minister;
(c) did the funding application comply with the programme guidelines; if not, can details of the non-compliance be provided;
QUESTIONS ON NOTICE

(d) what total funding was sought, including, if applicable, the goods and services tax (GST) free amount, the GST-inclusive amount and the specific GST amount;

(e) what preferred project start date was nominated by the proponent;

(f) what preferred project completion date was nominated by the proponent;

(g) what was the project rationale, including identification of need for the project and demonstrated connection to the committee strategic regional plan;

(h) what community consultation did the proponent undertake prior to submitting the application;

(i) what previous studies or projects did the proponent nominate as relevant to the project;

(j) what project objectives and outcomes did the proponent nominate including employment outcomes and ongoing regional benefit;

(k) with reference to employment outcomes, how many direct and indirect full time equivalent positions did the proponent claim would be generated;

(l) what additional sources of funding did the proponent nominate would be required to sustain the project at the end of the funding period;

(m) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;

(n) (i) what project linkages were nominated by the proponent, including federal agencies, state agencies, local government, community organisations and the private sector, and (ii) what was the nature of the links;

(o) (i) what project management structure was proposed by the proponent, (ii) what selection process for the project manager was proposed, and (iii) if applicable, what was the proposed membership, role and terms of reference for the steering committee;

(p) what progress report timing and format did the proponent propose;

(q) what monitoring and evaluation process did the proponent propose;

(r) what assistance did the proponent advise would be received from other sources (identified by source and type of assistance);

(s) did the proponent disclose receipt of other government funding in the 3 years before the application was lodged; if so, what funding had the proponent received;

(t) did the proponent propose the purchase of assets with the programme funds;

(u) did the proponent hold workers compensation, public liability, professional indemnity and voluntary worker accident insurance when the application was lodged;

(v) was the proponent a Job Network member or involved with a New Apprenticeship Centre or Work for the Dole at the time the application was lodged;

(w) was the project endorsed for funding by the committee;

(x) was the proponent and/or the Committee asked to provide advice on the primary and secondary electorates in which the project activity would be based; if so, why was this question asked and what answer was provided; and

(y) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided.

(10) In relation to the progress of the project:

(a) when did the project start;

(b) how many direct and indirect full-time equivalent positions have been generated by the project;
(c) what economic or regional benefit has the project provided;
(d) (i) were progress payments negotiated on the basis of project activity; if so, has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;
(e) were all nominated project linkages, i.e. with government agencies and the private sector, realised; if not, which linkages were not realised;
(f) (i) what project management structure was established, (ii) what selection process for the project manager was adopted; and (iii) was a steering committee established;
(g) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;
(h) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, on what dates.
(i) has the project received assistance from other sources during the programme funding period; if so, can this assistance be identified by source and type;
(j) has the proponent purchased assets with the programme funds; if so, did the proponent receive written permission prior to the purchase;
(k) has the proponent maintained workers compensation, public liability, professional indemnity and voluntary worker accident insurance during the funding period;
(11) In relation to completion of the project funding period (if applicable):
   (a) when did the project and/or funding period conclude;
   (b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;
   (c) has the proponent lodged a final report; if so, on what date;
   (d) if applicable, has the final payment to the proponent been made;
   (e) how many direct and indirect full-time equivalent positions have been generated by the project;
   (f) have any assets purchased with programme funds remained the property of the Commonwealth; and
   (g) has an independent evaluation been undertaken; if so: (i) who undertook the evaluation, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Regional Assistance Program
(Question No. 1908)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 8 September 2003:

With reference to the grant of $33 000 for the Industry Cluster Tourism project in round two of the Regional Assistance Programme in the 2000-2001 financial year:

(1) (a) What total programme funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or, if paid in instalments, what were the instalment dates and amounts paid on each date.
(2) (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

(3) What is the proponent’s business address.

(4) Can a description of the project be provided.

(5) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Central Queensland Area Consultative Committee.

(6) When did the department or the Minister inform the proponent, the committee and the Member for Wide Bay about the funding approval.

(7) When did the department or the Minister publicly announce the grant.

(8) What was the quantum of the grant announced by the department or the Minister.

(9) In relation to the application for funding:

(a) when was the funding application lodged with the department;

(b) when was the application approved by the Minister;

(c) did the funding application comply with the programme guidelines; if not, can details of the non-compliance be provided;

(d) what total funding was sought, including, if applicable, the goods and services tax (GST) free amount, the GST-inclusive amount and the specific GST amount;

(e) what preferred project start date was nominated by the proponent;

(f) what preferred project completion date was nominated by the proponent;

(g) what was the project rationale, including identification of need for the project and demonstrated connection to the committee strategic regional plan;

(h) what community consultation did the proponent undertake prior to submitting the application;

(i) what previous studies or projects did the proponent nominate as relevant to the project;

(j) what project objectives and outcomes did the proponent nominate including employment outcomes and ongoing regional benefit;

(k) with reference to employment outcomes, how many direct and indirect full time equivalent positions did the proponent claim would be generated;

(l) what additional sources of funding did the proponent nominate would be required to sustain the project at the end of the funding period;

(m) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;

(n) (i) what project linkages were nominated by the proponent, including federal agencies, state agencies, local government, community organisations and the private sector, and (ii) what was the nature of the links;

(o) (i) what project management structure was proposed by the proponent, (ii) what selection process for the project manager was proposed, and (iii) if applicable, what was the proposed membership, role and terms of reference for the steering committee;

(p) what progress report timing and format did the proponent propose;

(q) what monitoring and evaluation process did the proponent propose;

(r) what assistance did the proponent advise would be received from other sources (identified by source and type of assistance);

(s) did the proponent disclose receipt of other government funding in the 3 years before the application was lodged; if so, what funding had the proponent received;

________________________

QUESTIONS ON NOTICE
(t) did the proponent propose the purchase of assets with the programme funds;
(u) did the proponent hold workers compensation, public liability, professional indemnity and voluntary worker accident insurance when the application was lodged;
(v) was the proponent a Job Network member or involved with a New Apprenticeship Centre or Work for the Dole at the time the application was lodged;
(w) was the project endorsed for funding by the committee;
(x) was the proponent and/or the Committee asked to provide advice on the primary and secondary electorates in which the project activity would be based; if so, why was this question asked and what answer was provided; and
(y) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided.

(10) In relation to the progress of the project:
(a) when did the project start;
(b) how many direct and indirect full-time equivalent positions have been generated by the project;
(c) what economic or regional benefit has the project provided;
(d) (i) were progress payments negotiated on the basis of project activity; if so, has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;
(e) were all nominated project linkages, i.e. with government agencies and the private sector, realised; if not, which linkages were not realised;
(f) (i) what project management structure was established, (ii) what selection process for the project manager was adopted; and (iii) was a steering committee established;
(g) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;
(h) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, on what dates.
(i) has the project received assistance from other sources during the programme funding period; if so, can this assistance be identified by source and type;
(j) has the proponent purchased assets with the programme funds; if so, did the proponent receive written permission prior to the purchase;
(k) has the proponent maintained workers compensation, public liability, professional indemnity and voluntary worker accident insurance during the funding period;

(11) In relation to completion of the project funding period (if applicable):
(a) when did the project and/or funding period conclude;
(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;
(c) has the proponent lodged a final report; if so, on what date;
(d) if applicable, has the final payment to the proponent been made;
(e) how many direct and indirect full-time equivalent positions have been generated by the project;
(f) have any assets purchased with programme funds remained the property of the Commonwealth; and
(g) has an independent evaluation been undertaken; if so: (i) who undertook the evaluation, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

**Transport and Regional Services: Regional Assistance Program**

*(Question No. 1909)*

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 8 September 2003:

With reference to the grant of $44 000 for the Taming the Wild Scotchman project in round two of the Regional Assistance Programme in the 2000-2001 financial year:

1. (a) What total programme funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or, if paid in instalments, what were the instalment dates and amounts paid on each date.

2. (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

3. What is the proponent’s business address.

4. Can a description of the project be provided.

5. Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Central Queensland Area Consultative Committee.

6. When did the department or the Minister inform the proponent, the committee and the Member for Wide Bay about the funding approval.

7. When did the department or the Minister publicly announce the grant.

8. What was the quantum of the grant announced by the department or the Minister.

9. In relation to the application for funding:

   (a) when was the funding application lodged with the department;
   (b) when was the application approved by the Minister;
   (c) did the funding application comply with the programme guidelines; if not, can details of the non-compliance be provided;
   (d) what total funding was sought, including, if applicable, the goods and services tax (GST) free amount, the GST-inclusive amount and the specific GST amount;
   (e) what preferred project start date was nominated by the proponent;
   (f) what preferred project completion date was nominated by the proponent;
   (g) what was the project rationale, including identification of need for the project and demonstrated connection to the committee strategic regional plan;
   (h) what community consultation did the proponent undertake prior to submitting the application;
   (i) what previous studies or projects did the proponent nominate as relevant to the project;
   (j) what project objectives and outcomes did the proponent nominate including employment outcomes and ongoing regional benefit;
   (k) with reference to employment outcomes, how many direct and indirect full time equivalent positions did the proponent claim would be generated;
(l) what additional sources of funding did the proponent nominate would be required to sustain the project at the end of the funding period;

(m) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;

(n) (i) what project linkages were nominated by the proponent, including federal agencies, state agencies, local government, community organisations and the private sector, and (ii) what was the nature of the links;

(o) (i) what project management structure was proposed by the proponent, (ii) what selection process for the project manager was proposed, and (iii) if applicable, what was the proposed membership, role and terms of reference for the steering committee;

(p) what progress report timing and format did the proponent propose;

(q) what monitoring and evaluation process did the proponent propose;

(r) what assistance did the proponent advise would be received from other sources (identified by source and type of assistance);

(s) did the proponent disclose receipt of other government funding in the 3 years before the application was lodged; if so, what funding had the proponent received;

(t) did the proponent propose the purchase of assets with the programme funds;

(u) did the proponent hold workers compensation, public liability, professional indemnity and voluntary worker accident insurance when the application was lodged;

(v) was the proponent a Job Network member or involved with a New Apprenticeship Centre or Work for the Dole at the time the application was lodged;

(w) was the project endorsed for funding by the committee;

(x) was the proponent and/or the Committee asked to provide advice on the primary and secondary electorates in which the project activity would be based; if so, why was this question asked and what answer was provided; and

(y) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided.

(10) In relation to the progress of the project:

(a) when did the project start;

(b) how many direct and indirect full-time equivalent positions have been generated by the project;

(c) what economic or regional benefit has the project provided;

(d) (i) were progress payments negotiated on the basis of project activity; if so, has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;

(e) were all nominated project linkages, i.e. with government agencies and the private sector, realised; if not, which linkages were not realised;

(f) (i) what project management structure was established, (ii) what selection process for the project manager was adopted; and (iii) was a steering committee established;

(g) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;

(h) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, on what dates.
(i) has the project received assistance from other sources during the programme funding period; if so, can this assistance be identified by source and type;

(j) has the proponent purchased assets with the programme funds; if so, did the proponent receive written permission prior to the purchase;

(k) has the proponent maintained workers compensation, public liability, professional indemnity and voluntary worker accident insurance during the funding period;

(11) In relation to completion of the project funding period (if applicable):

(a) when did the project and/or funding period conclude;

(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;

(c) has the proponent lodged a final report; if so, on what date;

(d) if applicable, has the final payment to the proponent been made;

(e) how many direct and indirect full-time equivalent positions have been generated by the project;

(f) have any assets purchased with programme funds remained the property of the Commonwealth; and

(g) has an independent evaluation been undertaken; if so: (i) who undertook the evaluation, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Regional Assistance Program

(Question No. 1910)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 8 September 2003:

With reference to the grant of $33 000 for the Hardwood Sawdust Pilot Plant project in round three of the Regional Assistance Programme in the 2000-2001 financial year:

(1) (a) What total programme funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or, if paid in instalments, what were the instalment dates and amounts paid on each date.

(2) (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

(3) What is the proponent’s business address.

(4) Can a description of the project be provided.

(5) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Central Queensland Area Consultative Committee.

(6) When did the department or the Minister inform the proponent, the committee and the Member for Wide Bay about the funding approval.

(7) When did the department or the Minister publicly announce the grant.

(8) What was the quantum of the grant announced by the department or the Minister.

(9) In relation to the application for funding:

(a) when was the funding application lodged with the department;
QUESTIONS ON NOTICE

(b) when was the application approved by the Minister;
(c) did the funding application comply with the programme guidelines; if not, can details of the non-compliance be provided;
(d) what total funding was sought, including, if applicable, the goods and services tax (GST) free amount, the GST-inclusive amount and the specific GST amount;
(e) what preferred project start date was nominated by the proponent;
(f) what preferred project completion date was nominated by the proponent;
(g) what was the project rationale, including identification of need for the project and demonstrated connection to the committee strategic regional plan;
(h) what community consultation did the proponent undertake prior to submitting the application;
(i) what previous studies or projects did the proponent nominate as relevant to the project;
(j) what project objectives and outcomes did the proponent nominate including employment outcomes and ongoing regional benefit;
(k) with reference to employment outcomes, how many direct and indirect full time equivalent positions did the proponent claim would be generated;
(l) what additional sources of funding did the proponent nominate would be required to sustain the project at the end of the funding period;
(m) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;
(n) (i) what project linkages were nominated by the proponent, including federal agencies, state agencies, local government, community organisations and the private sector, and (ii) what was the nature of the links;
(o) (i) what project management structure was proposed by the proponent, (ii) what selection process for the project manager was proposed, and (iii) if applicable, what was the proposed membership, role and terms of reference for the steering committee;
(p) what progress report timing and format did the proponent propose;
(q) what monitoring and evaluation process did the proponent propose;
(r) what assistance did the proponent advise would be received from other sources (identified by source and type of assistance);
(s) did the proponent disclose receipt of other government funding in the 3 years before the application was lodged; if so, what funding had the proponent received;
(t) did the proponent propose the purchase of assets with the programme funds;
(u) did the proponent hold workers compensation, public liability, professional indemnity and voluntary worker accident insurance when the application was lodged;
(v) was the proponent a Job Network member or involved with a New Apprenticeship Centre or Work for the Dole at the time the application was lodged;
(w) was the project endorsed for funding by the committee;
(x) was the proponent and/or the Committee asked to provide advice on the primary and secondary electorates in which the project activity would be based; if so, why was this question asked and what answer was provided; and
(y) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided.

(10) In relation to the progress of the project:
(a) when did the project start;
(b) how many direct and indirect full-time equivalent positions have been generated by the project;
(c) what economic or regional benefit has the project provided;
(d) (i) were progress payments negotiated on the basis of project activity; if so, has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;
(e) were all nominated project linkages, i.e. with government agencies and the private sector, realised; if not, which linkages were not realised;
(f) (i) what project management structure was established, (ii) what selection process for the project manager was adopted; and (iii) was a steering committee established;
(g) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;
(h) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, on what dates.
(i) has the project received assistance from other sources during the programme funding period; if so, can this assistance be identified by source and type;
(j) has the proponent purchased assets with the programme funds; if so, did the proponent receive written permission prior to the purchase;
(k) has the proponent maintained workers compensation, public liability, professional indemnity and voluntary worker accident insurance during the funding period;
(11) In relation to completion of the project funding period (if applicable):
(a) when did the project and/or funding period conclude;
(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;
(c) has the proponent lodged a final report; if so, on what date;
(d) if applicable, has the final payment to the proponent been made;
(e) how many direct and indirect full-time equivalent positions have been generated by the project;
(f) have any assets purchased with programme funds remained the property of the Commonwealth; and
(g) has an independent evaluation been undertaken; if so: (i) who undertook the evaluation, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Regional Assistance Program
(Question No. 1911)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 8 September 2003:

With reference to the grant of $55 000 for the Gympie Animal Shelter project in round one of the Regional Assistance Programme in the 2001-2002 financial year:
QUESTIONS ON NOTICE

(1) (a) What total programme funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or, if paid in instalments, what were the instalment dates and amounts paid on each date.

(2) (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

(3) What is the proponent’s business address.

(4) Can a description of the project be provided.

(5) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Central Queensland Area Consultative Committee.

(6) When did the department or the Minister inform the proponent, the committee and the Member for Wide Bay about the funding approval.

(7) When did the department or the Minister publicly announce the grant.

(8) What was the quantum of the grant announced by the department or the Minister.

(9) In relation to the application for funding:
   (a) when was the funding application lodged with the department;
   (b) when was the application approved by the Minister;
   (c) did the funding application comply with the programme guidelines; if not, can details of the non-compliance be provided;
   (d) what total funding was sought, including, if applicable, the goods and services tax (GST) free amount, the GST-inclusive amount and the specific GST amount;
   (e) what preferred project start date was nominated by the proponent;
   (f) what preferred project completion date was nominated by the proponent;
   (g) what was the project rationale, including identification of need for the project and demonstrated connection to the committee strategic regional plan;
   (h) what community consultation did the proponent undertake prior to submitting the application;
   (i) what previous studies or projects did the proponent nominate as relevant to the project;
   (j) what project objectives and outcomes did the proponent nominate including employment outcomes and ongoing regional benefit;
   (k) with reference to employment outcomes, how many direct and indirect full time equivalent positions did the proponent claim would be generated;
   (l) what additional sources of funding did the proponent nominate would be required to sustain the project at the end of the funding period;
   (m) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;
   (n) (i) what project linkages were nominated by the proponent, including federal agencies, state agencies, local government, community organisations and the private sector, and (ii) what was the nature of the links;
   (o) (i) what project management structure was proposed by the proponent, (ii) what selection process for the project manager was proposed, and (iii) if applicable, what was the proposed membership, role and terms of reference for the steering committee;
   (p) what progress report timing and format did the proponent propose;
   (q) what monitoring and evaluation process did the proponent propose;
(r) what assistance did the proponent advise would be received from other sources (identified by source and type of assistance);

(s) did the proponent disclose receipt of other government funding in the 3 years before the application was lodged; if so, what funding had the proponent received;

(t) did the proponent propose the purchase of assets with the programme funds;

(u) did the proponent hold workers compensation, public liability, professional indemnity and voluntary worker accident insurance when the application was lodged;

(v) was the proponent a Job Network member or involved with a New Apprenticeship Centre or Work for the Dole at the time the application was lodged;

(w) was the project endorsed for funding by the committee;

(x) was the proponent and/or the Committee asked to provide advice on the primary and secondary electorates in which the project activity would be based; if so, why was this question asked and what answer was provided; and

(y) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided.

(10) In relation to the progress of the project:

(a) when did the project start;

(b) how many direct and indirect full-time equivalent positions have been generated by the project;

(c) what economic or regional benefit has the project provided;

(d) (i) were progress payments negotiated on the basis of project activity; if so, has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;

(e) were all nominated project linkages, i.e. with government agencies and the private sector, realised; if not, which linkages were not realised;

(f) (i) what project management structure was established, (ii) what selection process for the project manager was adopted; and (iii) was a steering committee established;

(g) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;

(h) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, on what dates.

(i) has the project received assistance from other sources during the programme funding period; if so, can this assistance be identified by source and type;

(j) has the proponent purchased assets with the programme funds; if so, did the proponent receive written permission prior to the purchase;

(k) has the proponent maintained workers compensation, public liability, professional indemnity and voluntary worker accident insurance during the funding period;

(11) In relation to completion of the project funding period (if applicable):

(a) when did the project and/or funding period conclude;

(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;

(c) has the proponent lodged a final report; if so, on what date;

(d) if applicable, has the final payment to the proponent been made;
(e) how many direct and indirect full-time equivalent positions have been generated by the project;
(f) have any assets purchased with programme funds remained the property of the Commonwealth; and
(g) has an independent evaluation been undertaken; if so: (i) who undertook the evaluation, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Regional Assistance Program
(Question No. 1912)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 8 September 2003:

With reference to the grant of $40,700 for the Addressing the Opportunities of Cooloola’s Ageing Population project in round three of the Regional Assistance Programme in the 2001-2002 financial year:

(1) (a) What total programme funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or, if paid in instalments, what were the instalment dates and amounts paid on each date.

(2) (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

(3) What is the proponent’s business address.

(4) Can a description of the project be provided.

(5) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Central Queensland Area Consultative Committee.

(6) When did the department or the Minister inform the proponent, the committee and the Member for Wide Bay about the funding approval.

(7) When did the department or the Minister publicly announce the grant.

(8) What was the quantum of the grant announced by the department or the Minister.

(9) In relation to the application for funding:

(a) when was the funding application lodged with the department;
(b) when was the application approved by the Minister;
(c) did the funding application comply with the programme guidelines; if not, can details of the non-compliance be provided;
(d) what total funding was sought, including, if applicable, the goods and services tax (GST) free amount, the GST-inclusive amount and the specific GST amount;
(e) what preferred project start date was nominated by the proponent;
(f) what preferred project completion date was nominated by the proponent;
(g) what was the project rationale, including identification of need for the project and demonstrated connection to the committee strategic regional plan;
(h) what community consultation did the proponent undertake prior to submitting the application;
(i) what previous studies or projects did the proponent nominate as relevant to the project;
(j) what project objectives and outcomes did the proponent nominate including employment outcomes and ongoing regional benefit;

(k) with reference to employment outcomes, how many direct and indirect full time equivalent positions did the proponent claim would be generated;

(l) what additional sources of funding did the proponent nominate would be required to sustain the project at the end of the funding period;

(m) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;

(n) (i) what project linkages were nominated by the proponent, including federal agencies, state agencies, local government, community organisations and the private sector, and (ii) what was the nature of the links;

(o) (i) what project management structure was proposed by the proponent, (ii) what selection process for the project manager was proposed, and (iii) if applicable, what was the proposed membership, role and terms of reference for the steering committee;

(p) what progress report timing and format did the proponent propose;

(q) what monitoring and evaluation process did the proponent propose;

(r) what assistance did the proponent advise would be received from other sources (identified by source and type of assistance);

(s) did the proponent disclose receipt of other government funding in the 3 years before the application was lodged; if so, what funding had the proponent received;

(t) did the proponent propose the purchase of assets with the programme funds;

(u) did the proponent hold workers compensation, public liability, professional indemnity and voluntary worker accident insurance when the application was lodged;

(v) was the proponent a Job Network member or involved with a New Apprenticeship Centre or Work for the Dole at the time the application was lodged;

(w) was the project endorsed for funding by the committee;

(x) was the proponent and/or the Committee asked to provide advice on the primary and secondary electorates in which the project activity would be based; if so, why was this question asked and what answer was provided; and

(y) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided.

(10) In relation to the progress of the project:

(a) when did the project start;

(b) how many direct and indirect full-time equivalent positions have been generated by the project;

(c) what economic or regional benefit has the project provided;

(d) (i) were progress payments negotiated on the basis of project activity; if so, has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;

(e) were all nominated project linkages, i.e. with government agencies and the private sector, realised; if not, which linkages were not realised;

(f) (i) what project management structure was established, (ii) what selection process for the project manager was adopted; and (iii) was a steering committee established;
(g) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;
(h) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, on what dates.
(i) has the project received assistance from other sources during the programme funding period; if so, can this assistance be identified by source and type;
(j) has the proponent purchased assets with the programme funds; if so, did the proponent receive written permission prior to the purchase;
(k) has the proponent maintained workers compensation, public liability, professional indemnity and voluntary worker accident insurance during the funding period;
(1) In relation to completion of the project funding period (if applicable):
   (a) when did the project and/or funding period conclude;
   (b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;
   (c) has the proponent lodged a final report; if so, on what date;
   (d) if applicable, has the final payment to the proponent been made;
   (e) how many direct and indirect full-time equivalent positions have been generated by the project;
   (f) have any assets purchased with programme funds remained the property of the Commonwealth; and
   (g) has an independent evaluation been undertaken; if so: (i) who undertook the evaluation, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Regional Assistance Program
(Question No. 1913)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 8 September 2003:

With reference to the grant of $44 000 for the Harvey Bay Industry Cluster project in round three of the Regional Assistance Programme in the 2001-2002 financial year:

(1) (a) What total programme funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or, if paid in instalments, what were the instalment dates and amounts paid on each date.

(2) (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

(3) What is the proponent’s business address.

(4) Can a description of the project be provided.

(5) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Central Queensland Area Consultative Committee.

(6) When did the department or the Minister inform the proponent, the committee and the Member for Wide Bay about the funding approval.
(7) When did the department or the Minister publicly announce the grant.

(8) What was the quantum of the grant announced by the department or the Minister.

(9) In relation to the application for funding:
   (a) when was the funding application lodged with the department;
   (b) when was the application approved by the Minister;
   (c) did the funding application comply with the programme guidelines; if not, can details of the non-compliance be provided;
   (d) what total funding was sought, including, if applicable, the goods and services tax (GST) free amount, the GST-inclusive amount and the specific GST amount;
   (e) what preferred project start date was nominated by the proponent;
   (f) what preferred project completion date was nominated by the proponent;
   (g) what was the project rationale, including identification of need for the project and demonstrated connection to the committee strategic regional plan;
   (h) what community consultation did the proponent undertake prior to submitting the application;
   (i) what previous studies or projects did the proponent nominate as relevant to the project;
   (j) what project objectives and outcomes did the proponent nominate including employment outcomes and ongoing regional benefit;
   (k) with reference to employment outcomes, how many direct and indirect full time equivalent positions did the proponent claim would be generated;
   (l) what additional sources of funding did the proponent nominate would be required to sustain the project at the end of the funding period;
   (m) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;
   (n) (i) what project linkages were nominated by the proponent, including federal agencies, state agencies, local government, community organisations and the private sector, and (ii) what was the nature of the links;
   (o) (i) what project management structure was proposed by the proponent, (ii) what selection process for the project manager was proposed, and (iii) if applicable, what was the proposed membership, role and terms of reference for the steering committee;
   (p) what progress report timing and format did the proponent propose;
   (q) what monitoring and evaluation process did the proponent propose;
   (r) what assistance did the proponent advise would be received from other sources (identified by source and type of assistance);
   (s) did the proponent disclose receipt of other government funding in the 3 years before the application was lodged; if so, what funding had the proponent received;
   (t) did the proponent propose the purchase of assets with the programme funds;
   (u) did the proponent hold workers compensation, public liability, professional indemnity and voluntary worker accident insurance when the application was lodged;
   (v) was the proponent a Job Network member or involved with a New Apprenticeship Centre or Work for the Dole at the time the application was lodged;
   (w) was the project endorsed for funding by the committee;
(x) was the proponent and/or the Committee asked to provide advice on the primary and secondary electorates in which the project activity would be based; if so, why was this question asked and what answer was provided; and

(y) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided.

(10) In relation to the progress of the project:

(a) when did the project start;

(b) how many direct and indirect full-time equivalent positions have been generated by the project;

(c) what economic or regional benefit has the project provided;

(d) (i) were progress payments negotiated on the basis of project activity; if so, has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;

(e) were all nominated project linkages, i.e. with government agencies and the private sector, realised; if not, which linkages were not realised;

(f) (i) what project management structure was established, (ii) what selection process for the project manager was adopted; and (iii) was a steering committee established;

(g) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;

(h) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, on what dates.

(i) has the project received assistance from other sources during the programme funding period; if so, can this assistance be identified by source and type;

(j) has the proponent purchased assets with the programme funds; if so, did the proponent receive written permission prior to the purchase;

(k) has the proponent maintained workers compensation, public liability, professional indemnity and voluntary worker accident insurance during the funding period;

(11) In relation to completion of the project funding period (if applicable):

(a) when did the project and/or funding period conclude;

(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;

(c) has the proponent lodged a final report; if so, on what date;

(d) if applicable, has the final payment to the proponent been made;

(e) how many direct and indirect full-time equivalent positions have been generated by the project;

(f) have any assets purchased with programme funds remained the property of the Commonwealth; and

(g) has an independent evaluation been undertaken; if so: (i) who undertook the evaluation, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.
Transport and Regional Services: Regional Assistance Program  
(Question No. 1914)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 8 September 2003:

With reference to the grant of $110,000 for the Maryborough Urban Renewal project in round three of the Regional Assistance Programme in the 2001-2002 financial year:

1. (a) What total programme funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or, if paid in instalments, what were the instalment dates and amounts paid on each date.

2. (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

3. What is the proponent’s business address.

4. Can a description of the project be provided.

5. Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Central Queensland Area Consultative Committee.

6. When did the department or the Minister inform the proponent, the committee and the Member for Wide Bay about the funding approval.

7. When did the department or the Minister publicly announce the grant.

8. What was the quantum of the grant announced by the department or the Minister.

9. In relation to the application for funding:

(a) when was the funding application lodged with the department;

(b) when was the application approved by the Minister;

(c) did the funding application comply with the programme guidelines; if not, can details of the non-compliance be provided;

(d) what total funding was sought, including, if applicable, the goods and services tax (GST) free amount, the GST-inclusive amount and the specific GST amount;

(e) what preferred project start date was nominated by the proponent;

(f) what preferred project completion date was nominated by the proponent;

(g) what was the project rationale, including identification of need for the project and demonstrated connection to the committee strategic regional plan;

(h) what community consultation did the proponent undertake prior to submitting the application;

(i) what previous studies or projects did the proponent nominate as relevant to the project;

(j) what project objectives and outcomes did the proponent nominate including employment outcomes and ongoing regional benefit;

(k) with reference to employment outcomes, how many direct and indirect full time equivalent positions did the proponent claim would be generated;

(l) what additional sources of funding did the proponent nominate would be required to sustain the project at the end of the funding period;

(m) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;
(n) (i) what project linkages were nominated by the proponent, including federal agencies, state agencies, local government, community organisations and the private sector, and (ii) what was the nature of the links;
(o) (i) what project management structure was proposed by the proponent, (ii) what selection process for the project manager was proposed, and (iii) if applicable, what was the proposed membership, role and terms of reference for the steering committee;
(p) what progress report timing and format did the proponent propose;
(q) what monitoring and evaluation process did the proponent propose;
(r) what assistance did the proponent advise would be received from other sources (identified by source and type of assistance);
(s) did the proponent disclose receipt of other government funding in the 3 years before the application was lodged; if so, what funding had the proponent received;
(t) did the proponent propose the purchase of assets with the programme funds;
(u) did the proponent hold workers compensation, public liability, professional indemnity and voluntary worker accident insurance when the application was lodged;
(v) was the proponent a Job Network member or involved with a New Apprenticeship Centre or Work for the Dole at the time the application was lodged;
(w) was the project endorsed for funding by the committee;
(x) was the proponent and/or the Committee asked to provide advice on the primary and secondary electorates in which the project activity would be based; if so, why was this question asked and what answer was provided; and
(y) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided.

(10) In relation to the progress of the project:
(a) when did the project start;
(b) how many direct and indirect full-time equivalent positions have been generated by the project;
(c) what economic or regional benefit has the project provided;
(d) (i) were progress payments negotiated on the basis of project activity; if so, has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;
(e) were all nominated project linkages, i.e. with government agencies and the private sector, realised; if not, which linkages were not realised;
(f) (i) what project management structure was established, (ii) what selection process for the project manager was adopted; and (iii) was a steering committee established;
(g) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;
(h) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, on what dates.
(i) has the project received assistance from other sources during the programme funding period; if so, can this assistance be identified by source and type;
(j) has the proponent purchased assets with the programme funds; if so, did the proponent receive written permission prior to the purchase;
(k) has the proponent maintained workers compensation, public liability, professional indemnity and voluntary worker accident insurance during the funding period;

(11) In relation to completion of the project funding period (if applicable):
(a) when did the project and/or funding period conclude;
(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;
(c) has the proponent lodged a final report; if so, on what date;
(d) if applicable, has the final payment to the proponent been made;
(e) how many direct and indirect full-time equivalent positions have been generated by the project;
(f) have any assets purchased with programme funds remained the property of the Commonwealth; and
(g) has an independent evaluation been undertaken; if so: (i) who undertook the evaluation, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Regional Assistance Program

(Question No. 1915)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 8 September 2003:

With reference to the grant of $138,104 for the Mary Valley Heritage Railway Corridor Maintenance Business Enhancement project in round three of the Regional Assistance Programme in the 2001-2002 financial year:

(1) (a) What total programme funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or, if paid in instalments, what were the instalment dates and amounts paid on each date.

(2) (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

(3) What is the proponent’s business address.

(4) Can a description of the project be provided.

(5) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Central Queensland Area Consultative Committee.

(6) When did the department or the Minister inform the proponent, the committee and the Member for Wide Bay about the funding approval.

(7) When did the department or the Minister publicly announce the grant.

(8) What was the quantum of the grant announced by the department or the Minister.

(9) In relation to the application for funding:
(a) when was the funding application lodged with the department;
(b) when was the application approved by the Minister;
(c) did the funding application comply with the programme guidelines; if not, can details of the non-compliance be provided;

QUESTIONS ON NOTICE
(d) what total funding was sought, including, if applicable, the goods and services tax (GST) free amount, the GST-inclusive amount and the specific GST amount;

(e) what preferred project start date was nominated by the proponent;

(f) what preferred project completion date was nominated by the proponent;

(g) what was the project rationale, including identification of need for the project and demonstrated connection to the committee strategic regional plan;

(h) what community consultation did the proponent undertake prior to submitting the application;

(i) what previous studies or projects did the proponent nominate as relevant to the project;

(j) what project objectives and outcomes did the proponent nominate including employment outcomes and ongoing regional benefit;

(k) with reference to employment outcomes, how many direct and indirect full time equivalent positions did the proponent claim would be generated;

(l) what additional sources of funding did the proponent nominate would be required to sustain the project at the end of the funding period;

(m) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;

(n) (i) what project linkages were nominated by the proponent, including federal agencies, state agencies, local government, community organisations and the private sector, and (ii) what was the nature of the links;

(o) (i) what project management structure was proposed by the proponent, (ii) what selection process for the project manager was proposed, and (iii) if applicable, what was the proposed membership, role and terms of reference for the steering committee;

(p) what progress report timing and format did the proponent propose;

(q) what monitoring and evaluation process did the proponent propose;

(r) what assistance did the proponent advise would be received from other sources (identified by source and type of assistance);

(s) did the proponent disclose receipt of other government funding in the 3 years before the application was lodged; if so, what funding had the proponent received;

(t) did the proponent propose the purchase of assets with the programme funds;

(u) did the proponent hold workers compensation, public liability, professional indemnity and voluntary worker accident insurance when the application was lodged;

(v) was the proponent a Job Network member or involved with a New Apprenticeship Centre or Work for the Dole at the time the application was lodged;

(w) was the project endorsed for funding by the committee;

(x) was the proponent and/or the Committee asked to provide advice on the primary and secondary electorates in which the project activity would be based; if so, why was this question asked and what answer was provided; and

(y) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided.

(10) In relation to the progress of the project:

(a) when did the project start;

(b) how many direct and indirect full-time equivalent positions have been generated by the project;
(c) what economic or regional benefit has the project provided;
(d) (i) were progress payments negotiated on the basis of project activity; if so, has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;
(e) were all nominated project linkages, i.e. with government agencies and the private sector, realised; if not, which linkages were not realised;
(f) (i) what project management structure was established, (ii) what selection process for the project manager was adopted; and (iii) was a steering committee established;
(g) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;
(h) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, on what dates.
(i) has the project received assistance from other sources during the programme funding period; if so, can this assistance be identified by source and type;
(j) has the proponent purchased assets with the programme funds; if so, did the proponent receive written permission prior to the purchase;
(k) has the proponent maintained workers compensation, public liability, professional indemnity and voluntary worker accident insurance during the funding period;
(11) In relation to completion of the project funding period (if applicable):
   (a) when did the project and/or funding period conclude;
   (b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;
   (c) has the proponent lodged a final report; if so, on what date;
   (d) if applicable, has the final payment to the proponent been made;
   (e) how many direct and indirect full-time equivalent positions have been generated by the project;
   (f) have any assets purchased with programme funds remained the property of the Commonwealth; and
   (g) has an independent evaluation been undertaken; if so: (i) who undertook the evaluation, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:
Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Regional Assistance Program
(Question No. 1916)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 8 September 2003:
With reference to the grant of $13 282 for the Nanango Lee Park Assessment and Management Plan project in round three of the Regional Assistance Programme in the 2001-2002 financial year:
(1) (a) What total programme funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or, if paid in instalments, what were the instalment dates and amounts paid on each date.
QUESTIONS ON NOTICE

(2) (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

(3) What is the proponent’s business address.

(4) Can a description of the project be provided.

(5) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Central Queensland Area Consultative Committee.

(6) When did the department or the Minister inform the proponent, the committee and the Member for Wide Bay about the funding approval.

(7) When did the department or the Minister publicly announce the grant.

(8) What was the quantum of the grant announced by the department or the Minister.

(9) In relation to the application for funding:
   (a) when was the funding application lodged with the department;
   (b) when was the application approved by the Minister;
   (c) did the funding application comply with the programme guidelines; if not, can details of the non-compliance be provided;
   (d) what total funding was sought, including, if applicable, the goods and services tax (GST) free amount, the GST-inclusive amount and the specific GST amount;
   (e) what preferred project start date was nominated by the proponent;
   (f) what preferred project completion date was nominated by the proponent;
   (g) what was the project rationale, including identification of need for the project and demonstrated connection to the committee strategic regional plan;
   (h) what community consultation did the proponent undertake prior to submitting the application;
   (i) what previous studies or projects did the proponent nominate as relevant to the project;
   (j) what project objectives and outcomes did the proponent nominate including employment outcomes and ongoing regional benefit;
   (k) with reference to employment outcomes, how many direct and indirect full time equivalent positions did the proponent claim would be generated;
   (l) what additional sources of funding did the proponent nominate would be required to sustain the project at the end of the funding period;
   (m) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;
   (n) (i) what project linkages were nominated by the proponent, including federal agencies, state agencies, local government, community organisations and the private sector, and (ii) what was the nature of the links;
   (o) (i) what project management structure was proposed by the proponent, (ii) what selection process for the project manager was proposed, and (iii) if applicable, what was the proposed membership, role and terms of reference for the steering committee;
   (p) what progress report timing and format did the proponent propose;
   (q) what monitoring and evaluation process did the proponent propose;
   (r) what assistance did the proponent advise would be received from other sources (identified by source and type of assistance);
   (s) did the proponent disclose receipt of other government funding in the 3 years before the application was lodged; if so, what funding had the proponent received;
(t) did the proponent propose the purchase of assets with the programme funds;
(u) did the proponent hold workers compensation, public liability, professional indemnity and voluntary worker accident insurance when the application was lodged;
(v) was the proponent a Job Network member or involved with a New Apprenticeship Centre or Work for the Dole at the time the application was lodged;
(w) was the project endorsed for funding by the committee;
(x) was the proponent and/or the Committee asked to provide advice on the primary and secondary electorates in which the project activity would be based; if so, why was this question asked and what answer was provided; and
(y) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided.

(10) In relation to the progress of the project:
(a) when did the project start;
(b) how many direct and indirect full-time equivalent positions have been generated by the project;
(c) what economic or regional benefit has the project provided;
(d) (i) were progress payments negotiated on the basis of project activity; if so, has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;
(e) were all nominated project linkages, i.e. with government agencies and the private sector, realised; if not, which linkages were not realised;
(f) (i) what project management structure was established, (ii) what selection process for the project manager was adopted; and (iii) was a steering committee established;
(g) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;
(h) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, on what dates.
(i) has the project received assistance from other sources during the programme funding period; if so, can this assistance be identified by source and type;
(j) has the proponent purchased assets with the programme funds; if so, did the proponent receive written permission prior to the purchase;
(k) has the proponent maintained workers compensation, public liability, professional indemnity and voluntary worker accident insurance during the funding period;

(11) In relation to completion of the project funding period (if applicable):
(a) when did the project and/or funding period conclude;
(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;
(c) has the proponent lodged a final report; if so, on what date;
(d) if applicable, has the final payment to the proponent been made;
(e) how many direct and indirect full-time equivalent positions have been generated by the project;
(f) have any assets purchased with programme funds remained the property of the Commonwealth; and
(g) has an independent evaluation been undertaken; if so: (i) who undertook the evaluation, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Regional Assistance Program
(Question No. 1917)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 8 September 2003:

With reference to the grant of $17,246 for the Gympie Landcare Revegetation Nursery Development project in round four of the Regional Assistance Programme in the 2001-2002 financial year:

1. (a) What total programme funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or, if paid in instalments, what were the instalment dates and amounts paid on each date.

2. (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

3. What is the proponent’s business address.

4. Can a description of the project be provided.

5. Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Central Queensland Area Consultative Committee.

6. When did the department or the Minister inform the proponent, the committee and the Member for Wide Bay about the funding approval.

7. When did the department or the Minister publicly announce the grant.

8. What was the quantum of the grant announced by the department or the Minister.

9. In relation to the application for funding:

   (a) when was the funding application lodged with the department;
   (b) when was the application approved by the Minister;
   (c) did the funding application comply with the programme guidelines; if not, can details of the non-compliance be provided;
   (d) what total funding was sought, including, if applicable, the goods and services tax (GST) free amount, the GST-inclusive amount and the specific GST amount;
   (e) what preferred project start date was nominated by the proponent;
   (f) what preferred project completion date was nominated by the proponent;
   (g) what was the project rationale, including identification of need for the project and demonstrated connection to the committee strategic regional plan;
   (h) what community consultation did the proponent undertake prior to submitting the application;
   (i) what previous studies or projects did the proponent nominate as relevant to the project;
   (j) what project objectives and outcomes did the proponent nominate including employment outcomes and ongoing regional benefit;
   (k) with reference to employment outcomes, how many direct and indirect full time equivalent positions did the proponent claim would be generated;

QUESTIONS ON NOTICE
(l) what additional sources of funding did the proponent nominate would be required to sustain the project at the end of the funding period;

(m) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;

(n) (i) what project linkages were nominated by the proponent, including federal agencies, state agencies, local government, community organisations and the private sector, and (ii) what was the nature of the links;

(o) (i) what project management structure was proposed by the proponent, (ii) what selection process for the project manager was proposed, and (iii) if applicable, what was the proposed membership, role and terms of reference for the steering committee;

(p) what progress report timing and format did the proponent propose;

(q) what monitoring and evaluation process did the proponent propose;

(r) what assistance did the proponent advise would be received from other sources (identified by source and type of assistance);

(s) did the proponent disclose receipt of other government funding in the 3 years before the application was lodged; if so, what funding had the proponent received;

(t) did the proponent propose the purchase of assets with the programme funds;

(u) did the proponent hold workers compensation, public liability, professional indemnity and voluntary worker accident insurance when the application was lodged;

(v) was the proponent a Job Network member or involved with a New Apprenticeship Centre or Work for the Dole at the time the application was lodged;

(w) was the project endorsed for funding by the committee;

(x) was the proponent and/or the Committee asked to provide advice on the primary and secondary electorates in which the project activity would be based; if so, why was this question asked and what answer was provided; and

(y) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided.

(10) In relation to the progress of the project:

(a) when did the project start;

(b) how many direct and indirect full-time equivalent positions have been generated by the project;

(c) what economic or regional benefit has the project provided;

(d) (i) were progress payments negotiated on the basis of project activity; if so, has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;

(e) were all nominated project linkages, i.e. with government agencies and the private sector, realised; if not, which linkages were not realised;

(f) (i) what project management structure was established, (ii) what selection process for the project manager was adopted; and (iii) was a steering committee established;

(g) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;

(h) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, on what dates.
(i) has the project received assistance from other sources during the programme funding period; if so, can this assistance be identified by source and type;

(j) has the proponent purchased assets with the programme funds; if so, did the proponent receive written permission prior to the purchase;

(k) has the proponent maintained workers compensation, public liability, professional indemnity and voluntary worker accident insurance during the funding period;

(11) In relation to completion of the project funding period (if applicable):

(a) when did the project and/or funding period conclude;

(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;

(c) has the proponent lodged a final report; if so, on what date;

(d) if applicable, has the final payment to the proponent been made;

(e) how many direct and indirect full-time equivalent positions have been generated by the project;

(f) have any assets purchased with programme funds remained the property of the Commonwealth; and

(g) has an independent evaluation been undertaken; if so: (i) who undertook the evaluation, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Regional Assistance Program

(Question No. 1918)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 8 September 2003:

With reference to the grant of $32,613 for the Country Music Industry Development project in round one of the Regional Assistance Programme in the 2002-2003 financial year:

(1) (a) What total programme funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or, if paid in instalments, what were the instalment dates and amounts paid on each date.

(2) (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

(3) What is the proponent’s business address.

(4) Can a description of the project be provided.

(5) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Central Queensland Area Consultative Committee.

(6) When did the department or the Minister inform the proponent, the committee and the Member for Wide Bay about the funding approval.

(7) When did the department or the Minister publicly announce the grant.

(8) What was the quantum of the grant announced by the department or the Minister.

(9) In relation to the application for funding:

(a) when was the funding application lodged with the department;
(b) when was the application approved by the Minister;
(c) did the funding application comply with the programme guidelines; if not, can details of the non-compliance be provided;
(d) what total funding was sought, including, if applicable, the goods and services tax (GST) free amount, the GST-inclusive amount and the specific GST amount;
(e) what preferred project start date was nominated by the proponent;
(f) what preferred project completion date was nominated by the proponent;
(g) what was the project rationale, including identification of need for the project and demonstrated connection to the committee strategic regional plan;
(h) what community consultation did the proponent undertake prior to submitting the application;
(i) what previous studies or projects did the proponent nominate as relevant to the project;
(j) what project objectives and outcomes did the proponent nominate including employment outcomes and ongoing regional benefit;
(k) with reference to employment outcomes, how many direct and indirect full time equivalent positions did the proponent claim would be generated;
(l) what additional sources of funding did the proponent nominate would be required to sustain the project at the end of the funding period;
(m) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;
(n) (i) what project linkages were nominated by the proponent, including federal agencies, state agencies, local government, community organisations and the private sector, and (ii) what was the nature of the links;
(o) (i) what project management structure was proposed by the proponent, (ii) what selection process for the project manager was proposed, and (iii) if applicable, what was the proposed membership, role and terms of reference for the steering committee;
(p) what progress report timing and format did the proponent propose;
(q) what monitoring and evaluation process did the proponent propose;
(r) what assistance did the proponent advise would be received from other sources (identified by source and type of assistance);
(s) did the proponent disclose receipt of other government funding in the 3 years before the application was lodged; if so, what funding had the proponent received;
(t) did the proponent propose the purchase of assets with the programme funds;
(u) did the proponent hold workers compensation, public liability, professional indemnity and voluntary worker accident insurance when the application was lodged;
(v) was the proponent a Job Network member or involved with a New Apprenticeship Centre or Work for the Dole at the time the application was lodged;
(w) was the project endorsed for funding by the committee;
(x) was the proponent and/or the Committee asked to provide advice on the primary and secondary electorates in which the project activity would be based; if so, why was this question asked and what answer was provided; and
(y) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided.

(10) In relation to the progress of the project:

QUESTIONS ON NOTICE
(a) when did the project start;
(b) how many direct and indirect full-time equivalent positions have been generated by the project;
(c) what economic or regional benefit has the project provided;
(d) (i) were progress payments negotiated on the basis of project activity; if so, has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;
(e) were all nominated project linkages, i.e. with government agencies and the private sector, realised; if not, which linkages were not realised;
(f) (i) what project management structure was established, (ii) what selection process for the project manager was adopted; and (iii) was a steering committee established;
(g) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;
(h) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, on what dates.
(i) has the project received assistance from other sources during the programme funding period; if so, can this assistance be identified by source and type;
(j) has the proponent purchased assets with the programme funds; if so, did the proponent receive written permission prior to the purchase;
(k) has the proponent maintained workers compensation, public liability, professional indemnity and voluntary worker accident insurance during the funding period;

(11) In relation to completion of the project funding period (if applicable):
(a) when did the project and/or funding period conclude;
(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;
(c) has the proponent lodged a final report; if so, on what date;
(d) if applicable, has the final payment to the proponent been made;
(e) how many direct and indirect full-time equivalent positions have been generated by the project;
(f) have any assets purchased with programme funds remained the property of the Commonwealth; and
(g) has an independent evaluation been undertaken; if so: (i) who undertook the evaluation, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:
Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Regional Assistance Program
(Question No. 1919)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 8 September 2003:
With reference to the grant of $275 000 for the Lake Monduran Development of Recreational Facilities project in round four of the Regional Assistance Programme in the 2001-2002 financial year:
(1) (a) What total programme funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or, if paid in instalments, what were the instalment dates and amounts paid on each date.

(2) (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.

(3) What is the proponent’s business address.

(4) Can a description of the project be provided.

(5) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Central Queensland Area Consultative Committee.

(6) When did the department or the Minister inform the proponent, the committee and the Member for Wide Bay about the funding approval.

(7) When did the department or the Minister publicly announce the grant.

(8) What was the quantum of the grant announced by the department or the Minister.

(9) In relation to the application for funding:
   (a) when was the funding application lodged with the department;
   (b) when was the application approved by the Minister;
   (c) did the funding application comply with the programme guidelines; if not, can details of the non-compliance be provided;
   (d) what total funding was sought, including, if applicable, the goods and services tax (GST) free amount, the GST-inclusive amount and the specific GST amount;
   (e) what preferred project start date was nominated by the proponent;
   (f) what preferred project completion date was nominated by the proponent;
   (g) what was the project rationale, including identification of need for the project and demonstrated connection to the committee strategic regional plan;
   (h) what community consultation did the proponent undertake prior to submitting the application;
   (i) what previous studies or projects did the proponent nominate as relevant to the project;
   (j) what project objectives and outcomes did the proponent nominate including employment outcomes and ongoing regional benefit;
   (k) with reference to employment outcomes, how many direct and indirect full time equivalent positions did the proponent claim would be generated;
   (l) what additional sources of funding did the proponent nominate would be required to sustain the project at the end of the funding period;
   (m) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;
   (n) (i) what project linkages were nominated by the proponent, including federal agencies, state agencies, local government, community organisations and the private sector, and (ii) what was the nature of the links;
   (o) (i) what project management structure was proposed by the proponent, (ii) what selection process for the project manager was proposed, and (iii) if applicable, what was the proposed membership, role and terms of reference for the steering committee;
   (p) what progress report timing and format did the proponent propose;
   (q) what monitoring and evaluation process did the proponent propose;
(r) what assistance did the proponent advise would be received from other sources (identified by source and type of assistance);

(s) did the proponent disclose receipt of other government funding in the 3 years before the application was lodged; if so, what funding had the proponent received;

(t) did the proponent propose the purchase of assets with the programme funds;

(u) did the proponent hold workers compensation, public liability, professional indemnity and voluntary worker accident insurance when the application was lodged;

(v) was the proponent a Job Network member or involved with a New Apprenticeship Centre or Work for the Dole at the time the application was lodged;

(w) was the project endorsed for funding by the committee;

(x) was the proponent and/or the Committee asked to provide advice on the primary and secondary electorates in which the project activity would be based; if so, why was this question asked and what answer was provided; and

(y) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided.

(10) In relation to the progress of the project:

(a) when did the project start;

(b) how many direct and indirect full-time equivalent positions have been generated by the project;

(c) what economic or regional benefit has the project provided;

(d) (i) were progress payments negotiated on the basis of project activity; if so, has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;

(e) were all nominated project linkages, i.e. with government agencies and the private sector, realised; if not, which linkages were not realised;

(f) (i) what project management structure was established, (ii) what selection process for the project manager was adopted; and (iii) was a steering committee established;

(g) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;

(h) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, on what dates.

(i) has the project received assistance from other sources during the programme funding period; if so, can this assistance be identified by source and type;

(j) has the proponent purchased assets with the programme funds; if so, did the proponent receive written permission prior to the purchase;

(k) has the proponent maintained workers compensation, public liability, professional indemnity and voluntary worker accident insurance during the funding period;

(11) In relation to completion of the project funding period (if applicable):

(a) when did the project and/or funding period conclude;

(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;

(c) has the proponent lodged a final report; if so, on what date;

(d) if applicable, has the final payment to the proponent been made;
(e) how many direct and indirect full-time equivalent positions have been generated by the project;
(f) have any assets purchased with programme funds remained the property of the Commonwealth; and
(g) has an independent evaluation been undertaken; if so: (i) who undertook the evaluation, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Transport and Regional Services: Regional Assistance Program
(Question No. 1920)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 8 September 2003:

With reference to the grant of $65,714 for the Implementation of the South Burnett Regional Tourism Development Strategy project in round one of the Regional Assistance Programme in the 2002-2003 financial year:

(1) (a) What total programme funds have been paid to the proponent; and (b) if the funds were paid in one sum, on what date was the payment made; or, if paid in instalments, what were the instalment dates and amounts paid on each date.
(2) (a) What is the name of the proponent; and (b) if the proponent is an organisation or company, does it operate on a commercial or not-for-profit basis.
(3) What is the proponent’s business address.
(4) Can a description of the project be provided.
(5) Did the department or the Minister receive representations from the Member for Wide Bay (Mr Truss) on behalf of the proponent and/or the Central Queensland Area Consultative Committee.
(6) When did the department or the Minister inform the proponent, the committee and the Member for Wide Bay about the funding approval.
(7) When did the department or the Minister publicly announce the grant.
(8) What was the quantum of the grant announced by the department or the Minister.
(9) In relation to the application for funding:
   (a) when was the funding application lodged with the department;
   (b) when was the application approved by the Minister;
   (c) did the funding application comply with the programme guidelines; if not, can details of the non-compliance be provided;
   (d) what total funding was sought, including, if applicable, the goods and services tax (GST) free amount, the GST-inclusive amount and the specific GST amount;
   (e) what preferred project start date was nominated by the proponent;
   (f) what preferred project completion date was nominated by the proponent;
   (g) what was the project rationale, including identification of need for the project and demonstrated connection to the committee strategic regional plan;
   (h) what community consultation did the proponent undertake prior to submitting the application;
(i) what previous studies or projects did the proponent nominate as relevant to the project;
(j) what project objectives and outcomes did the proponent nominate including employment outcomes and ongoing regional benefit;
(k) with reference to employment outcomes, how many direct and indirect full time equivalent positions did the proponent claim would be generated;
(l) what additional sources of funding did the proponent nominate would be required to sustain the project at the end of the funding period;
(m) did a project plan accompany the application form nominating project milestones; if so, what major milestones were nominated by the proponent;
(n) (i) what project linkages were nominated by the proponent, including federal agencies, state agencies, local government, community organisations and the private sector, and (ii) what was the nature of the links;
(o) (i) what project management structure was proposed by the proponent, (ii) what selection process for the project manager was proposed, and (iii) if applicable, what was the proposed membership, role and terms of reference for the steering committee;
(p) what progress report timing and format did the proponent propose;
(q) what monitoring and evaluation process did the proponent propose;
(r) what assistance did the proponent advise would be received from other sources (identified by source and type of assistance);
(s) did the proponent disclose receipt of other government funding in the 3 years before the application was lodged; if so, what funding had the proponent received;
(t) did the proponent propose the purchase of assets with the programme funds;
(u) did the proponent hold workers compensation, public liability, professional indemnity and voluntary worker accident insurance when the application was lodged;
(v) was the proponent a Job Network member or involved with a New Apprenticeship Centre or Work for the Dole at the time the application was lodged;
(w) was the project endorsed for funding by the committee;
(x) was the proponent and/or the Committee asked to provide advice on the primary and secondary electorates in which the project activity would be based; if so, why was this question asked and what answer was provided; and
(y) did evidence of community support accompany the application or was evidence otherwise provided to the department; if so, what evidence was provided.

(10) In relation to the progress of the project:
(a) when did the project start;
(b) how many direct and indirect full-time equivalent positions have been generated by the project;
(c) what economic or regional benefit has the project provided;
(d) (i) were progress payments negotiated on the basis of project activity; if so, has the proponent failed to meet any agreed project milestones, and (ii) have any progress payments been delayed or withheld due to the failure to meet agreed project milestones;
(e) were all nominated project linkages, i.e. with government agencies and the private sector, realised; if not, which linkages were not realised;
(f) (i) what project management structure was established, (ii) what selection process for the project manager was adopted; and (iii) was a steering committee established;
(g) (i) what progress report timing and format was adopted, and (ii) have reporting requirements been met;

(h) (i) what monitoring and evaluation process was adopted, and (ii) has the department undertaken monitoring visits; if so, on what dates.

(i) has the project received assistance from other sources during the programme funding period; if so, can this assistance be identified by source and type;

(j) has the proponent purchased assets with the programme funds; if so, did the proponent receive written permission prior to the purchase;

(k) has the proponent maintained workers compensation, public liability, professional indemnity and voluntary worker accident insurance during the funding period;

(11) In relation to completion of the project funding period (if applicable):

(a) when did the project and/or funding period conclude;

(b) if the project is ongoing, what is its source of funding i.e. self-funding or other sources;

(c) has the proponent lodged a final report; if so, on what date;

(d) if applicable, has the final payment to the proponent been made;

(e) how many direct and indirect full-time equivalent positions have been generated by the project;

(f) have any assets purchased with programme funds remained the property of the Commonwealth; and

(g) has an independent evaluation been undertaken; if so: (i) who undertook the evaluation, (ii) when was it completed, and (iii) what findings did it make.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Answers to the above question have been provided to Senator O’Brien and copies are available from the Senate Table Office.

Research and Development Corporations: Corporate Branding

(Question No. 2122)

Senator O’Brien asked the Minister representing the Minister for Agriculture, Fisheries and Forestry, upon notice, on 18 September 2003:

With reference to the Government’s revised corporate branding requirements:

(1) For each of the following Research and Development Corporations (RDCs): What advice has the Minister or his department provided concerning branding requirements: (a) Cotton; (b) Fisheries; (c) Forest and Wood Products; (d) Grains; (e) Grape and Wine; (f) Land & Water Australia; (g) Rural Industries; (h) Sugar; and (i) Tobacco.

(2) For each RDC in paragraph (1), when did the Minister provide this advice.

(3) For each RDC in paragraph (1), what assessment has the Minister or his department made about the costs associated with new corporate branding requirements.

(4) For each RDC in paragraph (1), when did consultation with RDCs on revised branding commence; if consultation did not commence prior to the provision of instructions about new branding requirements, why not.

(5) For each RDC in paragraph (1), when did the Minister commence consultation with related commodity groups on revised branding requirements; if consultation did not commence prior to the provision of instructions about new branding requirements, why not.

QUESTIONS ON NOTICE
(6) For each RDC in paragraph (1): (a) what response has the Minister or his department received in relation to the revised branding requirements; (b) when was this response received; and (c) did this response include cost estimates; if so, can details be provided.

(7) Is the Minister or his department aware of concerns held by the Chair of the Grains RDC and the Deputy President of the Grains Council of Australia, reported in the Weekly Times of 17 September 2003, concerning the appropriateness of branding an RDC as a government agency; if so, what action has the Minister or his department taken in response to those concerns.

(8) For each RDC in paragraph (1), can details be provided of new branding requirements, including but not necessarily limited to name and logo.

(9) What impact will the new branding requirements have with respect to the following industry-owned companies in receipt of levies and matching Commonwealth payments: (a) Meat and Livestock Australia Limited; (b) Horticulture Australia Limited; (c) Australian Wool Innovation Limited; (d) Australian Pork Limited; (e) Dairy Australia Limited; and (f) Australian Egg Corporation Limited.

Senator Ian Macdonald—The Minister for Agriculture, Fisheries and Forestry has provided the following answer to the honourable senator’s question:

(1) The Secretary of the Department of the Prime Minister and Cabinet (PM&C), Dr Shergold, wrote to the Department of Agriculture, Fisheries and Forestry (the Department) on 11 July 2003 advising it of the Government’s new branding requirements, and again on 31 July 2003 to provide the design guidelines.

(2) The Department wrote to the Executive Directors of the Land and Water Resources, Grape and Wine, Fisheries, Cotton, Rural Industries and Forest and Wood Products Research and Development Corporations (RDCs) on 13 August 2003, and to Sugar, Tobacco and Grains RDCs on 19 August 2003 advising them of the new branding requirements.

(3) The Department has made no assessment of the cost of the new corporate branding requirements.

(4) See (2). Consultation could not begin until after PM&C provided details of the new branding requirements on 31 July 2003. The guidelines make it clear that the RDCs, as Australian Government Bodies under the Commonwealth Authorities and Companies Act 1997 (CAC Act), are required to comply with the new branding requirements.

(5) The Department has responded to the request of one commodity group, the Grains Council of Australia, to discuss branding requirements. Such consultations could not commence until the department had received details of the branding requirements, which it received in the letter of 31 July 2003 from PM&C.

(6) (a) The Fisheries Research and Development Corporation responded to the Department’s letter of 13 August 2003 requesting that consideration be given to allowing the use of its current logo in conjunction with the Coat of Arms. (b) 27 August 2003 (c) No.

(7) Yes. Consultation is continuing in a number of RDC forums.

(8) The new guidelines require RDCs to use the Coat of Arms in conjunction with the term “Australian Government”, and the RDC’s name.

(9) The new guidelines do not apply to these organisations.

Defence: Depleted Uranium Screening

(Question No. 2183)

Senator Allison asked the Minister for Defence, upon notice, on 3 October 2003:

With reference to the Director-General Defence Health Service Health Bulletin No 7/2003, 6 August 2003, which states ‘Screening for exposure to DU [depleted uranium] will be offered to those [person-
nel deployed to the Middle East Area of Operations] considered at increased risk and those who request it:

(1) How many personnel, from what operations, and within which classification of exposure to risk categories 1, 2 and 3, have been tested to date.

(2) Have any personnel been denied testing.

(3) How has the availability of testing been advertised to personnel, including those who have left the services.

(4) Is the testing available to personnel who participated in the 1991 Gulf War; if so, how are they being informed of the availability of testing.

(5) Can a report of the results of testing for depleted uranium be provided.

**Senator Hill**—The answer to the honourable senator’s question is as follows:

(1) The number of people who may be in risk categories 1, 2 and 3 is not yet available. A database is currently being developed to consolidate information from the Post Deployment Health Surveillance Program.

Six people have been tested. The Australian Nuclear Science & Technology Organisation advised they have analysed six urine samples on behalf of Defence. All reported results are normal and are not elevated above normal population background readings, that is, less than 70 parts per trillion of uranium.

(2) To the best of Defence’s knowledge, no personnel have been denied testing.

(3) Information about testing is available on the Defence Intranet and articles have been run in Service Newspapers. Both media are accessible to former Defence personnel.

(4) Defence makes available testing for serving members who participated in the 1991 Gulf War. They will be offered the opportunity to complete the post-deployment health screening questionnaire, which assists in identifying possible exposures to depleted uranium.

The Department of Veterans’ Affairs and Defence are consulting to address the issue of whether or not the Commonwealth can meet a request for uranium screening by former members of the Australian Defence Force, other than in relation to a compensation claim. The Department of Veterans’ Affairs may consider depleted uranium screening as part of an investigation into a claim for compensation for an injury or illness that either a serving member, or former member, considers is related to exposure to depleted uranium during the 1991 Gulf War.

(5) As the results of the uranium screening program are yet to be finalised, no report has yet been prepared.

**Defence: Point Nepean**

(Question No. 2320)

**Senator Allison** asked the Minister for Defence, upon notice, on 23 October 2003:

(1) Can the Minister confirm the press report that quoted the Parliamentary Secretary to the Minister for Defence as saying that the Point Nepean Community Group and FKP Limited Consortium (the consortium) has won the bid for the 40 year lease of Defence land at Point Nepean.

(2) Will there be an opportunity for public input into the bid before the lease is signed; if not, why not.

(3) Given that, in the week beginning 19 October 2003, the Parliamentary Secretary to the Minister for Defence was reported as saying that the tourist accommodation would not be a ‘five star, high rise cliff-top hotel’: Will the tourist accommodation be: (a) five, four, three or other star; (b) one, two, three, four, five or more storeys high; and (c) on a cliff-top.

(4) How many beds will there be in the proposed tourist accommodation.
(5) What planning mechanisms or process will the Government have in place to ensure that the development proposals in the bid that are accepted are not subsequently changed, expanded and/or intensified in the future.

(6) Has the Government advised the consortium that, according to legal advice, state planning laws will prevail on the site.

(7) What legal advice has the Government sought on the implications of the lease being signed for a development that will not be permitted by state planning laws.

(8) What talks and correspondence has the Government conducted with the Victorian State Government with regard to bid proposals and whether or not these will be permitted under state planning laws.

(9) What ‘final details’ need to be finalised before the lease is signed.

(10) On what date will the lease be signed.

(11) Does the consortium’s bid include development on the beach or foreshore; if so, what development is proposed.

(12) In what sense will there be public ownership of the site.

(13) Did the Victorian State Government offer any money in its bid for the site; if so, how much was offered.

(14) (a) Who will be appointed to the ‘community panel’ set up to advise on the management of the site; and (b) what is the process by which the panel will be chosen and funded.

(15) How will the limitation of ‘search and rescue’ activities only for the proposed helipad be guaranteed.

(16) What checks has the Government conducted on FKP Limited.

(17) Is the Government aware that FKP Limited’s construction division was fined recently by the Maroondah City Council for illegally felling trees and failing to protect existing vegetation at a retirement village construction site in Croydon, Victoria and that it failed to submit a landscape plan.

Senator Hill—The answer to the honourable senator’s question is as follows:

(1) On 18 October 2003, the Parliamentary Secretary to the Minister for Defence announced that the Government’s preferred tenderer for the lease of the 90 hectare portion of the Defence land at Portsea is the Point Nepean Community Group and FKP Limited Consortium.

(2) As part of Defence’s preparation for the tendering for the property, extensive consultation has already occurred in relation to the future of the site. This included the development of the Draft Community Master Plan.

As the Parliamentary Secretary announced on 25 August 2003, the lease for the site will achieve the 12 key aspects of the Draft Community Master Plan.

(3) and (4) For confidentiality and probity reasons, both of which seek to protect the commercial and other interests of the bidders and the robustness of the decision-making process, Defence is not able to publicly announce details of the proposal whilst in negotiations towards finalisation of the proposal.

(5) The future use and development of the site by the successful tenderer, who will become the lessee, will be regulated under the terms of a strict lease by the Commonwealth acting as landlord. No use or development will be permitted that is inconsistent with those uses identified in the Draft Community Master Plan.

(6) As in any tender process, tenderers are responsible for making their own enquiries and seeking their own advice in the preparation of any tender submission.
The Conditions of Tender state that the tenderer acknowledges and agrees that in submitting its tender, it has relied on its own judgement and enquiries and that no representations, inducements and warranties have been made by the Commonwealth which relate to the property, including the present and future use, occupation and development of the site.

(7) Defence has been consistently advised that the current position in Victoria is that State planning laws do not apply to Commonwealth land, whether or not it is leased.

The Commonwealth has noted the issues raised by the Victorian Government of 30 October 2003 concerning the applicability of Victorian Government planning legislation. The Government is presently considering these issues.

(8) The Government has not engaged in talks or correspondence with the Victorian State Government with regard to whether bid proposals will be permitted under State planning laws. As the Commonwealth is the landowner for the property, this was a matter for the Commonwealth.

(9) The negotiations of the lease are on-going and it would be inappropriate, for confidentiality reasons, to release these details.

(10) The lease will be signed as soon as negotiations are finalised.

(11) See response to part (3).

(12) The Commonwealth will retain ownership of the site – this is a leasehold interest which is being tendered.

(13) For confidentiality and probity reasons, Defence is not able to disclose the identity of bidders, or details of their proposals.

(14) and (15) See response to part (3).

(16) Checks have been undertaken on FKP Limited with regard to legal status and financial viability.

(17) Defence was not aware of this matter at the time.

**Employment and Workplace Relations: Alternative Dispute Resolution**

*Question No. 2356*

Senator Ludwig asked the Minister representing the Minister for Employment and Workplace Relations, upon notice, on 3 November 2003:

(1) Does the department use Alternative Dispute Resolution (ADR) in an effort to avoid litigation; if not, why not; if so, are there specific guidelines for the Department to follow when using ADR.

(2) If the department is not using ADR provisions, what process is used in cases that require resolution.

(3) Has the department been advised of any development of guidelines for the use of ADR.

(4) Does any of the legislation for which the department has responsibility contain ADR procedures; if so, (a) can each relevant provision be identified (eg. by statute name and section number); and (b) are guidelines provided for the use of ADR provisions in these instances; if so, can a copy of the guidelines be provided.

Senator Abetz—The Minister for Employment and Workplace Relations has provided the following answer to the honourable senator’s question:

(1) Yes, where appropriate.

(2) Not applicable.

(3) The Legal Services Directions issued by the Attorney-General pursuant to section 55ZF of the Judiciary Act 1903 oblige departments wherever possible to avoid litigation.

(4) (a) The department administers the Workplace Relations Act 1996 and Regulations which contains the following provisions:
Foreign Affairs: West Papua
(Question No. 2365)

Senator Brown asked the Minister representing the Minister for Foreign Affairs, upon notice, on 7 November 2003:

With reference to the answer to question on notice no. 1227 (Senate Hansard 10 September 2003, p. 14263): (a) what representations have the Government made to the Indonesian Government about the shooting of Elsye Rumbiak Bonai, her daughter and others; and (b) what information has the Indonesian Government supplied.

Senator Hill—The following answer has been provided by the Minister for Foreign Affairs to the honourable senator’s question:

The Australian Government has not made specific representations to the Indonesian Government about the incident involving Elsye Rumbiak Bonai.

Customs: Stolen Computer Equipment
(Question No. 2369)

Senator Mark Bishop asked the Minister for Justice and Customs, upon notice, on 7 November 2003:

What was the brand, type and replacement value of each of the computers stolen from the Australian Customs Service at Sydney Airport on 27 August 2003.

Senator Ellison—The answer to the honourable senator’s question is as follows:

Two Compaq Presario ML370 servers were stolen. EDS has advised that the replacement value of the two servers is $12000 per unit. Two Compaq Deskpro EN SFF Pentium 3 personal computers were stolen. The replacement value of the two personal computers is $2757.60 per unit.